

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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ALINORM 85/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
16TH SESSION

REPORT OF THE
SEVENTEENTH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING
OTTAWA, CANADA, 12-21 OCTOBER 1983

INTRODUCTION

1. The Codex Committee on Food Labelling held its 17th session in Ottawa, Canada from the 12 to 21 October 1983 by courtesy of the Government of Canada. The meeting was chaired by Mr. R.H. McKay, Director, Consumer Products Branch, Consumer and Corporate Affairs Canada. The session was attended by delegates and observers from the following 22 countries.

Argentina, Australia, Austria, Brazil, Canada, Denmark, Finland, France, Gabon, Federal Republic of Germany, Greece, Italy, Japan, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, Thailand, United Kingdom, United States of America.

Observers from the following international organizations were present:

- 1) Association of Official Analytical Chemists (AOAC)
- 2) European Economic Community (EEC)
- 3) International Atomic Energy Agency (IAEA)
- 4) International Dairy Federation (IDF)
- 5) International Frozen Food Association (IFFA)
- 6) International Life Science Institute (ILSI)
- 7) International Organization of Consumer Unions (IOCU)
- 8) International Union of Nutritional Sciences (IUNS)
- 9) World Health Organization (WHO)

A list of participants, including the Secretariat, is contained in Appendix I to this report.

2. The session was formally opened by Dr. A.B. Morrison, Assistant Deputy Minister, Health Protection Branch, Health and Welfare Canada. Dr. Morrison welcomed the participants and emphasized the importance of the two major items on the agenda - Guidelines on Nutrition Labelling and the Revision of the General Standard for the Labelling of Prepackaged Foods. He pointed to the

particular role of the Codex Alimentarius Commission and especially the Codex Committee on Food Labelling (CCFL) in advising at an international scale on such significant matters as the labelling of irradiated foods and in establishing universally applicable principles and concepts in nutrition labelling.

ITEM 2

ADOPTION OF THE AGENDA

3. The Chairman informed the Committee that the 15th Session of the Commission had instructed this Committee to give priority to the finalization of the Draft Guidelines on Nutrition Labelling and of the revised text of the General Standard for the Labelling of Prepackaged Foods. The Commission had also advised that this Committee should demonstrate the need for establishing Guidelines on the Labelling of Non-Retail Containers before considering any further work on this item. The wish of the Commission was reflected in the provisional agenda. The Committee decided to consider further work on the Guidelines on Non-Retail Containers under item 3 and to delete item 6 from the agenda. (See also para. 326).

4. The Committee unanimously adopted the provisional agenda for the session as amended.

5. The delegation of Argentina stated that, due to the late arrival of several working documents, the delegation of Argentina was not in a position to participate in the discussion of the relevant agenda items. The Secretariat pointed out that documents concerning comments were sometimes delayed due to the late arrival of these comments from governments.

AD HOC WORKING GROUP ON SPANISH TERMINOLOGY

6. The Committee noted that, during previous sessions, difficulties had arisen with the translation into Spanish of certain terms used in Codex documents such as, e.g. "minimum durability". Since the terms in question had already been included in adopted Codex standards and texts, the Committee agreed with a Secretariat proposal to establish an Ad Hoc Working Group consisting of Spanish speaking delegations to elaborate, where necessary, proposals for amendment of these terms. It was agreed that the report of the Ad Hoc Working Group be appended to this report to give Spanish speaking countries not present at the session an opportunity to express their views on the proposals. (See Appendix IV).

AD HOC WORKING GROUP ON METHODOLOGY, COMPLIANCE AND DEFINITIONS FOR
DRAFT GUIDELINES ON NUTRITION LABELLING

7. The Coordinator of the above Working Group announced that the group would meet during the session to agree on an approach to the establishment of methods of analysis and to advise the Committee on definitions and tolerance levels. The delegation of the Federal Republic of Germany regretted that the Group had not been able to make more progress in its work by correspondence. A brief report on the meeting of the above Working Group can be found in paras. 106-109 and Appendix V to this report.

ITEM 3

MATTERS OF INTEREST TO THE COMMITTEE

8. The Committee had before it working paper CX/FL 83/2 and Addendum 1 thereto. The Committee decided to discuss matters relating to a specific item in connection with the item concerned. Codex Committee on Processed Meat and Poultry Products (CCPMPP) The Committee noted that CCPMPP had given further consideration to date marking for processed meat and poultry products and had agreed to discuss the exact wording for date marking provisions at its next session. The delegation of the Federal Republic of Germany drew attention to the decision of CCPMPP that date marking was not necessary for shelf-stable products. He was of the opinion that shelf-stable products in general should carry a date marking. The Committee agreed that date marking of shelf-stable products should be discussed in connection with endorsements under item 8. (See para. 319).

Draft Guidelines on the Labelling of Non-Retail Containers

9. The Secretariat gave a brief outline of the work carried out on the above guidelines. The Committee at its 16th session had agreed that they should be elaborated simultaneously with the Revision of the General Standard for the Labelling of Prepackaged Foods and has therefore requested the Commission to approve that they be considered at Step 5 of the Procedure. The 29th session of the Executive Committee had agreed with that request subject to final approval by the 15th session of the Commission. Subsequently, comments at Step 6 had been requested to enable this Committee to consider both labelling documents at Step 7 of the Procedure.

10. At the 15th session of the Commission, some delegations had reiterated their opinion expressed at previous sessions of this Committee that there was no need for such guidelines, since it was not clear to what type of containers the guidelines should apply. Furthermore, it had been pointed out, the final destination of the products in non-retail containers was not always known. While several other delegations had supported the views expressed above, they had felt that the most important provisions of the guidelines could be included in the General Standard. Several other delegations had supported the development of the guidelines and stated that they were acceptable as presently drafted and provided very useful information to several manufacturers in complying with the labelling requirements of prepackaged foods. At the 15th session of the Commission, it had also been pointed out that the majority of this Committee had been in favour of continuing the work and had requested to place the guidelines in the step procedure. The view had been expressed that, since the Commission was elaborating more standards for semi- and unprocessed products, provisions for the labelling of non-retail containers gained more importance.

11. Notwithstanding the above discussion, the Commission had requested this Committee not to continue with the elaboration of the above guidelines until a clear need for them had been established (paras. 108-114 of Alinorm 83/43).

12. Several delegations expressed their disappointment with the Commission's decision which in their opinion did not reflect the points made in favour of the guidelines.

13. The delegation of Australia, supported by the delegation of the United States of America, pointed out that since the Commission had approved the work on the Guidelines on Non-Retail Containers at earlier sessions, many other Codex Committees had included reference to non-retail containers in more than 50 Codex standards. If no such provisions were developed, the full mandatory labelling requirements would also apply to products, such as cereals and vegetable proteins, which were packed to a large extent in non-retail containers. Specific labelling provisions for such containers would, however, be advantageous for importers and exporters in international trade. It was noted that the Commission had also recommended to review the Scope section of the revised text of the General Standard for the Labelling of Prepackaged Foods which contained reference to the above guidelines.

14. The delegations of Switzerland and the United States of America were in favour of provisions for non-retail containers.

15. The delegation of the Federal Republic of Germany was of the opinion that little progress had been made on these guidelines and that guidelines on the labelling of non-retail containers were not necessary. The delegation held the view that the Committee should concentrate on the revision of the General Standard which included foods for catering purposes and decide later on whether or not any other provisions on non-retail containers were needed.

16. The delegation of Gabon opposed the view expressed by the delegation of the Federal Republic of Germany, i.e. to discontinue work on the guidelines and outlined the importance of proper labelling of non-retail containers.

17. Attention was drawn to the Codex standard for the labelling of food additives sold as such which dealt with food additives, prepackaged as well as those in non-retail containers. The Secretariat informed the Committee that it would prepare a review paper on all provisions on non-retail containers in Codex standards.

18. In conclusion, the Committee decided that, in view of its mandate to finalize the revision of the General Standard for the Labelling of Prepackaged Foods, it would not be wise to incorporate provisions on non-retail containers at this time but to review the need for the above guidelines after finalization of the General Standard.

Terms of Reference

19. The Committee noted that the Commission had approved its revised terms of reference which were extended to cover also endorsement function of labelling provisions in Codex Codes of Practice (paras. 115, 116 of Alinorm 83/43).

Advertising

20. The Committee noted that the Commission had agreed with the interpretation by this Committee of clause (d) of its terms of reference that advertising was covered by that clause. However, the Committee noted that the question had not yet been resolved whether advertising by mass media and electronic means was covered. The Commission had decided, therefore, that the legal opinion of FAO and WHO should be sought on which aspects of advertising came within the scope of the Codex Alimentarius Commission. The Committee agreed to discuss this matter further in connection with Item 9. (See para. 327).

ITEM 4

CONSIDERATION OF DRAFT GUIDELINES ON NUTRITION LABELLING AT STEP 7

21. The Committee had before it the above guidelines as contained in Appendix IV of Alinorm 83/22 (see also paras. 24-90 of Alinorm 83/22) and government comments as contained in CX/FL 83/3 - Part I. Addenda 1 and 2 (Norway, United Kingdom, Italy, the Netherlands, Federal Republic of Germany, Sweden, Switzerland, Poland, Thailand, United States of America, International Dairy Federation, Finland and Egypt) and Addendum 3 as conference room document. (Additional comments from Switzerland).

22. The Committee noted that the report of the Ad Hoc Working Group on Definitions and Methodology would be available to it later during the discussion of the agenda item, as a conference room document. (See para. 7). The following countries agreed to participate in the Working Group: Austria, Sweden, Australia, Denmark, Federal Republic of Germany, Netherlands, Switzerland, United Kingdom, United States of America, Belgium and Norway. The Working Group agreed only to discuss the approach to the problem on elaboration of definitions and methodology, but leave the details which could be later elaborated by correspondence.

23. The Committee recalled the discussions it had on the Draft Guidelines on Nutrition Labelling at its last session on the basis of a working group's report on the subject. The Secretariat had amended the text of the guidelines in conformity with the decisions made by the Committee (Appendix IV, Alinorm 83/22) which had been sent to governments for comments. The Committee agreed to discuss the guidelines section by section in the light of government comments received.

Purpose of the Guidelines

24. The Committee noted that written comments had been received from Norway, the United Kingdom, and the United States of America. The delegation of the United States of America suggested that, in the text on the purpose of the guidelines, the word "effective" be changed to "informative". The delegation of the United Kingdom suggested that section (iii) should be omitted because its aim could not be achieved by nutrition labelling.

25. The delegation of Sweden was of the opinion that the purpose of the guidelines was to give objective information to the consumer in a way that was understandable to him. Therefore, the guidelines should not be too sophisticated. The section on "Educational Nutrition Information" included in the guidelines was difficult to understand and omission of this from the guidelines would not affect the overall usefulness of the guidelines. The views of Sweden were supported by the Federal Republic of Germany which also suggested that the discussion of the purpose of the guidelines by the Committee should be taken up again after finalization of the text of the guidelines.

26. The Committee, however, agreed to discuss the purpose of the guidelines first and discuss it again after finalization of the text of the guidelines only if a need was felt to do so.

27. Some delegations were of the opinion that section (iii) served the most direct purpose of the guidelines. Once the guidelines were available, the industry would be in a position to provide nutrition information to the consumer and thus the purpose of the guidelines was achieved. The suggestion of the United Kingdom to delete section (iii) did not receive adequate support from other delegations.

28. The delegation of the United Kingdom was of the opinion that point (iv) of the section on Purpose of the guidelines was not appropriate to the guidelines but, however, would support a revision of the section to read as "in ensuring that the option on nutrition education on the label is in accordance with the guidelines." The above opinion of the delegation of the United Kingdom was supported by the delegation of the Federal Republic of Germany. The Committee, however, recalling the discussions it had at its last session (para. 33, Alinorm 83/22) on the subject took no action.

29. The delegation of Gabon was of the opinion that the guidelines were meant to provide nutrition information in a way which would not mislead the consumer and should be commended.

30. The Committee discussed the suggestion of the delegation of the United States of America to change the wording "effective" into "informative". It was, however, of the opinion that such a change did not go well with the text as contained in sections (i), (ii), and (iv) and agreed not to make any change in the existing text.

Principles of Nutrition Labelling

31. The delegation of the United Kingdom was of the opinion that the heading "Nutrient Labelling" at "A" should be changed to read as "Nutrient Declaration" to differentiate more clearly between the terms "Nutrient Labelling" and "Nutrient Declaration". The Committee, having noted that the change proposed by the delegation of the United Kingdom had already been accepted for use in the Spanish and French versions of the guidelines, agreed for such a change in the English version of the guidelines where the term appeared.

32. The other amendment suggested by the delegation of the United Kingdom to change "imply" to read as "state" did not receive the Committee's approval. The Committee was of the opinion that there should not be a deliberate attempt to make nutrient labelling to imply that food which carried such labelling had necessarily any nutrient advantage over a food which was not so labelled and hence agreed to include the word "deliberately" before imply. The Committee considered para. 2 under "A" important and applicable to nutrition labelling generally and agreed to list it under "C" as a separate item.

Scope

33. The Committee did not make any changes in the existing text since no comments had been received on sections 1.1 and 1.2.

Definitions

34. The Committee noted that written comments had been received from the United Kingdom that a standardized format was appropriate only for nutrient declaration but not for educational nutrition information, especially as there was no recommendation for a standardized approach to educational nutrition information.

Section 2.1

35. The Committee agreed that only part of the description could be standardized from the Codex point of view and deleted the word "standardized" from the section 2.1. The delegation of Gabon brought to the attention of the Committee that the use of the word "description" in the context of the present text did not convey much meaning when translated into French and preferred that the text in the French version should read as "nutrition labelling is a description of the nutritional properties of a food intended to inform the consumer."

Section 2.2(a)

36. The delegation of Australia supported by the Federal Republic of Germany suggested "nutrient labelling" should read "nutrient declaration" for which a suitable definition has been given in Annex 1. (See also para. 31). The delegation of the United Kingdom was of the opinion that nutrient declaration should be in a standardized format. The Committee agreed to these changes.

Section 2.2(b)

37. The Committee agreed that educational nutrition information had no legal status and would not be in a standardized format and maintained the present text without change. The Committee was informed by the delegations of Switzerland and Gabon that the correct translation of the word "educational" in 2.2(b) into French should be "educatif" and not "instructif".

38. The Committee heard no comments and retained the present text unchanged.

Section 3 - Nutrient Labelling

39. The Committee considered a written comment from Italy which proposed that the word "should" appearing in different sub-sections 3.2.1, 3.2.2, 3.2.5, 3.2.6, 3.3.3, 3.3.4 and 3.3.5 be replaced by "shall" since it was of the opinion that provisions in the above sub-sections were mandatory. Noting that the guidelines which it is developing are advisory in nature, the Committee took no action.

Section 3.1 - Application of Nutrient Labelling

40. Supporting their written comments to include a simple statement of the energy value as a further exception in section 3.1.1, the delegation of the United Kingdom informed the Committee that it considered declaration of energy to be an important piece of consumer information. It was of the opinion that a simple declaration of energy value should not trigger full nutrient declaration because, if it did, manufacturers would be deterred from making such a declaration and consumers would be deprived of the information. The suggestion of the United Kingdom received support from the delegation of Australia but not the general support of the Committee.

41. The delegation of the Netherlands supported by IOCU were of the opinion that, for foods for which the nutritional composition has been changed by replacing major ingredients, nutrition labelling might be mandatory and proposed that this should be covered by a new section 3.1.3. The Committee recalled the discussions it had on the above proposal of the Netherlands at its last session (para. 49, Alinorm 83/22) and reiterated its earlier views.

42. The Committee noted that the clauses (a), (b), (c) under section 3.1.1 were exceptions to nutrition claims and agreed that their right place in the guidelines was immediately after section 2.3 which defined "nutrition claim".

43. Some delegations proposed that the word "substances" in 3.1.1(a) be replaced by "nutrient" and were of the opinion that such an action should not trigger nutrient labelling. The delegation of the United States of America was of the opinion that substances mentioned in the list of ingredients should be exempted only if they were added for functional properties and not nutritional properties and proposed a modified text for 3.1.1(a) to take this into account. The Committee, however, took no action to change the present wording.

44. The delegations of the United States of America and Federal Republic of Germany were of the opinion that clauses 3.1.1.(b) and (c) were related; while 3.1.1(b) was concerned with the listing of nutrients, 3.1.1(c) was concerned with their quantitative expression. The delegation of Denmark proposed that 3.1.1(b) be modified to read as "The mention of nutrients as a mandatory part of nutrition labelling, when made voluntarily." The proposal of Denmark was supported by the delegation of the United Kingdom.

45. Some delegations were of the opinion that clause 3.1.1(c) should be modified to cover Codex requirements also. Since Codex requirements were subject to acceptance by governments, which many a time, depending on their national legislation could accept with specific deviations, the Committee did not agree that the proposed change was necessary. The Committee was of the opinion that

qualitative declaration of nutrients on the label, if required by national legislation, should also not be considered as a claim and modified 3.1.1(c) to read as "Quantitative or qualitative declaration of certain nutrients or ingredients on the label if required by national legislation."

46. Sweden proposed inclusion of definitions for a) Qualitative nutrient declaration and b) Quantitative nutrient declaration. The Committee, however, did not agree to this.

Section 3.2 - Nutrients to be Listed

Section 3.2.1

47. The delegation of the United Kingdom pointed out that, as the guidelines were at present drafted, claims for even a single nutrient would mean a declaration of energy, protein, carbohydrate and fat and possibly other nutrients which would be of little informative value to the consumer. The delegation pointed out that, for example, in orange juice, the declaration of the vitamin C content which was the point of primary interest to the consumers would also require the declaration of up to sixteen other nutrients.

48. Such declarations would require analyses which would entail unnecessary costs, both to manufacturers and controlling authorities, and might have a negative effect on the consumer by discouraging informative claims. The delegation considered that the information necessary to inform the consumer about the nutrients for which the claim was being made should be what was primarily required by the guidelines.

49. The delegation proposed therefore that the provisions under 3.2.1.1 and 3.2.1.2 should be deleted and that only 3.2.1.3 and 3.2.1.4 with some modifications should be retained. Several other delegations stated that they were not in agreement with the interpretation by the delegation of the United Kingdom.

50. The delegation of the United States of America was of the opinion that claims should not be made in isolation and that full nutrition labelling should still be required. It was also pointed out that, in any case, the calculation of the energy value of a food required analysis for carbohydrate, protein and fat content.

51. The Committee noted that there was no support for the proposal of the delegation of the United Kingdom and decided to maintain the present text.

Section 3.2.2

52. The Committee noted that at its most recent session the Codex Committee on Foods for Special Dietary Uses (CCFSDU) had commented that in view of the many types of carbohydrates which might be present in foods with differences in absorption and metabolism such as oligo-saccharides and polydextrose declaration of only starch

and sugar alcohols might not be sufficient and suggested amending this text to read "and other components of carbohydrates when present may be listed", instead of referring to only sugar alcohols as at present.

53. The Committee recognized that there were other carbohydrate compounds present in foods, some of which had sweetening properties but were not sugar alcohols and agreed that some amendment should be made. After discussing several proposals, the Committee agreed to adopt the following wording in the second sentence of 3.2.2: "The amounts of starch and/or other carbohydrate constituents may also be listed."

54. The delegation of the United Kingdom pointed out that such wording would require a definition of carbohydrate and proposed the following: "Any neutral polyhydroxy alcohol which is metabolized by man."

55. After a brief discussion, the Committee decided to refer the definition to the Ad Hoc Working Group which was meeting during the session. (See paras. 105-108 and Appendix V).

56. The delegation of the Federal Republic of Germany was of the opinion that the guidelines should include only a minimum of technical definitions.

Section 3.2.3

57. The Committee noted that the question of minimum values for polyunsaturated fatty acids and maximum values for saturated fatty acids which had been raised by the Codex Committee on Fats and Oils (CCFO) had been considered at its previous session.

58. The Committee noted that maximum and minimum values were a matter of compliance and could be further discussed under section 4 - Compliance or Enforcement. (See paras. 106-116).

59. It also noted that the CCFSU had proposed that the text should also state "the amount of cholesterol may also be listed."

60. The delegation of the United States of America supported the proposal of the CCFSU. Other delegations were of the opinion that, since the metabolism of cholesterol consumed in food was still being investigated, it would not serve the purposes of the guidelines to provide for the listing of cholesterol.

61. The Committee agreed with this point of view.

Section 3.2.4 - Vitamins and Minerals

62. In discussing this sub-section, the Committee noted that the overall title under 3.2 "Nutrients to be Listed" could be taken to have a mandatory character. Since only the provisions under 3.2.1-3.2.3 were mandatory, it was agreed to change the title to "Listing of Nutrients" and to amend 3.2.4 to read "In addition to the mandatory declaration under 3.2.1, 3.2.2 and 3.2.3, vitamins and minerals may be listed in accordance with the following criteria."

63. The Committee noted that CCFSDU had proposed to add sodium and potassium to the list of vitamins and minerals under 3.2.4.2. It also noted that some essential vitamins were not included in the list.

64. Some delegations were of the opinion that the list should be completed by the addition of sodium, potassium and the essential vitamins biotin, vitamin K, pantothenic acid and tocopherol or deleted completely. Other delegations thought that only vitamins or minerals for which there were RDAs/RDIs should be listed.

65. It was pointed out that RDAs and RDIs were national values and that internationally recommended intakes for some vitamins and minerals had been established by FAO/WHO.

66. After further discussion, the Committee agreed to make reference to such values in a footnote, rather than in the text, as follows: "Recommended intakes for certain vitamins and minerals have been established by a number of countries. Recommended intakes have been established by FAO/WHO for vitamins A, D, thiamin, riboflavin, niacin, folic acid, vitamin B₁₂, ascorbic acid, calcium and iron (Handbook on Human Nutritional Requirements 1974, FAO Nutritional Series N° 28; WHO Monograph Series N° 61)." As a consequence, 3.2.4.2 was deleted and the footnote referenced to 3.2.4.1.

67. The Committee noted that the specific recommendations made by FAO/WHO Expert Groups for daily intakes of energy and nutrients needed periodic revision in the light of new knowledge and that some essential vitamins and minerals had not yet been examined. It was of the opinion that human nutritional requirements should be kept under constant review and strongly recommended to FAO/WHO to re-activate work on nutritional requirements.

Section 3.2.5

68. The Committee noted that, in the opinion of several delegations, reference to claims in the guidelines was inappropriate since they were concerned with labelling rather than claims. It was agreed to delete 3.2.5.

Section 3.2.6

69. The Committee noted that, in their written comments, several countries had proposed that the expression "in significant amounts" when expressing the presence of vitamins and mineral salts be quantified and be expressed as a percentage of a nationally accepted figure. These figures varied both with regard to numerical values and the way in which they were expressed. There was some discussion as to whether there should be higher figures for claims as opposed to simple listing. There was general agreement on a limit of 5% of RDA for the amount which should go into a nutrient declaration. Opinions varied, however, on the basis for expressing this figure. In addition, it was pointed out that the provision covered presence of nutrients but not absence of, for instance, salt. It was suggested that the amount should be related to the energy content of the food or to an average daily calorie intake. It was recognized, however, that national diets varied greatly in their composition and that thus calorie content of a typical serving or portion in relation to vitamin and mineral content could be very diverse and that thus some flexibility in the provision was required.

70. After further discussion, the Committee agreed to maintain the present text of 3.2.6 and to add the following footnote: "As a rule, 5% of the recommended daily amount (for the population concerned) supplied by a serving as quantified on the label should be taken into consideration in deciding what constitutes a significant amount."

71. The Committee accepted a proposal from the observer of IOCU to relocate the text of 3.2.6 under 3.4.

Section 3.2.8.1 - Calculation of Energy

72. The Committee noted that comments on the above had been received from eight countries, a majority of which had agreed to the removal of square brackets from the figures. It further noted that the figures were in line with the findings of the Joint FAO/WHO Working Group (1974) with the exception of the figure for organic acids. It noted that a closer approximation for the alcohol figure (7x4.184) would be 29 and for fat 37. With this amendment, it agreed to remove the square brackets from the values. The delegation of the Federal Republic of Germany expressed the opinion that, because the lack of precision of the analytical method involved, it would be simpler to maintain the present figure. The Committee agreed with the proposal of the CCFSDU to add the following: "If the factor for the energy value of a substance differs significantly from the above factors, the specific factor should be used (e.g. medium chain triglycerides)."

73. Consideration of whether the expression of energy content in Kcal/g or kJ should take precedence was deferred until discussion of item 3.3.2. (See paras. 85-93).

Section 3.2.8.2 - Calculation of Protein

74. The Committee noted that, in their written comments, countries and international organizations had suggested specific conversion factors for proteins derived from various animal and vegetable sources: animal 6.25; milk and milk products 6.38; cereal products 5.7. In addition, the delegation of Australia suggested a conversion factor of 5.6 for gelatin.

75. There was a brief discussion during which some delegations supported the proposal of specific conversion factors. Others pointed out that the figure of 6.25 was widely accepted and was a fair average figure, especially when, as was often the case, mixtures of proteins were analyzed. The Committee supported the latter point of view and agreed to maintain a general conversion factor of 6.25 for total Kjeldahl nitrogen.

76. The delegation of the United Kingdom, supported by the delegations of Switzerland and Thailand, expressed a reservation to this decision, pointing out that the difference between conversion factors of 6.25 for animal protein and 5.7 for vegetable proteins represented a variation of 10% and thus could be of significance to the declaration values in some countries.

Section 3.3 - Presentation of Nutrient Content

Section 3.3.1

77. The Committee noted written comments from the Federal Republic of Germany, Italy, Sweden, Switzerland, Thailand, and Finland to delete the square brackets from the phrase "and the figures given should represent the average value." Written comments from Norway, the Netherlands, the United States of America, and the International Dairy Federation supported the removal of the phrase.

78. The Committee also noted the comment made by CCFSU that the term "average" in this context would need further explanation.

79. It was also proposed to add the following sentence if the phrase were retained "... which should be derived from a data base representing actual product analysis."

80. The Committee was informed that a limited data base existed in the United States of America and access would be available to all interested countries.

81. The Committee agreed that section 3.3.1 dealt with the presentation of nutrient content and that the matter of whether the values presented minima, maxima or average should be taken up under section 3.4 - Compliance and Enforcement and deleted the above phrase from section 3.3.1. (See paras. 111-115).

82. The Committee agreed with the view of the delegation of Australia that the use of graphics should not be the only additional means of presentation.

83. The delegation of the Netherlands drew attention to attachment 1 to CX/FL 83/3 - Part I which contained a sample of nutrition labelling used in the Netherlands in which the macronutrients were declared in numerical figures and the micronutrients by graphics. He pointed out that such a system was more meaningful for the consumers.

84. The Committee made some editorial changes and agreed to the following text of section 3.3.1: "The declaration of nutrient content should be numerical. However, the use of additional means of presentation of the information should not be excluded."

Section 3.3.2

85. The Committee noted written comments to amend this section requiring a mandatory declaration of energy value in kilojoules, since there was an international agreement that energy should be expressed in kilojoules. It had been proposed that a declaration of kilocalories could be optional. This view was supported by a number of delegations.

86. Other delegations pointed out that consumers were more familiar with kilocalories and that it was therefore important to provide for such a declaration. Some delegations felt that the problem could be resolved by permitting both declarations to be used as alternatives; authorities could then decide which system was more meaningful to the consumers in the country concerned.

87. Several other delegations felt that the provision outlined in para. 86 was not achieving any harmonization, that the declaration in both systems should be mandatory, and that the declaration in kilocalories should follow the one in kilojoules.

88. The Committee agreed that the declaration of energy value should be mandatory for kilojoules followed by a declaration of kilocalories. The delegation of Denmark was of the opinion that such a declaration in both systems was not to be recommended. In view of the fact that it was expected, in the near future, there might be a general agreement to declare energy in kilojoules only, the Committee agreed that a review of this matter should be recommended in section 5 of the guidelines.

89. The Committee agreed that provision 3.3.2 needed to be extended to make reference to the quantity of food to which the energy value should be related.

90. The Committee considered several proposals such as relating the energy content to a given portion of the food as a percentage of the recommended energy intake or including a provision similar to that in section 3.3.3. It was pointed out that sub-section (ii) of the latter related to a serving or portion in convenient standardized household measures. While it was recognized that such standardized measures (e.g. spoon, cup, etc.) were well defined and well known to the consumer in a country like the United States, it was agreed that consumers in other countries would be confused if the declaration was made in a household measure not further quantified. Several delegations considered therefore that such provision was not suitable for international guidelines. Another proposal made by the delegation of the United Kingdom was to relate the energy content both to 100 grammes/100 ml and to a serving as quantified on the label where that was appropriate.

91. The delegation of the United States of America pointed out that in its country consumers were generally using standardized household measures only and any declaration in the metric system was meaningless to the consumer. It stated that the United Kingdom proposal might be a compromise if the declaration per serving as quantified on the label was to be an alternative to the declaration per 100 g or 100 ml as required in sub-section 3.3.3. The U.S. proposal reads as follows: "... be given per 100 g or 100 ml. However, numerical information may be given per serving or portion if the number of servings or portions contained in the package is mentioned." This view was supported by the delegations of Switzerland, the Netherlands, and Gabon.

92. The delegation of Denmark was of the opinion that a declaration per 100 g or 100 ml was the only one which facilitated the comparison of different products. This view was supported by several delegations and the observer from I.O.C.U.

93. The Committee agreed that section 3.3.2 should read as follows: "Information on energy value should be expressed in metric units per 100 g or per 100 ml. In addition, this information may also be given per serving as quantified on the label or per portion if the number of portions contained in the package is mentioned."

Section 3.3.3

94. The Committee decided that the wording given in para. 93 above should also be used for the second sentence of section 3.3.3.

95. The delegation of the United Kingdom expressed the view that the declaration of very small amounts of vitamins and minerals was not meaningful to the consumer and proposed the following new sub-section as an alternative: "Numerical information on vitamins and minerals should be expressed as a percentage of the recommended daily amounts per quantified serving." This was supported by the delegations of Australia, the Netherlands, and the United States of America.

96. The delegations of Norway, the Federal Republic of Germany, Canada and Denmark expressed their concern with the above proposal, since the RDAs had been established for national use and were quite different in different countries. Furthermore, RDAs had not been established for all nutrients. It was also proposed that this type of additional declaration could be dealt with in section 4.

97. The Committee decided not to include the United Kingdom's proposal into section 3.3.3.

Section 3.3.4

98. The Committee agreed to include reference to section 3.3.3 in the first sentence of this provision.

99. The Committee noted the written comments concerning the declaration of sugar alcohols. It had been proposed that the term be replaced by either "polyols" (Switzerland) "sugar substitutes" (Federal Republic of Germany) or "the name of the carbohydrate concerned" (United Kingdom). The Committee also noted the proposal by the CCFSDU that other groups of carbohydrates such as oligo-saccharides and polydextrose should be declared and that sugar alcohols should be declared by their individual name.

100. The Committee decided to amend the last clause of the format in section 3.3.4 to read: "'x' ... g where 'x' represents the specific name of any other carbohydrate constituent."

Section 3.3.5

101. The Committee noted the written comments concerning the format of declaration of fatty acids which indicated that a clarification was needed as to whether the terms "polyunsaturated" and "saturated" applied to fats or fatty acids. It was pointed out that the determination of polyunsaturates and saturates applied to the fatty acids, whereas declaration related to polyunsaturated fats and saturated fats was more meaningful to the consumer. The delegation of the Federal Republic of Germany proposed that the provision should read as follows:

fat ... g
Fatty acid composition
... % (m/m) polyunsaturated
... % (m/m) saturated

102. The Committee recalled that there had been a lengthy discussion of this matter at the previous session (para. 75 and Appendix III of Alinorm 83/22) and agreed to set up a small working group to examine the matter and recommend to the Committee a suitable wording for inclusion in this section.

103. The Chairman of the Working Group, Mr. C.B. Hudson (Australia), presented the brief report of the group as follows: It was recommended to:

- (a) Include a definition of polyunsaturated fatty acids under Definitions (section 2) to read as follows: "Polyunsaturated fatty acids" means fatty acids with cis-cis methylene interrupted double bonds.
- (b) Amend section 3.2.3 as follows: Where a claim is made regarding the amount and/or type of fatty acids, the amounts of saturated fatty acids and polyunsaturated fatty acids should be declared in accordance with section 3.3.5.
- (c) Amend section 3.3.5 as follows: Where the amount and/or type of fatty acids is declared, this declaration should follow immediately after the declaration of total fat in accordance with section 3.3.3.

The following format should be used:

Fat ... g
of which polyunsaturated ... g
saturated ... g

104. The Committee agreed with the above recommendations. The Committee also agreed that there was a need to elaborate a definition and defining methodology for saturated fatty acids. The Ad Hoc Working Group on Methodology was entrusted with this task.

105. The delegation of the United States of America expressed a reservation with regard to the approach taken by the Committee in elaborating the provisions in the guidelines. The delegation acknowledged that each country had its own needs and wanted to provide information to its consumers in the most effective manner possible. However, it was concerned because the decisions made by the Committee on the basis for nutrient declaration had resulted in a nutrition labelling scheme that contained the basic components of the U.S. system only as optional and additional declarations. The delegation felt that it was most unfortunate that an international body charged with harmonizing national provisions into a single international policy had effectively ignored the only national system that had been developed to the point that it encompassed a major portion of the packaged food supply and had increasingly served its fundamental purpose of assisting consumers to understand the nutritional quality of the foods they consume. One important lesson it had learned from its national nutrition labelling system was that dual declaration created mass confusion.

Section 3.4 - Compliance and Enforcement

106. The Ad Hoc Working Group on Definitions and Methodology (see para. 7) met to consider the following:

- a) the need for methods of analysis to accompany the Guidelines on Nutrition Labelling;
- b) procedures for accomplishing the task of assembling the methods;
- c) the definitions given in Alinorm 83/22 Appendix IV, Annex 1;
- d) section 3.4 of the Draft Guidelines on Nutrition Labelling.

107. The Chairman of the Ad Hoc Working Group, Dr. Margaret Cheney, introduced the report of the Working Group noting, in particular, that there was agreement on the need for methods of analysis and a need for an identification of areas where methods are required. The full report of the Working Group can be found in Appendix V of this report.

108. There was agreement that a request for information identified in Appendix V would be sent to Working Group members and other interested parties by the Canadian Secretariat. Australia, Austria, Denmark, Canada, Federal Republic of Germany, Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States of America indicated continuing interest in working in the area of method identification.

109. The Committee also agreed with a combined proposal of the Working Group and the delegation of Australia to amend the title of section 3.4 to "Tolerances and Compliance".

Section 3.4.1

110. The Chairman summarized the written comments concerning section 3.4.1 from the Federal Republic of Germany, the Netherlands, Italy and the International Dairy Federation. He noted that an editorial error had carried over into Appendix IV of Alinorm 83/22 and CX/FL 83/3 - Part I respecting section 3.4.1. The word "liability" in this section should have read "lability". The Committee accepted this section with the editorial amendment noted above.

Section 3.4.2

111. As noted in the discussion of section 3.3.1 (para. 81), the Committee agreed to discuss the statement in square brackets, ([and

the figures given should represent the average value]) under this section as it was felt that it more properly belonged under "Tolerances and Compliance".

112. The Committee then considered the following proposal for a new 3.4.2 put forward by the delegation of the United States of America: "The values used in nutrient declaration should be derived from data specifically obtained from analyses of product which is representative of the product being labelled. This includes utilization of existing data banks provided that such data meets the above criteria."

113. Considerable discussion then ensued concerning the use and applicability of data banks as a source of values for nutrient declaration. Several delegations stated that such values should be average values and that the question really related to tolerance levels which would be permitted.

114. The delegation of the United States of America stated that, in its opinion, average values were too restrictive and difficult to implement. Furthermore, the delegation stated that average values would be significantly higher or lower than values obtained from a properly constituted data base.

115. Following the discussion concerning the use of "average values", the Committee agreed with a combined proposal from the delegations of Denmark and Canada which amended the first sentence of new 3.4.2 as follows: "The values used in nutrient declaration should be weighted average values derived from data specifically obtained from analyses of products which are representative of the product being labelled."

Section 3.4.3

116. The section formerly numbered as 3.4.2 was renumbered as 3.4.3 because of the insertion of new 3.4.2. It was accepted by the Committee without amendment.

Section 4 - Educational Nutrition Information

117. The delegations of the Federal Republic of Germany, Sweden, Austria and the Netherlands expressed the view that it would be premature to consider the educational component of nutrition labelling in light of lack of experience at the international level with this subject. These delegations suggested that section 4 be deleted from the guidelines and be developed into a separate guideline at a later date, in order to expedite the completion of the revision of the General Standard for the Labelling of Prepackaged Foods which included reference to the Guidelines on Nutrition Labelling. The delegation of the Netherlands proposed to limit section 4 to: "Education nutrition information should be optional and be in conformity with the guidelines on educational nutrition information (to be developed)." The delegation of the Federal Republic of Germany agreed with this proposal.

118. The delegation of Austria was of the opinion that it was in principle not feasible to relate a quantitative declaration of nutrients to RDA values, since this was not understood by the consumer.

119. The delegations of the United Kingdom, Gabon and the United States of America felt that section 4 should remain as an integral part of the guidelines as various educational nutritional techniques (e.g. food group symbols) could be very useful and complementary to the actual nutrition labelling in those countries with a lower level of nutrition comprehension.

120. The observer from the IOCU expressed the opinion that section 4 was very important in providing a linkage for utilization of nutrient declaration information from food labels into the daily life of the consumer.

Definitions (Annex I to Appendix IV of Alinorm 83/22)

121. The Committee had before it Annex 2 of the report of the Ad Hoc Working Group on Definitions and Methodology (see Appendix V for complete report).

122. Considerable discussion ensued concerning the definition of "nutrient". Several delegations proposed deletion of this definition while other delegations supported its retention. The Committee having agreed to retain the definition agreed also to remove the word "chemical" from the Working Group's proposal and change the second "nutrient" to "constituent". The definition was amended as follows:

"Nutrient means any substance normally consumed as a constituent of food:

- a) which provides energy; or
- b) which is needed for growth, development and maintenance of life; or
- c) a deficit of which will cause characteristic bio-chemical or physiological changes to occur."

123. The delegation of the United Kingdom pointed out that if the word "chemical" were removed from the definition, it would cover not only what are normally considered to be nutrients but also every food, because all foods provide energy.

124. The Committee agreed with the Working Group's proposal for the definition of "sugars" with the following amendments which are underlined: "Sugars mean all mono-saccharides, di-saccharides and oligo-saccharides containing up to four hexose units present in a food."

125. The Committee accepted the Working Group's proposal for the definition of dietary fibre with the following amendments which are underlined: "Dietary fibre means edible plant and animal material not hydrolyzed by the endogenous enzymes of the human digestive tract as determined by the agreed upon method."

126. The Committee agreed with a suggestion by the Secretariat that the definitions for "nutrient", "sugars", "polyunsaturated fatty acids" and "dietary fibre" be moved to section 2 of the guidelines - Definitions. (See also paras. 103-104).

Status of the Guidelines

127. Following considerable discussion, the Committee agreed with the proposal of the Chairman to hold the first three sections of the guidelines at Step 7 and send sections 4 (as revised, see para. 325) and 5 out for another round of government comments prior to the next meeting of the Committee in the winter/spring of 1985. This schedule would permit an integrated, finished document to be presented to the next session of the Commission in July, 1985.

128. The delegation of Argentina pointed out that Argentina had no national regulations on nutrition labelling. It stated, however, that products bearing such information could be freely circulated in Argentina, provided they complied with the other labelling requirements such as declaration of country of origin, required by the Argentinian Food Code.

ITEM 5

CONSIDERATION OF THE REVISION OF THE RECOMMENDED INTERNATIONAL GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS AT STEP 7

129. The Committee had before it for its discussion the revised draft standard at Step 6 as contained in Alinorm 83/22, Appendix VI (see also paras. 91-161 of Alinorm 83/22) and the comments of governments and international organizations as contained in document CX/FL 83/4 (Sweden, New Zealand, Italy, Norway, Poland, Portugal, Spain, Switzerland, Thailand), Add. 1 (United States of America, Finland, and International Dairy Federation), and Add. 2 (Egypt). Additional comments in the form of a conference room document (CX/FL 83/4, Add. 3) were provided by the observer of the European Economic Community. The Committee also had before it the interpretation of definition of "Sell" in Model Food Law with regard to foods distributed free of charge, as document CX/FL 83/9 (Opinion of FAO Legal Counsel).

130. The Committee was reminded of the decision of the 15th Session of the Codex Alimentarius Commission to seek a joint legal opinion of FAO and WHO concerning guidelines on advertising of foods, which would be sent to governments for comment. The legal opinion of FAO and WHO and the comments of governments, along with a Canadian paper on the subject, would be available to the Committee for discussion at its next session when a decision could be taken

whether to include "advertising" in the standard or not. The Committee agreed to delete all references to "advertising" in the standard including Scope at the present session and consider them if that was the decision of the Committee at its next (18th) session. Some delegations, however, were of the opinion that at least limited references to advertising should be included, and expressed regret in postponing consideration of the subject to the next session. The representative of the European Economic Community was of the opinion to leave the references to advertising in square brackets to bring to the attention of the governments that this aspect would be discussed at the next session.

131. The Committee also agreed to exclude all references to "sale" the inclusion of which in the standard created difficulties. Prepackaged foods, which were usually intended for sale, could under certain circumstances be given free for promotional purposes. Since foods intended for catering purposes were also included in the standard, reference to "sale" in the standard might pose problems.

Section 1 - Scope

132. The Committee noted that written comments had been received from Sweden, New Zealand and the United States. Sweden had proposed that mandatory information for foods for catering purposes on the label itself could be restricted to the name of the food and, where appropriate, date marking and storage instructions. Other mandatory labelling requirements could be provided in related documents.

133. The delegation of New Zealand remained totally opposed to the inclusion of foods for catering purposes in the standard. The delegation stated that it was not possible in practice to distinguish packages intended for catering purposes and non-retail containers of food intended for repacking or further processing. It was of the opinion that either all such containers should be covered by the General Standard or alternatively the General Standard should apply only to retail packages.

134. The delegation of Switzerland was of the opinion that this standard did not cover bulk packs not intended for retail sale. These should be covered by the Guidelines for Non-Retail Containers, the elaboration of which had now been kept in abeyance.

135. The delegation of the United States of America was of the opinion that the intent of the Scope, which stated that the standard applied for foods intended for sale for catering purposes but not for those destined for further processing, was not clear.

136. In an attempt to meet the requirements of CCFSDU to include in the General Labelling Standard for Prepackaged Foods, a clause which would permit different labelling provisions for foods for special dietary uses, the Secretariat proposed to include a new sentence into section 1 "Scope" to read as follows:

"It does not apply to the labelling of prepackaged foods for special dietary uses which are covered by the Codex General Standard for the Labelling of and Claims for Foods for Special Dietary Uses (Codex Standard ... 1983)."

137. There was a general agreement in the Committee that reference to sale should not be made in the Scope section. The Committee agreed to work on the text proposed by the European Economic Community and which was supported by a number of delegations. The reference to advertising included in that text was deleted in accordance to the agreement of the Committee not to make at this time any reference to advertising in the standard. The Committee agreed with the proposal made by Gabon to change "delivered" in the text to read as "offered".

138. The revised text of Scope agreed to by the Committee read as below:

"This standard applies to the labelling of all prepackaged foods to be offered as such to the consumer or for catering purposes and certain aspects relating to the presentation thereof."

The Committee decided that the General Standard for the Labelling of Prepackaged Foods should apply to all kinds of foods including those for special dietary uses. Therefore a reference to the General Standard shall be given in all Codex standards. However, this did not mean that additional labelling requirements could not be given in a Codex standard.

139. The Committee agreed to delete sub-paragraph 2 and the relevant footnote from the Scope section.

Section 2 - Definitions

Container

140. The Committee noted that the definition of container should be modified to exclude all references to sale and agreed with the new definition which reads as below:

"Container means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer."

Date Marking

141. The Committee noted that the definitions of the terms "Date of Packaging", "Sell by Date", "Date of Minimum Durability" and "Use by Date" were the same as those which were included in the Guidelines for Date Marking, which had been already adopted by the Commission and agreed not to make any changes. The Committee also noted that, though the above terms except minimum durability might not be needed for the standard, agreed for their inclusion since, in its view, they may provide useful information for regulatory agencies when dealing with foods for which date marking provisions other than minimum durability were indicated.

142. The observer from IOCU was of the opinion that, to be consistent, the term "for sale" in the definition of "Sell by Date" may be deleted; this would cover the situations where the foods were often offered free for promotional purposes. The proposal was supported by Sweden. Noting that the definition of "Sell-by-Date" had already been adopted by the Commission, the Committee took no action.

143. The delegation of Spain brought the attention of the Committee to a document which was submitted to the Secretariat in 1980 that contained all the definitions in Spanish which were agreed to by all the Spanish speaking delegations. Some of these definitions differed from those included in Codex texts. The delegation of Spain proposed that the definitions submitted by it should be adopted in all the Codex documents.

144. The Secretariat drew attention to a working party established in the earlier session of the Committee and undertook to submit the terminology agreed to by the Working Group for further action as appropriate. (See para. 6 and Appendix IV).

Food Additive

145. The Committee noted the opinion of the Codex Committee on Food Additives (CCFA) as recorded in document CX/FL 83/2. The delegation of Argentina stated that it was unable to accept this definition since, in that country, vitamins and minerals added to foods were considered as food additive.

146. The Committee noted that its proposals to CCFA to revise the definition of food additive had been made on two occasions. However CCFA had confirmed the existing definition. The delegations of the Federal Republic of Germany and Sweden strongly urged the Committee to make another plea to the CCFA to consider revision of the definition for food additive.

147. The delegation of Switzerland proposed that the difficulty facing certain delegations to accept the definition of food additive elaborated by the CCFA could be overcome by revising the present definition of ingredient to include vitamins and minerals. (See paras. 152 and 153).

148. The Committee accepted the definition of "food additive" as presently contained in the standard.

149. The delegations of Australia, Brazil, Denmark, Gabon, New Zealand, United States of America, and Canada expressed reservations to accept the definition of food additive for labelling purposes as it is presently in the standard and also the 5th edition of the procedural manual.

150. These countries were of the opinion that the wording "and not normally used as a typical ingredient of the food" included in the definition of food additive would seem to exclude, for example, certain chemical substances like nitrites and nitrates which are typical ingredients of processed meat products or preservatives in dry foods and have a technological function to perform from being considered as food additives.

151. These countries were also of the opinion that the meaning of "substances added to food for maintaining or improving nutrition quality" would need more clarification. The exclusion of all substances added to foods to maintain or improve nutritional quality from the definition of food additives poses a problem since certain preservatives and antioxidants, which maintain the nutritional quality of foods, are excluded from being considered as food additives.

Ingredient

152. There was considerable discussion as to whether the definition of ingredient was sufficient as presently drafted to cover ingredients which consisted of more than one substance. Several proposals were made to include such terms as "number of ingredients", "several substances", "any constituent of a compound ingredient".

153. The Committee agreed that this was implied in the present definition and agreed to leave the text unchanged.

Lot

154. The Committee noted that difficulties had arisen with the definition of lot in connection with the Codes of Hygienic Practice developed by the Codex Committee on Food Hygiene (CCFH); in that different definitions for lot had been developed for inclusion in these codes. The CCFH at its recent session had therefore decided to develop one lot definition only, based on a summary working paper CX/FH 83/12, which in the view of CCFH was also suitable for labelling purposes.

155. The definition of lot developed by CCFH reads as follows: "Lot means a definite quantity of a commodity produced essentially under the same conditions." The Committee agreed to amend its definition for lot accordingly.

156. The delegation of Spain proposed that, for products moving in international trade, it should be specified whether the lot was a manufacturing lot or a lot for trading purposes. The Committee noted that this matter had already been discussed at its previous session (see para. 112 of Alinorm 83/22) and decided not to make any change to the above definition.

Prepackaged

157. The Committee agreed to amend the definition for "prepackaged" to make it consistent with the amended text of the Scope section. The amended text reads "prepackaged means packaged or made up in advance in a container, ready for offer to the consumer or for catering purposes."

Principal Display Panel

158. Attention was drawn to the written comments on this definition: Norway, Sweden, Spain, Switzerland, New Zealand and the European Economic Community had proposed deletion of the definition, whereas Canada, Thailand, United States of America, Poland and Finland had proposed its retention.

159. The observer from the European Economic Community pointed out that it was difficult to establish a principal display panel which would contain the required information in the case where products had to be labelled in as many as seven languages in European Economic Community countries. He proposed that a provision should be included in section 8.1.5 which should require all pertinent information to appear in the same field of vision without establishing a principal display panel. This could be in his view important to facilitate the choice of the consumer.

160. Several other delegations proposed that a definition for the term "principal display panel" should be prepared to give guidance on the structure of the label and that in multi-language labels. However, not all information in each language had to appear on the same panel. Other delegations felt that the present provision in section 8.1 were sufficient as a declaration which was required to be clear, prominent and legible.

161. The Committee agreed to delete the definition for principal display panel but to return to the concept again under section 8.1.5. (See para. 282).

Processing Aids

162. The Committee found the definition for "processing aid" satisfactory and did not make any change.

Sale

163. In view of the decision taken on section 1 - Scope, the Committee agreed that no definition was needed and decided to delete it from this section. (See para. 137).

Foods for Catering Purposes

164. The Committee noted comments from several delegations which pointed out that food for catering purposes was not always prepared at the establishment or institution itself but might be prepared elsewhere (e.g. food portions for hospitals). It had, therefore, been proposed that the term "prepared" be changed to "offered". This was agreed.

165. The question was raised whether vending machines were included in foods for catering purposes. The Committee recalled that, at its previous session, it had agreed that they should be included in the Guidelines on Non-Retail Containers (para. 122 of Alinorm 83/22).

166. It was agreed that prepackaged foods in vending machines should now be included in this standard.

Section 3 - General Principles

167. It was proposed to reinstate section 3.3 into the General Principles dealing with advertising. In view of its earlier decision on advertising (see para. 137), the Committee agreed to reconsider the need for a section 3.3 on advertising after it had taken a decision as to how to deal with advertising. (see also para. 325).

Section 4 - Mandatory Labelling of Prepackaged Foods

Preamble

168. The Committee agreed to an editorial amendment of the preamble which reads as follows:

"The following information shall appear on the label of prepackaged foods as applicable to the food being labelled, except to the extent otherwise expressly provided in an individual Codex Standard."

Section 4.1 - The Name of the Food

169. The Committee agreed with section 4.1.1 which states that the name of the food shall indicate the true nature of the food and normally be specific and not generic.

Section 4.1.1.1

170. The Committee agreed with the wording of the above provision.

Sections 4.1.1.2-4.1.1.3

171. The Committee noted the comments on these sections from the countries of the European Economic Community (CX/FL 83/4 - Add. 3 Conference Room Document). The observer from the European Economic Community was of the opinion that, while the requirement relating to Codex standards in section 4.1.1.1 could be accepted, a similar provision should be provided for foods not standardized by Codex but by national regulations. This was necessary since, for many foods not standardized by Codex, there were specific requirements concerning the name of the food in national regulations. Only if such provisions did not exist, provisions should be made for the common or usual name or for appropriate descriptive terms (as in sections 4.1.1.2 and 4.1.1.3). If the above approach was not adopted, generally, it would be difficult for many countries to accept the Codex Standard for the Labelling of Prepackaged Foods.

172. The delegation of the United States of America opposed the above proposal and emphasized that all countries should make every effort to adopt the Codex standards and try to harmonize their own regulations with them and thus eliminate the need to make mention of requirements by national legislation.

173. The Secretariat stated that it would be against the policy of the Codex Alimentarius Commission to include reference to names of the food prescribed in national legislation in the text of the Codex Labelling Standard and that it was more appropriate for governments, when accepting this standard, to notify specified deviations for certain foods for which they wished to retain their own national regulations. If this procedure was followed, countries had a possibility to use names of the food prescribed by their national legislation, however, they would notify these deviations which would be published in the document on Codex Acceptances. This was supported by several delegations.

174. The delegation of the Federal Republic of Germany, in supporting the above position, pointed out that this was a general matter of policy and should therefore be brought to the attention of the Executive Committee. This action was supported by the delegation of Switzerland and agreed to by the Committee. Several delegations proposed to retain the original text since it was expected that in future more Codex standards would be accepted leading to harmonization of national regulations with the Codex Alimentarius.

175. The Committee decided to accept the provisions proposed by the European Economic Community, slightly editorially amended, to read as follows:

"4.1.1.2 In other cases, the name prescribed by national legislation shall be used."

"4.1.1.3 In the absence of any such name either a common or usual name or an appropriate descriptive term which was not misleading or confusing to the consumer shall be used."

Section 4.1.1.4

176. The delegation of Gabon was of the opinion that this section, which permitted coined or fanciful names or trade marks, should be deleted. It pointed out that such names could be confusing for the consumer and represented some form of advertising for specific brands. These names were not informing the consumer of the true nature of the product. This view was supported by the delegation of Brazil.

177. The Committee noted that it was mandatory to use such names in conjunction with an appropriate descriptive term which would inform the consumer of the true nature of the product.

178. The Committee agreed not to make any change to provision 4.1.1.4.

Section 4.2 - List of Ingredients

Section 4.2.1

179. The delegation of Thailand proposed that only the main ingredients should be included in the list of ingredients since many Thai foods consisted of a multitude of ingredients and that made it difficult to declare a complete list of ingredients on the label.

180. There was an extensive discussion on the need to include into provision 4.2.1 a requirement that the list of ingredients be headed by an appropriate phrase, e.g. "ingredients" or "contains". Several delegations felt that it was very important to assure that the ingredient listing appeared at a specific place on the label and that all information pertaining to the list of ingredients was listed together.

181. Other delegations felt that this matter should not be dealt with in this standard since it made the requirements too specific and detailed to be practical.

182. The Committee agreed that the approach to the list of ingredients should be harmonized to make the information on the list of ingredients meaningful to the consumers and also to advise manufacturers in which way to include the list of ingredients into the format of the label.

183. The delegation of Spain reiterated its written comments that only the term "ingredients" should be permitted and that the list of ingredients should be clearly separated from the name of the food. Several delegations pointed out that this was an international standard which should provide also guidance on terminology and therefore they could support the delegation of Spain respecting the use of one specific term.

184. Other delegations were of the opinion that the Committee should consider to either retain the present text, i.e. without a prescribed heading or to agree on a less restrictive approach by permitting a choice of several similar terms. This would also facilitate appropriate translation. This view was supported by the delegations of Switzerland, Thailand, Canada, the United States and Australia.

185. The Committee agreed on the following text for a new section 4.2.1.1 and to renumber the remainder of section 4.2.1.

186. The accepted wording for sections 4.2.1 and 4.2.1.1 reads as follows:

"4.2.1 Except for single ingredient foods a list of ingredients shall be declared on the label."

"4.2.1.1 The list of ingredients shall be headed or preceded by an appropriate title which consists of or includes the term 'ingredient'."

Section 4.2.1.1 (now 4.2.1.2)

187. The Committee agreed to leave this section unchanged.

Section 4.2.1.2

188. The Committee noted that written comment on various aspects of the text had been received from eleven countries and international organizations. The Committee first discussed the provisions in the first sentence which were related to the way in which the constituents of compound ingredients should be declared. The Committee agreed to the following amended text, "Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared as such in the list of ingredients provided that it is immediately accompanied by a list in brackets of its ingredients in descending order of proportion (m/m)." The delegation of Spain expressed its reservation to the present text.

189. The second sentence, concerning the declaration of compound ingredients constituting less than 25% of the food was then discussed. The Committee noted that some delegations were of the opinion that the sentence, which was in square brackets, should be deleted. Others were in favour of its retention and the removal of the square brackets. It was thought that non-retention could, in some cases, lead to a long list of ingredients which were of little information to the consumer. It was pointed out that the use of the term "may" allowed that the presence of well-known products such as chocolate could even be declared by its ingredients without mention of the name "chocolate".

190. The observer of the European Economic Community proposed that, concerning the declaration of food additives, only those food additives which served a technological function in the finished product should be declared. It was further pointed out that there were cases where a compound ingredient might itself be a product for which a Codex or national standard existed in which case declaration of food additives should not be required. It was also pointed out that the provisions should be read in conjunction with sub-sections 4.2.3.1 and 4.2.3.2 on the carry-over of food additives. The Committee noted that, in the opinion of some delegations, all food additives should be declared whatever the reason for their presence since, in some cases, food additives could cause allergic reactions.

191. Other delegations thought that the cut-off value of 25% for a compound ingredient was too high and suggested that 10% would provide a practical cut-off point for the declaration of carried-over food additives in section 4.3.

192. After some further discussion, the Committee concluded that the purposes of the standard would not be served by simple deletion of the sentence in square brackets and decided to include an amended text proposed by the observer of the European Economic Community which reads as follows:

"Where a compound ingredient for which a name has been established in a Codex standard or in national legislation constitutes less than 25% of the food, the ingredients other than food additives which serve a technological function in the finished product need not be declared."

193. The delegations of Norway, Switzerland and Thailand expressed their reservations to the inclusion of a second sentence.

194. The delegations of Austria, Brazil, Canada and Finland expressed their opinion that all food additives should be declared.

195. The delegations of Gabon and Sweden expressed their reservations to the cut-off value of 25% which in their opinion was too high.

Section 4.2.1.3

196. The Committee noted some expression of opinion from delegations that added water up to 5% need not be declared and that the text should be amended to this effect, the intention being to allow a tolerance for water added during processing of products, such as pasta, which were subsequently dried. Other delegations thought that water and other volatile ingredients should be listed and that the last sentence exempting declaration of evaporated water should be deleted.

197. The Committee noted that there were some doubts on the advisability of permitting added water other than that present in necessary liquid ingredients not to be declared and decided to leave the text unchanged.

Section 4.2.2.1

198. The Committee noted that, in the opinion of some delegations, herbs and spices were normally used as condiments and did not require a limit as high as 2%. The Committee noted, however, that the provision was intended to cover products containing mixtures of spices and herbs with the constituents which were later added to foods and decided to maintain the 2% figures.

199. The Committee also noted that many delegations were in favour of enlarging the list of generic terms for ingredients and agreed to form an Ad Hoc Working Group to consider the matter further.

200. The Working Group of which the members were Australia, Federal Republic of Germany, New Zealand, Norway, Switzerland, and the observer from the European Economic Community under the chairmanship of the United Kingdom, proposed a text in which the class names already listed in section 4.2.2.1 were slightly amended and other items added. These were fish, poultry meat, cheese, gum bases, sugar, dextrose, caseinates, butter, cocoa butter, crystallized fruit, vinegar.

201. The Committee discussed the proposed text and agreed to some changes. It also agreed that the text required further examination before adoption and replaced the present list in 4.2.1.1 with that prepared by the Working Group so that the Committee would be able to consider the matter further at its next session in the light of government comments.

Section 4.2.2.3

202. The delegation of New Zealand, supported by the delegations of Canada and Norway, thought that the provision should contain a more general statement that covered not only interchangeability of fats and oils but also of other ingredients.

203. Other delegations thought that the statement "may contain" could be open to abuse and could lead to deception of the consumer by, for example, listing an oil in a food which had not in fact been added. It was thought that the matter was better covered by the extension of the list under 4.2.2.1. The Committee agreed with this point of view and deleted the text.

Section 4.2.2.4

204. It was pointed out that the final sentence exempting the use of class names where there were more specific requirements in Codex standards was unnecessary since there were no Codex lists of class names. It was agreed to delete the final sentence and to require that "... for food additives falling in the respective classes and appearing in lists of food additives permitted for use in foods generally, the following class names may be used together with the specific name or recognized numerical identification as required by national legislation." A footnote was also added indicating that "governments accepting the standard should indicate the requirements in force in their countries."

205. The Committee noted that, in the opinion of some delegations, the inclusion of enzymes, phosphates and propellants in the class names was inappropriate since these were not terms that gave the consumer information on their functional use.

206. It was pointed out that phosphates had been endorsed by the CCFA for certain fish products and for processed meat and poultry products and that, in some cases, phosphates would not fall under the usual class names since it was not an emulsifier or stabilizer. If the class name was not listed then the specific phosphate would have to be indicated. The delegation of the Netherlands expressed the view that the term "phosphate" did not inform the consumer of the function of the additive which was the object of class names. With regard to enzymes, it was thought that these were covered by the provisions for carry-over and for processing aids in 4.2.3.2. In addition, their listing gave no information to the consumer.

207. After some further discussion, the Committee decided, however, that as much information as possible on food additives should appear on the label and agreed to maintain the present list.

Section 4.2.2.5

208. The Chairman summarized written comments found in documents CX/FL 83/4, CX/FL 83/4 (Add. 1) and CX/FL 83/4 (Add. 3) from New Zealand, Sweden, the United States of America, and the European Economic Community.

209. The Secretariat brought the attention of the Committee to para. 143 of Alinorm 83/12A which stated, in part, that:

"The Committee also noted that flavours may be qualified as "natural", "nature identical", "artificial" or in combination of these as appropriate but agreed with the Working Group's view that this classification, although useful to experts, might possibly be confusing to the consumer. Nevertheless, it decided that it would be premature to take a decision on this matter since flavours and definitions for them were currently being considered by the Working Group on Flavours."

210. The Committee considered the views expressed by the CCFA Working Group and particularly the caution expressed by that body that it may be premature to take a decision respecting the terminology of flavours. However, the delegation of the Federal Republic of Germany drew the Committee's attention to the following 1979 decision by the Commission recorded in para. 161 of Alinorm 79/38:

"After some discussion, the Commission decided that the amendment proposed by the Codex Committee on Food Additives was appropriate and that it should be included in the Draft Standard for the Labelling of Food Additives when sold as such. It also adopted the amendment proposed by the delegation of the Netherlands to sections 4.1(c) and 5.1(c) to allow for the qualifier 'nature-identical' in relation to the use of the expression 'flavour'. The text adopted by the Commission is as follows:

The expression 'flavour' or 'flavouring' may be qualified by the words 'natural', 'nature-identical', 'artificial' or a combination of these words as appropriate."

211. The delegation of the Federal Republic of Germany expressed the view that the Committee could make a decision in light of the Commission's decision noted above.

212. Several delegations expressed the view that regardless of any other consideration respecting the name of the flavour, such name should be qualified by the term "artificial", where applicable.

213. Several delegations expressed a preference for the term "flavouring" instead of "flavour" as currently found in the text. As a result of these deliberations, the Committee agreed to include flavouring(s) in the class name itself and to amend the last sentence

in accordance with the text found in para. 161 of Alinorm 79/38. The amended text is as follows:

"The following class titles may be used for food additives falling in the respective classes and appearing in lists of food additives permitted generally for use in foods:

Flavour(s) and Flavouring(s)
Modified Starch(es)

The expression 'flavour' or 'flavouring' may be qualified by the words 'natural', 'nature-identical', 'artificial' or a combination of these words as appropriate."

Section 4.2.3.1

214. The Committee accepted this section without amendment.

Section 4.2.3.2

215. The delegation of Switzerland drew the Committee's attention to a linguistic problem outlined in the written comments found on page 16 of CX/FL 83/4 as noted below:

"A matter of language: in the third line it should read 'auxiliaires technologiques' instead of "auxiliaire de fabrication" (in English 'processing aids')."

With the necessary adjustment to the French text, this section was accepted without amendment.

Net Contents and Drained Weight

Section 4.3.1

216. The Chairman summarized the written comments found in CX/FL 83/4, CX/FL 83/4 (Add. 1), CX/FL 83/4 (Add. 2) and CX/FL 83/4 (Add. 3) from New Zealand, Poland, Portugal, Spain, Sweden, Switzerland, Thailand, Finland, United States of America, Egypt, and the International Dairy Federation.

217. The delegation of the United States of America suggested that the word "average" be deleted from both sections 4.3.1 and 4.3.2 as the net content statement should be an accurate representation of net content. The delegation stated that the concept of average was an integral part of sampling and compliance and was currently under active consideration by the Codex Committee on Methods of Analysis and Sampling (CCMAS).

218. The Secretariat drew the Committee's attention to para. 87 of Alinorm 83/23 which reads, in part, as follows:

"The Committee noted that the Codex Committee on Food Labelling has agreed that claims on net contents be verified on the basis of the average and that the Commission had endorsed this view."

219. The delegations of the United Kingdom and the United States of America reaffirmed their reservation noted in para. 153 of Alinorm 83/22 concerning the deletion of the reference to the "avoir-dupois system" of weights and measures.

220. The delegation of Norway supported by Thailand suggested that the requirement for the declaration of net contents should not, in principle, be linked with the elements of packaging and sale. Instead, these were considerations applicable to sampling and compliance programs to determine accuracy of net content declarations.

221. The delegation of Australia pointed out that the CCMAS sampling plan under elaboration was based on the average weight at the time of packaging.

222. Based on the foregoing discussion, the Committee agreed that section 4.3.1 be re-worded as follows:

"The net contents shall be declared in the metric system."

223. To reflect the fact that net contents were average values at the time of packaging, the Committee agreed to include the following footnote to section 4.3.1:

"The declaration of net contents represents the quantity at the time of packaging and is subject to enforcement by reference to an average system of quantity control."

Section 4.3.2

224. The Chairman summarized written comments from Sweden, Thailand, Finland, Portugal and the United States of America.

225. The Committee agreed to remove the word "average" from the first sentence of section 4.3.2 in light of the re-wording of section 4.3.1.

226. The Committee accepted sub-sections 4.3.2(i) and (iii) without amendment.

227. The Committee discussed, at length, whether it was appropriate under all conditions to require a weight declaration for solid foods. Certain items of produce, bakery goods and eggs were cited as foods traditionally sold by count.

228. The delegation of the Federal Republic of Germany stated that the principle of requiring the declaration of solid foods by weight would not be inconsistent with Codex acceptance procedures which permit specified deviations by national governments as circumstances dictate.

229. The observer from the IOCU supported the principle of net contents declaration on solid foods by weight.

230. The Committee agreed to remove the exemption for declaration by count in section 4.3.2 (ii) recognizing that manufacturers could put such information on the label at their discretion.

231. The delegations of the United Kingdom, Switzerland, the United States of America, the Netherlands and Gabon entered reservations respecting the decision to remove the exemption for declaration by count.

232. The revised Section 4.3.2 reads as follows:

The net contents shall be declared 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.

Section 4.3.3

233. The Chairman summarized written comments from Portugal, Poland, Finland, Spain, Sweden, Switzerland, Thailand, United States of America, Egypt, and the European Economic Community noting that there seemed to be support for retaining the text as drafted and to remove the square brackets around the second sentence.

234. The delegations of the United States of America and the United Kingdom stated that the concept of drained weight was very contentious and that additional information was needed before inclusion in the General Standard. These delegations proposed deletion of section 4.3.3 in its entirety.

235. The delegation of Denmark, supported by the delegation of the Federal Republic of Germany, stated that the principle of drained weight declaration should not be abandoned and supported the Netherlands and the European Economic Community's proposal that oils be deleted as one of the listed liquid packing media.

236. The delegations of Gabon, Brazil, Argentina and Switzerland questioned the rationale for deletion of oil as one of the listed liquid packing media in section 4.3.3.

237. The Committee agreed to the retention of the entire section 4.3.3, removal of the square brackets, and deletion of the word "oils". The text is now as follows:

"In addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration in the metric system of the drained weight of the food. For the purposes of this requirement, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination."

238. The delegations of the United Kingdom and the United States of America entered reservations respecting retention of this section in the standard.

Section 4.4.1

239. A few delegations were of the view that there was a little ambiguity in the present wording, which did not clearly express the intention whether declaration was needed only for one or for all those mentioned. The delegation of New Zealand proposed that inclusion of the word "either" between "of" and "the" would make the text more clear. The Committee noted that the text was taken from the earlier version of the standard and made no change to the text.

Section 4.5.1 - Country of Origin

240. This section contained three alternative proposals, all in square brackets:

Proposal 1

The country of origin of the food shall be declared if its omission would mislead or deceive the consumer.

Proposal 2

The country of origin shall be declared unless the product is sold within the country of origin.

Proposal 3

The country of origin shall be declared.

Written comments on the text received from different countries supported either of the Proposals 1 and 2. The delegations of Argentina, Gabon, Brazil, Austria, Australia and observer from IOCU supported Proposal 3 to the effect that the country of origin shall be declared.

241. Supporting its position, the delegation of Argentina informed the Committee that in Argentina declaration of country of origin was mandatory and should be mentioned both on the bottom of the container as well as on the label. Only those products which had a declaration of the country of origin were allowed for circulation in the country. Declaration of the country of origin provided useful information to the consumer who often looked for products from a country of his choice which fulfilled the required quality characteristics he was looking for.

242. The observer from the European Economic Community informed the Committee that all the countries within the Community would be strongly opposed to the acceptance of Proposal 3, which would make declaration of the country of origin mandatory and might become a serious non-tariff barrier to trade. He made reference to a widespread practice of the food industry to obtain foods from different countries which would be sold under the same brand name. Declaration of the country of origin, if made mandatory (Proposal 3), would detrimentally affect the new development in industry.

243. Some delegations expressed the opinion that often it was difficult to establish the country of origin, especially in cases where the raw materials and ingredients coming from different countries were processed and packaged elsewhere. Some delegations pointed out that the latter point was covered by the position in Section 4.5.2. The problem of establishing country of origin was quite complex and might necessitate the elaboration of appropriate guidelines.

244. The Committee noted that Proposal 1 was the text which appeared in the original version of the Codex General Standard for the Labelling of Prepackaged Foods (Codex STAN 1-1983). It was of the opinion that acceptance of this proposal (alternative No. 1) would not prohibit such countries which so wished to make a declaration of the country of origin and was satisfied that mandatory declaration of country of origin would not provide useful information to the consumer.

245. The Committee agreed with the text in Proposal 1 which read as "The country of origin of the food shall be declared if its omission would mislead or deceive the consumer." The delegations of Argentina, Gabon, Spain, Thailand and Brazil expressed reservations.

Section 4.6.1 - Lot Identification

246. The Committee noted that the text in this section had received a general agreement among all Codex Committees and was exactly the same as that appearing in a number of Codex standards and Codes of practice which had been adopted by the Commission. This section was meant mainly for regulatory agencies to identify defective lots, which could be easily recalled. The Committee was of the opinion that this would sometimes provide useful information to

the consumer to enable him to avoid consumption of foods from defective lots and left the provision unchanged. The delegation of Gabon expressed its reservation to declaring the producing factors in code.

Section 5.1 - Date Marking and Storage Instructions

247. The Chairman introduced this section by summarizing the written comments of Sweden, Finland, New Zealand, Norway, Spain, Thailand, the European Economic Community and the United States of America.

248. The delegation of the United Kingdom supported the written comments of Norway which stated that as presently drafted date marking was a general mandatory requirement and therefore should be incorporated within section 4. Codex standards or national legislation could still exempt certain foods as appropriate. The Committee agreed with this proposal.

249. The Committee agreed to abridge the introductory sentence in section 5.1 (new 4.7) as the reference to Codex standards was already covered in section 4.

250. The delegation of New Zealand, supported by Sweden, objected to the wording of the opening section of the text in section 5.1 (new 4.7) which would make date marking mandatory for all foods except those foods otherwise specified in an individual Codex standard. It was suggested that, for many other foods, there would never be a Codex standard (e.g. alcoholic beverages).

251. In response to the concern expressed by the delegations of New Zealand and Sweden, the delegation of the Netherlands stated that the use of specified deviations when accepting the Codex General Standard for the Labelling of Prepackaged Foods would resolve the problem.

252. The Committee then agreed to the formation of an Ad Hoc Working Group consisting of delegations of the United Kingdom, the Federal Republic of Germany, Australia, Sweden, and the observers from the European Economic Community and the IOCU to review the text found in sections 5.1 (i), (ii) and (iii) in light of written comments of the European Economic Community and discussion which had taken place.

253. The Working Group's proposal on date marking was as follows:

4.7 Date Marking and Storage Instructions

4.7.1 The following date marking shall apply:

- (i) The "date of minimum durability" shall be declared.

(ii) This shall consist at least of:

- the day and the month for products with a minimum durability of not more than three months
- the month and the year for products with a minimum durability of more than three months. If the month is December, it is sufficient to indicate the year.

(iii) The date shall be declared by the words:

- "Best before ..." where the day is indicated
- "Best before end ..." in other cases.

(iv) The words referred to in paragraph (iii) shall be accompanied by:

- either the date itself, or
- a reference to where the date is given.

(v) The day, month and year shall be declared in uncoded numerical sequence except that the month may be indicated by letters in those countries where such use will not confuse the consumer.

(vi) Notwithstanding 4.7.1 (i), an indication of the date of minimum durability shall not be required for:

- fresh fruits and vegetables, including potatoes, which have not been peeled, cut or similarly treated;
- wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines;
- beverages containing 10% or more by volume of alcohol;
- bakers' or pastry-cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;
- vinegar;
- food grade salt;
- solid sugar;
- confectionery products consisting of flavoured and/or coloured sugars.

254. The Committee agreed that the complete text of the Working Group's proposal would be included in the report. In the revised standard itself, however, sections (i) to (v) above would be included. Further comments would be requested on section (vi).

255. The delegation of Thailand withdrew its written comments in CX/FL 83/4 (page 24) and stated that, in general, the date of manufacture was required except for items such as pasteurized milk and foods for infants and children which required an expiry date, and this would also apply to the various standards which Thailand was going to endorse.

256. The Committee accepted section 5.1.2. (new 4.7.2) without amendment.

Section 5.2 - Instructions for Use

257. The Committee agreed with an observation of the delegation of the United Kingdom that text in section 5.2.1 (new 4.8.1) should be consistent with the heading. The text was amended by deleting "Directions" and replacing it with "Instructions".

Section 5.3 - Nutrient Labelling

258. The observer of the European Economic Community expressed the view that nutrient labelling or declaration more properly belongs in section 7 (optional labelling) of the standard. He also expressed the view that the use of "shall" in the text of section 5.3.1 accorded the nutrition labelling guidelines a mandatory status.

259. The delegation of the Federal Republic of Germany supported this view and pointed out that guidelines unlike standards were not subject to acceptance. It then noted that the use of the indicative "shall" in section 5.3.1 would require acceptance of the guidelines as part of acceptance of the standard. This had been confirmed by the Executive Committee. The principle that guidelines maintain an advisory status has been well established by the Commission and was re-affirmed at its last session in July, 1983. It proposed that "shall" be changed to "should" and the entire section be moved to section 7.

260. The delegation of Australia, supported by the United Kingdom, expressed the view that it would be premature to have any reference to nutrient declaration in the standard. It felt that countries had not yet had sufficient experience with use and application of nutrient declaration and such reference could impede acceptance of the General Standard. However, it emphasized the importance of governments becoming familiar with the nutrient labelling guidelines.

261. Based on the foregoing discussion, the Committee accepted a proposal by the delegation of the United States of America that the heading "Nutrient Declaration" be retained in the standard followed

by the statement "to be elaborated". It was also agreed that the section on "Nutrient Declaration" be relocated in section 7. (Section 7.3).

Section 5.4 - Quantitative Labelling Ingredients

262. Several delegations expressed the view that the text of section 5.4.1 was difficult to interpret and would be difficult to apply. Furthermore, the delegations of the United Kingdom and the United States expressed the view that the text was in direct conflict with the drained weight provision found in section 4.3.3.

263. The delegation of New Zealand in its written comments questioned the interpretation of the phrases "places emphasis" and "valuable". This delegation proposed the deletion of section 5.4 in its entirety as it was of the opinion that this subject could be better dealt with within the Guidelines on Claims.

264. An Ad Hoc Working Group chaired by the delegation of the United Kingdom drafted the following addition to the text of section 5.4 for review by governments prior to the next session of the Committee:

Amendments to be made to 5.4 (new 5.1)

Insert "special" before "emphasis" in 5.4.1 and 5.4.2., 5.4.4 - "A reference in the name of a food to a particular ingredient shall not of itself constitute the placing of special emphasis. A reference in the labelling of a food to an ingredient used in a small quantity and only as a flavouring shall not of itself constitute the placing of special emphasis."

Section 5.5 - Irradiated Foods (new 5.2)

265. The observer from the International Atomic Energy Agency (IAEA) outlined recent developments in the area of food irradiation noting that the Commission had adopted the Revised General Standard for Irradiated Foods at its 15th session (July 1983). He expressed the view that a body of opinion was developing against the mandatory labelling of irradiated foods to indicate the process of irradiation that was being replaced by a movement towards consumer information outlining the benefits of the irradiation treatment.

266. The Chairman summarized the written comments from Italy, New Zealand, Norway, Sweden, Finland, Poland, Spain, Switzerland, Thailand, Portugal and Egypt. He also referred to the discussion recorded in paras. 67-70 of Alinorm 83/12 in which the general feeling of CCFA was that only "first generation irradiated foods" should be subject to a label declaration of the fact of irradiation.

267. The delegation of the United Kingdom raised the question about the purpose of declaring that food had been irradiated. It suggested that, if the purpose were to inform the consumer because of a right to know, then the term "radiation" should be used.

268. The observer from the IOCU suggested that the fact of irradiation must be declared to maintain the credibility of government and industry in the eyes of the consumer. On the other hand, the choice of terminology for the declaration was very important to minimize consumer apprehension. Consumer resistance could jeopardize the development of a valuable process. In order to meet these ends, it was suggested that the term "ionizing energy" be used or perhaps an internationally recognized symbol.

269. The observer from the IAEA expressed the view that section 5.5.1 of the standard was adequately covered by section 4.1.2 as editorially amended to include the words "including but not limited to".

270. The delegation of Norway referred to the view of the Joint FAO/WHO/IAEA Expert Committee on Irradiated Foods that irradiation of food did not represent a hazard to health and that there did not seem to be any technical reasons for requiring labelling of irradiated foods as such. The delegation also brought to the notice of the Committees of CCFH that irradiation of food did not cause health hazards of a microbiological nature.

271. The delegation of Switzerland raised a concern about re-irradiation of food and suggested an amendment to sections 5.5.2 and 5.5.3 as outlined in the following written comments appearing on page 28 of CX/FL 83/4:

Section 5.5.2 might be completed as follows "... in conjunction with the name of the product so treated unless there is certainty that this food may not be processed by ionizing energy again."

Section 5.5.3 might be amended in the same way replacing "food" by "product".

272. The observer from the IAEA stated that the Revised General Standard for Irradiated Foods does not permit re-irradiation, except for foods with low moisture content irradiated for the purpose of control of insect re-infestation.

273. The delegation of the United States of America suggested that the following re-wording of 5.5.2 could be considered to cover the concern about re-irradiation:

"A food, any portion of which has been treated with ionizing radiation, and which is shipped to a food manufacturer or processor for further processing, labelling, or packing, shall include in the label or labelling and invoices or bills of lading, the statement processed by ionizing [radiation/energy] do not irradiate again."

274. The proposal by the delegation of the United States of America raised the question of the scope of the General Standard which limits its application to the labelling of prepackaged foods intended for the consumer and for catering purposes.

275. The delegations of Canada, Denmark, Federal Republic of Germany, Sweden, United Kingdom and United States of America stated that, because of national review of the subject currently underway in their respective countries, they could not indicate a final position with respect to the proposals. It was also stated that the Committee had an obligation to provide leadership and guidance aimed at international harmonization of the labelling of irradiated foods.

276. Based on a consideration of all the foregoing factors, the Committee accepted a revision of section 5.5 retaining only section 5.5.1 and amending the text as follows:

"A food which has been treated with ionizing radiation/energy shall include on the label the statement 'treated by ionizing energy'."

277. The delegations of Denmark, France, the Federal Republic of Germany and Sweden reserved their position as to the deletion of the term "irradiation" (new 5.2.2 and 5.2.3).

278. The Committee also agreed that, whilst 5.5.2 and 5.5.3 had been deleted from the standard, this would not preclude further discussion of these sections which read as follows at the next session of the Committee:

"5.2.2 When an irradiated product is used as an ingredient in another food, this shall be declared in the list of ingredients by use of the term "processed by ionizing energy radiation in conjunction with the name of the product so treated."

"5.2.3 When a single ingredient product is prepared from a raw material which has been irradiated, the label of the product shall contain the statement "made from x processed by ionizing energy/radiation."

279. The following delegations entered reservations on the decision to delete sections 5.5.2 and 5.5.3 from the standard: Federal Republic of Germany, the United Kingdom, Greece, Thailand, Spain, Sweden, France, Denmark and Gabon.

Section 6 - Exemptions for Mandatory Labelling Requirements

Section 6.1

280. The delegation of Sweden was of the opinion that prepackaged foods which were meant for catering purposes need not comply with all the labelling provisions. Such prepackaged food would need to have only name of the product, date marking and storage instructions on the label and the other labelling provisions in the accompanying documents. The delegation proposed that this aspect should be considered by the Committee at its next session for inclusion under section 6.

281. The delegation of the United Kingdom was of the opinion that this section should take into account two criteria, weight as well as surface area of small units. In its view, only units, with the exception of spices and herbs, up to 5 g or 5 ml should be exempted from mandatory labelling requirements. Also, the delegation of the United Kingdom would prefer a requirement for the largest surface instead of the total surface area for mandatory exemption and proposed a figure of 10 cm² be considered by the Committee. The Committee agreed to give further consideration to this provision at its next session.

Section 8.1.1

282. The delegation of Canada suggested that the wording "manufacturer or his authorized agent" be replaced by "person responsible for the production." The Committee, however, agreed to delete the last sentence, "They shall not be attached by any person other than the manufacturer or his authorized agent."

Section 8.1.3

283. The delegation of Spain informed the Committee about the difficulties one would face to have the name of the food in the same size as the trade mark which is usually the most prominent printed material on the label. The Committee noted that the section contained the wording "reasonably related" as an alternative text and agreed to discuss this at its next session.

Section 8.1.5

284. The Committee recalled its earlier discussions on "the principal display panel" at this session and agreed to consider this section at its next session along with the redraft proposed by the European Economic Community which reads as set out below:

"8.1.5 the name of the food, the net contents and - where required - drained weight and the date of minimum durability 1/ shall appear in the same field of vision."

1/ This means:

- either the date itself; or
- a reference to where the date is given (see Working Group's proposal on date marking, paras. 247-255).

Section 8.1.6

285. The delegation of Norway informed the Committee that different national requirements related to the presentation of mandatory information on the label, over and beyond the requirements of the General Standard for the Labelling of Prepackaged Foods, for example, size of letters, placement, etc., caused trade barriers and enquired whether such guidelines for presentation were available. In its view, these were not covered by the Guidelines on Labelling Provisions in Codex Standards which are being considered by the Committee for elaboration.

286. The Committee agreed to delete this section and to consider the question of how to deal with the differing requirements regarding presentation of mandatory information on the label in its future work programme.

Status of the Standard

287. Due to lack of time, the Committee could not have a complete discussion of sections 6, 7 and 8 and postponed further discussion of these provisions to its next session. The Committee decided not to reopen discussions on the sections already finalized (at step 7) as indicated in this report.

ITEM 7

CONSIDERATION OF PROPOSED DRAFT GUIDELINES ON LABELLING PROVISIONS IN CODEX STANDARDS

288. The Committee had before it the above guidelines as contained in Appendix VIII to Alinorm 83/22 and comments received thereto in CX/FL 83/6.

289. The Committee recalled that the guidelines had been prepared by a consultant, Mr. L.J. Erwin, at the time when this Committee commenced the revision of the General Standard. The guidelines had been intended to advise Codex Committees elaborating standards on the form of wording to be used in labelling provisions contained in those standards, in order to achieve a uniform format.

290. Since the original text of the General Standard remained in force until the Commission adopted the revised text, the guidelines as drafted reflected the provisions of the former standard (Ref. Codex STAN. 1-1981, formerly 1-1969).

291. It was proposed that the Committee should decide (a) whether to continue with the elaboration of the guidelines, as such, and (b) whether the text of the guidelines should be amended to reflect the provisions of the revised text of the General Standard.

292. The Committee agreed that there was a need to elaborate these guidelines and that they be related to the revised text.

293. The Committee accepted the kind offer of the delegation of Australia to revise the guidelines accordingly. The Committee recommended that the revised text of the guidelines should be sent to governments for comments prior to the next session of this Committee.

ITEM 8

ENDORSEMENT OF LABELLING PROVISIONS IN CODEX STANDARDS

294. The delegation of Argentina stated that the products covered by standards under consideration for endorsement under Item 8 could not be traded in Argentina, if they did not comply with the requirement to declare the country of origin even if they complied with all the other provisions of the Codex Standard concerned. Therefore, the delegation of Argentina reserved its position regarding the action taken on the endorsement of the standards set out below.

Draft European Regional Standard for Vinegar (Appendix II to Alinorm 83/19 (Step 6))

295. The Committee noted that the labelling provisions of the above standard had been endorsed at its 16th session except for the provisions in 8.1.3 and for date marking which had been reviewed by the Coordinating Committee for Europe at its last session.

296. With regard to date marking, the Committee noted that no provisions for date marking and storage instructions were thought necessary because the shelf-life was in all products at least two years.

297. In discussing 8.1.3, the Committee noted the opinion of the delegation of the United Kingdom that the requirement to declare total acidity in close proximity to the label was not in line with the provisions of the General Standard for the Labelling of Pre-Packaged Foods. It also noted that, in the opinion of the delegation of Thailand, a date of manufacture and date of expiry should be required.

298. The Committee agreed to endorse labelling provisions in the above standard and to bring the discussion to the attention of the Coordinating Committee for Europe.

Draft General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses (Appendix III to Alinorm 83/26) (Step 8)

299. The Committee noted that the standard, which had been finalized by the CCFSDU and considered at the 15th session of the Codex Alimentarius Commission had not been adopted. The Commission thought that the standard required amendment to take account of the provisions of the revised General Standard for the Labelling of Prepackaged Foods.

300. The Committee also noted that the standard included provisions for date of minimum durability which had been taken from the Draft Guidelines for the Labelling of Prepackaged Foods and that these provisions had also been inserted in the standards for Food for Infants and Children and in other standards elaborated by CCFSDU; and these latter date marking provisions had been adopted by the 15th session of the Commission.

301. The delegation of the United Kingdom made the general observation that, in this and other standards, a declaration for end of month was not provided for.

302. Several delegations pointed out that products covered by the above standard fell also under the General Standard and that only the following sections of this standard should be considered by the CCFSDU: 2.1; 2.4; 3.2; 4.1.2; 4.1.3; 4.3.1; and all section 6. The other provisions of the standard should be included by reference to the General Standard for the Labelling of Prepackaged Foods.

303. The Committee noted the observation of the delegation of Thailand that in its country no ingredients which had been subjected to ionizing irradiation were allowed in foods for special dietary uses.

304. The Committee noted that the above standard needed considerable revision and that a paper would be prepared for consideration at the next session of the CCFSDU setting out the main points which required discussion, taking into account the decisions of this Committee concerning the scope of the General Standard for the Labelling of Prepackaged Foods.

305. The Committee decided not to endorse the provisions of the above standard until it had been further considered by CCFSDU.

Draft Standard for Wheat Flour (Appendix II to Alinorm 83/29)
(Step 6)

306. The Committee noted that the Codex Committee on Cereals, Pulses and Legumes (CCCPL) had included a new section 8.8 on date marking and storage instructions and had also expanded the section dealing with the identification of different types of flour as requested by the 15th session of this Committee.

307. The delegation of the United Kingdom referred to the same point it had made in para. 301 with regard to date marking.

308. Other delegations expressed opinions on the manner in which vitamins and minerals were declared pointing out that this was contrary to the listing of descending order of proportions as required in the Guidelines on Nutritional Labelling and the General Standard for the Labelling of Prepackaged Foods.

309. The Committee also noted a point that had been previously discussed - that declaring vitamins and minerals in descending order of proportion did not necessarily inform the consumer as to their nutritional value. It was agreed that a more suitable text, to which the Committee had already agreed, was to be found in the Codex Standard for Baby Foods. It was agreed to recommend to CCCPL that it should consider adopting the latter text.

310. The delegation of Canada observed that also when vitamins and minerals were added to restore the original values they should be declared since the text would otherwise contradict other provisions on the point (section 8.3).

311. The Committee agreed to endorse the provision of the standards subject to consideration of the proposed amendments.

Draft Standard for Maize (Corn) (Appendix III to Alinorm 83/29)
(Step 6)

Draft Standard for Whole Maize (Corn) Meal (Appendix IV to Alinorm 83/29) (Step 6)

Draft Standard for Whole Maize (Corn) Grits (Appendix V to Alinorm 83/29) (Step 6)

312. The Committee agreed to endorse the above standards under the same conditions as those made for the Draft Standard for Wheat Flour.

313. The delegation of the United States of America expressed a general concern for the growing tendency of Codex Horizontal Committees to instruct Codex Commodity Committees to give further consideration to texts which had previously been endorsed and, in some cases, issued for publication.

314. The Committee recognized that it, although reconsideration of previously endorsed texts was sometimes essential in the light of later developments, then all attempts should be made to keep such occasions to a minimum.

Draft Standard for Canned Chestnuts and Canned Chestnut Puree
(Appendix VIII to Alinorm 83/20) (Step 6)

315. The Committee noted that the extensive labelling provisions and new date marking provisions required examination in detail and agreed to defer consideration of endorsement until its next session.

Draft Standards for

- Guava Nectar Preserved Exclusively by Physical Means
- Mango Juice Preserved Exclusively by Physical Means
- Pulpy Mango Nectar Preserved Exclusively by Physical Means
(Appendix III to V to Alinorm 83/14) (Step 6)
- Amendment - Date Marking Provisions (para. 10 of Alinorm 83/14)

316. The Committee recognized that the labelling provisions of the above standards followed the established format for fruit juices.

However, the provisions for date marking proposed for inclusion in all standards developed by the Group of Experts differed from the proposed text of the Guidelines for Date Marking. It noted that at its 15th session the Commission had deferred adopting these provisions until this Committee could endorse them.

317. The Committee noted that the delegations of Switzerland, Thailand and the United Kingdom were opposed to endorsement until the question of date marking had been further considered since the present provision minimum durability allowed for the year alone to be shown for a product with a shelf-life of 18 months.

318. The Committee noted that the Commission had asked the Codex Committee on Processed Fruits and Vegetables (CCPFV) to reconsider the question of the date marking of canned foods.

319. The Committee agreed to give endorsement to the labelling provisions but to discuss provisions for all shelf-stable products as a general matter of date marking at its next session. (See also para. 8).

Draft Standard for Food Grade Salt (Appendix XI to Alinorm 83/12A)
(Step 8)

320. The Committee noted that, although the CCFA had made the amendments requested with regard to class names, lot identification and date marking, there were other sections in the standard which needed further consideration by the Committee.

321. These were: related to (1) section 7.1 and 7.2 and including clarification of the text as to which was the "name of the food"; (2) possible amendment of name of the food may include or be accompanied by the term "dendritic salt."

322. The Committee deferred endorsement of the section until it had been re-considered by the CCFA at its next session.

Draft Standard for Quick Frozen Carrots (Annex I to Appendix VI to Alinorm 83/43) (Step 8)

323. The Committee noted that there had been some amendments to the labelling provisions concerning the name of the food with regard to type and style at the 15th session of the Commission which were consequential to amending the provisions on essential composition and quality factors of the standard. It agreed to endorse the amended text.

ITEM 9

CONSIDERATION OF FUTURE WORK

324. The Committee agreed that the most important items on the agenda for the next meeting were the finalization of the General Standard for the Labelling of Prepackaged Food and of sections 4 and 5 of the Draft Guidelines on Nutrition Labelling.

325. In this context, it was agreed that a revised version of section 4 as prepared by a group of members of the Ad Hoc Working Group on Methodology, would be attached as an appendix to the report of this Session and that comments would be requested on that appendix. (See Appendix VI).

326. The Committee also agreed that the circular letter to accompany the report should indicate which sections of the General Standard for the Labelling of Prepackaged Foods were still under discussion.

327. Attention was drawn to the need to receive at an early date the legal opinions of FAO and WHO on the extent to which advertising was within the scope of the Codex Alimentarius. The Committee noted that a paper would be prepared on advertising by the delegation of Canada (see also para. 20) which would be sent to governments for comments prior to the next session of this Committee. The delegation of Canada advised that a new Guide to Manufacturers and Advertisers dealing with advertising claims should be soon available and would be sent out to delegations of this Committee as published.

328. The Secretariat confirmed, as discussed earlier in the session, that a brief document would be prepared on provisions for non-retail containers in Codex standards adopted, as well as under elaboration. Furthermore, a brief paper would also be prepared in labelling provisions in Codes of Practice which might require endorsement in conformity with the revised terms of reference of the Committee. (See para. 79).

329. The delegation of Norway, referring to the discussion of section 8.1.6 of the General Standard (see paras. 285-286), felt that harmonization of mandatory information to appear on the label was of great importance and it proposed therefore that a summary paper should be prepared containing information on the work already carried out by this Committee with regard to this matter. This was agreed by the Committee.

330. The delegation of Australia reminded the Committee that at its last session several delegations had expressed concern over the increasing use of negative claims. The Committee had agreed that control of such claims would best be achieved by appropriately extending the General Guidelines on Claims. The delegation stressed the urgent need for suitable guidelines and requested the Committee to include this work on the agenda for the next meeting.

331. The Committee agreed to this request and accepted the offer of the delegation of Australia to prepare a discussion paper for the next meeting. In order to facilitate this, the Committee decided that member governments should be requested to forward to the delegation of Australia their views on how such claims should be controlled and provide details of any initiatives they had already taken. It was noted that Switzerland had already submitted comments on negative claims (CX/FL 83/4 - Part I, page 18).

332. The Committee concluded that the agenda for the next session of the Committee should include the following items:

- 1) Consideration of sections 4 (Appendix V) and 5 (Appendix V) of the Draft Guidelines on Nutrition Labelling (Appendix II) at step 7.
- 2) Consideration of certain specified provisions of the General Standard for the Labelling of Prepackaged Foods (paras. 326 and Appendix III) at step 7.
- 3) Draft Guidelines on Labelling Provisions in Codex Standards (redraft by Australia).
- 4) Paper on Certain Aspects of Advertising including Legal Opinions from FAO and WHO.
- 5) Provisions for the Labelling of Non-Retail Containers. in Codex Standards.
- 6) Endorsements of Labelling Provisions in Codex Standards and Codes of Practice.
- 7) Proposal to amend Guidelines on Claims to cover negative claims.
- 8) Summary paper on presentation of Mandatory Declaration on the Label.
- 9) Progress Report of Ad Hoc Working Group on Methodology for Guidelines on Nutrition Labelling.

ITEM 10

OTHER BUSINESS

333. None.

ITEM 11

DATE AND PLACE OF THE NEXT SESSION

334. The Chairman informed the Committee that, as already approved by the 15th session of the Commission, the government of Canada was prepared to hold the next (18th) session of the Committee in Ottawa, Canada. Concerning the date, the Committee noted that the session would take place possibly in February/March 1985 and that the exact date would be communicated in due course after consultation with the Government of Canada and the Codex Secretariat.

335. The delegation of New Zealand felt that, if ever possible, the session should be held in connection with the Hygiene Committee,

to facilitate travel. It was also noted that the next session of CCFH was scheduled for early October 1984 in conjunction with the Codex Committee on Cereals, Pulses and Legumes.

336. The delegation of the United States of America pointed out that the agenda for the next session again appeared to be very heavy and that it would be appreciated if the government of Canada could consider hosting another eight-day session. The Chairman agreed to bring this matter to the attention of the authorities concerned.

ALINORM 85/22

APPENDIX I

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DRAFT GUIDELINES ON NUTRITION LABELLING
(At Step 7 of the Procedure) 1/

PURPOSE OF THE GUIDELINES

- To ensure that nutrition labelling is effective:
 - (i) in providing the consumer with information about a food so that a wise choice of food can be made;
 - (ii) in providing a means for conveying information of the nutrient content of a food on the label;
 - (iii) in encouraging the use of sound nutrition principles in the formulation of foods which would benefit public health;
 - (iv) in providing the opportunity to include optional nutrition education information on the label.
- To ensure that nutrition labelling does not describe a product or present information about it which is in any way false, misleading, deceptive or insignificant in any manner.
- To ensure that no nutritional claims are made without nutrition labelling.

PRINCIPLES FOR NUTRITION LABELLING

A. Nutrient Declaration

- Information supplied should be for the purpose of providing consumers with a suitable profile of nutrients contained in the food and considered to be of nutritional importance. The information should not lead consumers to believe that there is exact quantitative knowledge of what individuals should eat in order to maintain health, but rather to convey an understanding of the quantity of nutrients contained in the product. A more exact quantitative delineation for individuals is not valid because there is no meaningful way in which knowledge about individual requirements can be used in labelling.

B. Educational Nutrition Information

- The content of educational information will vary from one country to another and within any country from one target population group to another according to the educational policy of the country and the needs of the target groups.

C. Nutrition Labelling

- Nutrition labelling should not deliberately imply that a food which carries such labelling has necessarily any nutritional advantage over a food which is not so labelled.

1/ The Committee decided to hold the Guidelines at Step 7 and to return Sections 4 and 5 to Step 6 of the Procedure (see para. 127).

1. SCOPE

1.1 These guidelines recommend procedures for the nutrition labelling of foods.

1.2 These guidelines apply to the nutrition labelling of all foods. For foods for special dietary uses, more detailed provisions may be developed.

2. DEFINITIONS

For the purpose of these guidelines:

2.1 Nutrition labelling is a description intended to inform the consumer of nutritional properties of a food.

2.2 Nutrition labelling consists of two components:

- (a) nutrient declaration;
- (b) educational nutrition information.

2.3 Nutrient Declaration means a standardized statement or listing of the nutrient content of a food.

2.4 Nutrition claim means any representation which states, suggests or implies that a food has particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins and minerals. The following do not constitute nutrition claims:

- (a) the mention of substances in the list of ingredients;
- (b) the mention of nutrients as a mandatory part of nutrition labelling;
- (c) quantitative or qualitative declaration of certain nutrients or ingredients on the label if required by national legislation.

2.5 Nutrient means any substance normally consumed as a constituent of food:

- (a) which provides energy; or
- (b) which is needed for growth, development and maintenance of life; or
- (c) a deficit of which will cause characteristic bio-chemical or physiological changes to occur.

2.6 Sugars means all mono-saccharides, di-saccharides and oligo-saccharides containing up to four hexose units present in a food.

2.7 Dietary fibre means edible plant and animal material not hydrolyzed by the endogenous enzymes of the human digestive tract as determined by the agreed upon method.

2.8 Polyunsaturated fatty acids means fatty acids with cis-cis methylene interrupted double bonds.

APPENDIX II

3. NUTRIENT DECLARATION

3.1 Application of Nutrient Declaration

3.1.1 Nutrient declaration should be mandatory for foods for which nutrition claims as defined in Section 2.3.

3.1.2 Nutrient declaration should be voluntary for all other foods.

3.2 Listing of Nutrients

3.2.1 Where nutrient declaration is applied, the declaration of the following should be mandatory:

3.2.1.1 energy value; and

3.2.1.2 the amounts of protein, available carbohydrate (i.e. carbohydrate excluding dietary fibre) and fat; and

3.2.1.3 the amount of any other nutrient for which a nutrition claim is made; and

3.2.1.4 the amount of any other nutrient considered to be relevant for maintaining a good nutritional status, as required by national legislation.

3.2.2 Where a claim is made regarding the amount and/or the type of carbohydrate, the amount of total sugars should be listed in addition to the requirements in Section 3.2.1. The amounts of starch and/or other carbohydrate constituent(s) may also be listed. Where a claim is made regarding the dietary fibre content, the amount of dietary fibre should be declared.

3.2.3 Where a claim is made regarding the amount and/or type of fatty acids, the amounts of saturated fatty acids and of polyunsaturated fatty acids should be declared in accordance with Section 3.3.5.

3.2.4 In addition to the mandatory declaration under 3.2.1, 3.2.2 and 3.2.3, vitamins and minerals may be listed in accordance with the following criteria:

3.2.4.1 Only vitamins and minerals for which recommended intakes have been established and/or which are of nutritional importance in the country concerned should also be declared.*

* Recommended intakes for certain vitamins and minerals have been established by a number of countries. Recommended intakes have been established by FAO/WHO for vitamins A, D, thiamin, riboflavin, niacin, folic acid, vitamin B₁₂, ascorbic acid, calcium and iron (Handbook on Human Nutritional Requirements 1974, FAO Nutritional Series No. 28; WHO Monograph Series No. 61).

3.2.5 When nutrient declaration is applied, only those vitamins and minerals which are present in significant amounts should be listed.*

3.2.6 In the case where a product is subject to labelling requirements of a Codex standard, the provisions for nutrient declaration set out in that standard should take precedence over but not conflict with the provisions of Sections 3.2.1 to 3.2.5 of these guidelines.

3.2.7 Calculation of Nutrients

3.2.7.1 Calculation of Energy

The amount of energy to be listed should be calculated by using the following conversion factors:

Carbohydrates	4 kcal/g - 17 kJ
Protein	4 kcal/g - 17 kJ
Fat	9 kcal/g - 37 kJ
Alcohol	7 kcal/g - 29 kJ
Organic Acid	3 kcal/g - 13 kJ

If the factor for the energy value of a substance differs significantly from the above factors, the relevant specific factor should be used (e.g., medium chain triglycerides).

3.2.7.2 Calculation of Protein

The amount of protein to be listed should be calculated using the formula:

$$\text{Protein} = \text{Total Kjeldahl Nitrogen} \times 6.25$$

3.3 Presentation of Nutrient Content

3.3.1 The declaration of nutrient content should be numerical. However, the use of additional means of presentation should not be excluded.

3.3.2 Information on energy value should be expressed in kJ and kcal per 100 g or per 100 ml. In addition, this information may also be given per serving as quantified on the label or per portion if the number of portions contained in the package is mentioned.

3.3.3 Numerical information on nutrients should be expressed in metric units per 100 g, or per 100 ml. In addition, this information may also be given per serving as quantified on the label or per portion if the number of portions contained in the package is mentioned.

* As a rule, 5% of the recommended daily amount (of the population concerned) supplied by a serving as quantified on the label should be taken into consideration in deciding what constitutes a significant amount.

3.3.4 The presence of available carbohydrates should be declared on the label as "carbohydrate". Where the types of carbohydrate are declared, this declaration should follow immediately the declaration of the total carbohydrate content in the following format:

"Carbohydrate ... g, of which sugars ... g".

This may be followed by the following:

"x" ... g

where "x" represents the specific name of any other carbohydrate constituent.

3.3.5 Where the amount and/or type of fatty acids is declared, this declaration should follow immediately the declaration of the total fat in accordance with section 3.3.3.

The following format should be used:

fat ...g

of which polyunsaturated ... g

and saturated ... g

3.4 Tolerances and Compliance

3.4.1 Tolerance limits should be set in relation to public health concerns, shelf-life, accuracy of analysis, processing variability and inherent lability and variability of the nutrient in the product, and, according to whether the nutrient has been added or is naturally occurring in the product.

3.4.2 The values used in nutrient declaration should be weighted average values derived from data specifically obtained from analyses of products which are representative of the product being labelled.

3.4.3 In those cases where a product is subject to a Codex standard, requirements for tolerances for nutrient declaration established by the standard should take precedence over these guidelines.

4. EDUCATIONAL NUTRITION INFORMATION 1/

4.1 Application

4.1.1 Educational nutrition information should be optional in addition to and not in place of nutrient declaration and in accordance with the principles set forth in the preamble.

4.1.2 Food group symbols may be used without the numerical declaration of nutrient content.

1/ See para. 325.

4.2 Content of Educational Information May Include

4.2.1 Relating nutrient content to concepts of nutritional value which may be:

(i) Recommended Daily (Dietary) Allowances, amounts or intake (RDAs);
or

(ii) nutrient density.

4.2.2 Relating nutrient content to food groups.

4.3 Expression of Nutrient Content in Relation to Recommended Daily (Dietary) Allowances, Amounts or Intakes (RDAs/RDIs)

4.3.1 The values for RDAs/RDIs may be different from country to country depending, for example, on environment, activity level, etc. Not all countries have established RDAs/RDIs.

4.3.2 In countries where adopted, RDAs/RDIs represent the best estimate, to which a safety margin is added, of the nutrient needs for the population. The safety margin varies according to the relative degree of accuracy of the "best estimates" of needs.

4.3.3 RDA/RDI information should be given only for target populations who understand the concept.

4.3.4 When RDA/RDI information is given, consumers must be advised on the label that these figures apply to population groups and do not distinguish individual differences.

4.4 Expression of Nutrient Content in Relation to Energy (Nutrient Density)

4.4.1 If this concept is used, the following should be taken into consideration:

4.4.1.1 People who are engaged in hard manual labour or in very active sports may need increased amounts of food energy without an increase in, for example, protein;

4.4.1.2 infants, young growing children, and pregnant women have nutrient needs in relation to energy which are different from those of the rest of the population;

4.4.1.3 therefore, the concept of nutrient density is only of use where energy expenditure and therefore energy needs is more or less uniform throughout the population;

4.4.1.4 use of this concept should be limited to target populations with knowledge of nutrient density concept.

4.4.2 When nutrient density information is given, consumers should be advised on the label that the amounts of nutrient in relation to energy will vary with level of activity and with growth.

4.5 Expression of Nutrient Content through the Use of Food Group Symbols

4.5.1 This is a convenient form of information for target populations who have a high illiteracy rate and/or comparatively little knowledge of nutrition;

4.5.2 the symbols used will vary from country to country depending on the local supplies or traditional foods;

4.5.3 the use of food group symbols on the label should be accompanied by nutrition education programmes.

5. PERIODIC REVIEW OF NUTRITION LABELLING

5.1 Nutrient labelling should be reviewed periodically in order to maintain the list of nutrients to be included in composition information up-to-date and in accord with public health facts about nutrition.

5.2 A review of optional information for nutrition education including food groups will be needed as target groups increase in literacy and nutrition knowledge.

5.3 The present requirement on declaration of energy value in Section 3.3.2 should be reviewed in the light of new developments.

REVISED DRAFT GENERAL STANDARD FOR THE LABELLING
OF PREPACKAGED FOODS
(At Step 7 of the Procedure) ***

1. SCOPE

This standard applies to the labelling of all prepackaged foods to be offered as such to the consumer or for catering purposes and certain aspects relating to the presentation thereof.

2. DEFINITION OF TERMS

For the purpose of this standard:

"Claim" means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.

"Consumer" means persons and families purchasing and receiving food in order to meet their personal needs.

"Container" means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer.

For use in Date Marking of prepackaged foods:

"Date of Manufacture" means the date on which the food becomes the product as described.

"Date of Packaging" means the date on which the food is placed in the immediate container in which it will be ultimately sold.

"Sell-by-Date" means the last date of offer for sale to the consumer after which there remains a reasonable storage period in the home.

"Date of Minimum Durability" ("best before") means the date which signifies the end of the period under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made. However, beyond that date the food may still be perfectly satisfactory.

*** Those sections noted with three asterisks are to be discussed at the next Committee meeting.

"Use-by Date" (Recommended Last Consumption Date) (Expiration Date) means the date which signifies the end of the estimated period under any stated storage conditions, after which the product probably will not have the quality attributes normally expected by the consumers. After this date, the food should not be regarded as marketable.

"Food" means any substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drink, chewing gum and any substance which has been used in the manufacture, preparation or treatment of "food" but does not include cosmetics or tobacco or substances used only as drugs.

"Food Additive" means any substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result, (directly or indirectly) in it or its by-products becoming a component of or otherwise affecting the characteristics of such foods. The term does not include "contaminants" or substances added to food for maintaining or improving nutritional qualities.

"Ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product although possibly in a modified form.

"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.

"Labelling" includes any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal.

"Lot" means a definitive quantity of a commodity produced essentially under the same conditions.

"Prepackaged" means packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes.

"Processing Aid" means a substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product.

"Foods for Catering Purposes" means those foods for use in restaurants, canteens, schools, hospitals and similar institutions where food is offered for immediate consumption.

3. GENERAL PRINCIPLES

3.1 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. 1/

3.2 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.

4. MANDATORY LABELLING OF PREPACKAGED FOODS

"The following information shall appear on the label of prepackaged foods as applicable to the food being labelled, except to the extent otherwise expressly provided in an individual Codex standard."

4.1 The Name of the Food

4.1.1 The name shall indicate the true nature of the food and normally be specific and not generic:

4.1.1.1 Where a name or names have been established for a food in a Codex standard, at least one of these names shall be used.

4.1.1.2 In other cases, the name prescribed by national legislation shall be used.

4.1.1.3 In the absence of any such name, either a common or usual name existing by common usage as an appropriate descriptive term which was not misleading or confusing to the consumer shall be used.

1/ Examples of descriptions or presentations to which these general principles refer are given in Appendix I, General Guidelines on Claims (as will appear in the final version).

4.1.1.4 A "coined", "fanciful", "brand" name, or "trade mark" may be used provided it accompanies one of the names provided in subsections 4.1.1.1 to 4.1.1.3.

4.1.2 There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, such additional words or phrases as necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food including but not limited to the type of packing medium, style, and the condition or type of treatment it has undergone; for example: dried, concentrated, reconstituted, smoked.

4.2. List of Ingredients

4.2.1 Except for single ingredient foods, a list of ingredients shall be declared on the label.

4.2.1.1 The list of ingredients shall be headed or preceded by an appropriate title which consists of or includes the term 'ingredient'.

4.2.1.2 All ingredients shall be listed in descending order of ingoing weight (m/m) at the time of the manufacture of the food.

4.2.1.3 Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared, as such, in the list of ingredients provided that it is immediately accompanied by a list in brackets of its ingredients in descending order of proportion (m/m). Where a compound ingredient for which a name has been established in a Codex standard or in national legislation constitutes less than 25% of the food, the ingredients other than food additives which serve a technological function in the finished product need not be declared.

4.2.1.4 Added water shall be declared in the list of ingredients except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food and declared as such in the list of ingredients. Water or other volatile ingredients evaporated in the course of manufacture need not be declared.

4.2.1.5 As an alternative to the general provisions of this Section, dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredient may be listed in order of proportion (m/m) in the reconstituted product provided that a statement such as "ingredients of the product when prepared in accordance with the directions on the label" is included.

4.2.2 A specific name shall be used for ingredients in the list of ingredients in accordance with the provision set out in Section 4.1 (Name of the Food) except that:

*** 4.2.2.1 The following class names may be used for the ingredients falling within these classes:

<u>Name of Classes</u>	<u>Class Names</u>
Refined oils other than olive oil	'Oil' together with - either the term 'vegetable' or 'animal', as appropriate.
Refined fats	'Fat' together with - either, the term 'vegetable' or 'animal', as appropriate.
Starches, other than chemically modified starches	'Starch'.
All species of fish where the fish constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific species of fish	'Fish'.
All types of poultrymeat where such meat constitutes an ingredient of another food and provided that the labelling and presentation of such a food does not refer to a specific type of poultrymeat.	'Poultrymeat'.
All types of cheese where the cheese or mixture of cheeses constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific type of cheese	'Cheese'.
All spices and spice extracts not exceeding 2% by weight of the food	'Spice'(s) or mixed spices.

All herbs or parts of herbs not exceeding 2% by weight of the food	'Herbs'(s) or mixed herbs.
All types of gum preparations used in the manufacture of gum base for chewing gum	'Gum base'.
All types of sucrose	'Sugar'.
Anhydrous dextrose and dextrose monohydrate	'Dextrose'.
All types of caseinates	'Caseinates'.
Dairy butters of all types (with the exception of herbed and similar types of butter)	'Butter'.
Press, expeller or refined cocoa butter	'Cocoa butter'.
All crystallized fruit not exceeding 10% of the weight of the food	'Crystallized fruit'
Fermentation vinegars of all types, with the exception of flavoured vinegars.	'Vinegar'.

4.2.2.2 Notwithstanding the provision set out in Section 4.2.2.1, pork fat, lard and beef fat shall always be declared by their specific names.

4.2.2.3 For food additives falling in the respective classes and appearing in list of food permitted for use in foods generally, the following class titles shall be used together with the specific name or recognized numerical identification as required by national legislation. 1/*

1/ Governments accepting the standard should indicate the requirements in force in their countries.
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* At the adoption of the Report, the Committee agreed to change the term 'may' to read 'shall' in this provision. However, no change was made to the relevant section of the report (para. 204). The Secretariat proposed to clarify this matter at the next session of the Committee.

Anti-caking agent(s)
Antioxidant(s)
Colour(s)
Emulsifier(s)
Flavour Enhancer(s)
Glazing Agent(s)
Preservative(s)
Stabilizer(s)
Thickener(s)/Gelling agent(s)
Anti-foaming agent(s)
Flour treatment agent(s)
Enzyme(s)
Artificial Sweetener(s)
Acidity Regulator(s)
Propellant(s)
Raising Agent(s)/Baking Powder
*Emulsifying Salt(s)
**Phosphate(s)

4.2.2.4 The following class titles may be used for food additives falling in the respective classes and appearing in lists of food additives permitted generally for use in foods:

Flavour(s) and Flavouring(s)
Modified Starch(es)

The expression "flavours" may be qualified by "natural", "nature identical", "artificial" or a combination of these words as appropriate.

4.2.3 Processing Aids and Carry-Over of Food Additives

4.2.3.1 A food additive carried over into a food in a significant quantity or in an amount sufficient to perform a technological function in that food as a result of the use of raw materials or other ingredients in which the additive was used shall be included in the list of ingredients.

4.2.3.2 A food additive carried over into foods at a level less than that required to achieve a technological function, and processing aids, are exempted from declaration in the list of ingredients.

4.3 Net Contents and Drained Weight

4.3.1 The net contents shall be declared in the metric system ("Système International" units). 1/

* Only for processed cheese and processed cheese products.
** Only for processed meat and poultry products and fish and fishery products.

1/ The declaration of net contents represents the quantity at the time of packaging and is subject to enforcement by reference to an average system of quantity control.

4.3.2 The net contents shall be declared 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.

4.3.3 In addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration in the metric system of the drained weight of the food. For the purposes of this requirement, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination.

4.4 Name and Address

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

4.5 Country of Origin

4.5.1 The country of origin of the food shall be declared if its omission would mislead or deceive the consumer.

4.5.2 When a food undergoes processing in a second country which 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.

4.6 Lot Identification

4.6.1 Each container shall be embossed or otherwise permanently marked in code or in clear to identify the producing factory and the lot.

4.7 Date Marking and Storage Instructions

4.7.1 The following date marking shall apply:

- (i) The "date of minimum durability" shall be declared.
- (ii) This shall consist at least of:
 - the day and the month for products with a minimum durability of not more than three months
 - the month and the year for products with a minimum durability of more than three months. If the month is December, it is sufficient to indicate the year.
- (iii) The date shall be declared by the words:
 - "Best before" where the day is indicated
 - "Best before end ... " in other cases.

(iv) The words referred to in paragraph (iii) shall be accompanied by:

- either the date itself; or
- a reference to where the date is given.

(v) The day, month and year shall be declared in uncoded numerical sequence except that the month may be indicated by letters in those countries where such use will not confuse the consumer.

*** (vi) Notwithstanding 4.7.1 (i) an indication of the date of minimum durability shall not be required for:
(List to be elaborated)

4.7.2 In addition to the date of minimum durability, any special conditions for the storage of the food shall be declared on the label if the validity of the date depends thereon.

4.8 Instructions for Use

4.8.1 Instructions for use, including reconstitution if applicable, shall be included on the label, as necessary, to ensure correct utilization of the food.

5. ADDITIONAL MANDATORY REQUIREMENTS FOR SPECIFIC FOODS

*** 5.1 Quantitative Labelling of Ingredients

5.1.1 Where the labelling of a food places special emphasis on the presence of one or more valuable and/or characterizing ingredients, or where the description of the food has the same effect, the ingoing percentage of the ingredient (m/m) at the time of manufacture shall be declared:

5.1.2 Similarly, where the labelling of a food places special emphasis on the low content of one or more ingredients, the percentage of the ingredient (m/m) in the final product shall be declared.

5.1.3 Declarations covering Sections 5.3.1 and 5.3.2 shall be given equal prominence to the claims relating to the presence of low content of the one or more ingredients in question.

5.1.4 A reference in the name of a food to a particular ingredient shall not of itself constitute the placing of special emphasis. A reference in the labelling of a food to an ingredient used in a small quantity and only as a flavouring shall not of itself constitute the placing of special emphasis.

5.2 Irradiated Foods 1/

5.2.1 A food which has been treated with ionizing radiation energy shall include on the label the statement "treated by ionizing energy."

1/ See para. 278 for further discussion of Sections 5.2.2 and 5.2.3.

*** 6. EXEMPTIONS FROM MANDATORY LABELLING REQUIREMENTS

6.1 With the exception of spices and herbs, small units (of up to 25 g (ml)/15 g (ml)) (or) (with a total surface area of less than 50 cm²) may be exempted from the requirements of paragraphs (4.2, 4.3, 4.6 to 4.8) provided that such information is displayed on a display box, sign, placard or similar item placed near or adjacent to the foods when presented for sale to the consumer.

*** 7. OPTIONAL LABELLING

7.1 Any information or pictorial device written, printed, or graphic matter may be displayed in labelling provided that it is not in conflict with the mandatory requirements (nor would mislead the consumer in any way whatsoever in respect of the food) of this standard including those relating to claims and deception given in Section 3 - General Principles.

7.2 Grade Designations

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

*** 7.3 Nutrient Labelling

To be elaborated.

*** 8. PRESENTATION OF MANDATORY INFORMATION

8.1 General

8.1.1 Labels on prepackaged foods shall be securely attached and except as otherwise specified in Section 8.2 shall not be superimposed on other labels or lithographed containers.

8.1.2 Statements required to appear on the label by virtue of this standard or any other Codex standard shall:

(i) be clear, prominent and readily legible by the consumer under normal conditions of purchase and use;

(ii) not be obscured by designs or other written, printed or graphic matter;

(iii) be indelible and in contrasting colour to that of the background.

8.1.3 The letters in the name of the food shall be in a size (reasonably related) similar to the most prominent printed matter on the label.

8.1.4 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.

8.1.5 (In general) the name and net contents of the food shall appear in a prominent position on (that portion of the label normally intended to be presented to the consumer at the time of sale) the principal display panel.

8.2 Language

(The language used for the declaration of the statements referred to in paragraph 4.1 shall be a language acceptable to the country in which the food is intended for sale).

8.2.1 If the language on the original label is not acceptable, a supplementary label containing the mandatory information in the required language may be used instead of relabelling.

8.2.2 In the case of either relabelling or a supplementary label, the mandatory information provided shall be a direct translation from the original label and shall not be altered in any way.

ALINORM 85/22
APPENDIX IV

REPORT OF THE AD HOC WORKING GROUP
ON TERMINOLOGY FOR USE
IN SPANISH VERSION OF CODEX DOCUMENTS

In order to harmonize the expressions which in food labelling may be used by different countries, the Spanish speaking delegations attending the 17th session of the Codex Committee on Food Labelling, reiterate the proposal already made during the 15th and 16th sessions of the said Committee relating to the inclusion of the following amendments IN ALL DOCUMENTS OF THE CODEX (Spanish version) making reference to the "date marking" provisions. Such amendments do not imply any deviations with respect to the corresponding texts in the other official languages of the Codex.

Present Text

Proposed Text

Date of minimum durability

Date of minimum duration

(Consumir preferiblemente antes de)

(Consumir preferentemente antes
de)

REPORT OF THE AD HOC WORKING GROUP
ON DEFINITIONS AND METHODOLOGY FOR USE IN GUIDELINES
ON NUTRITION LABELLING

1. The Working Group consisted of the following countries:
Australia*, Austria*, Canada, Denmark, Netherlands, Norway
Sweden*, Switzerland, the United Kingdom and the United States of
America.
2. The Working Group met to consider the following:
 - a) The need for methods of analysis to accompany the
Guidelines on Nutrition Labelling.
 - b) procedures for accomplishing the task of assembling
the methods.
 - c) the definitions given in Alinorm 83/22 Appendix IV,
Annex I
 - d) Section 3.4 of the Draft Guidelines on Nutrition Labelling.
3. The Working Group decided that there was a need to identify
methods to be used to determine energy value and to define
certain nutrients, eg. available carbohydrate, dietary fibre,
vitamin A, but no methods could be recommended at this time.
4. It was agreed that the Guidelines on Nutrition Labelling should
proceed without an accompanying document on Methods of Analysis
because the latter cannot be completed at the same time as the
Guidelines. The Method of Analysis will be developed over a
period of time and will be added to the Guidelines as an
Annex at an appropriate time.
5. It was decided that a circular letter will be sent by the delegation
of Canada to all Members of the Working Group requesting their comments
on Methods needed for definition purposes. These responses
will be collated and circulated to members for further comments.

* Not present for the discussion of the Definitions and Section 3.4

6. It was agreed that contacts will be maintained with international bodies developing methods such as I.U.P.A.C., I.S.O., and the A.O.A.C. via the Codex inter agency meeting, as well as the Infods task force on methodology. The Codex Committee on Methods of Analysis would also be approached for advice.
7. The four proposed definitions for nutrient density were reviewed in light of the comments received both from member countries and from nutrition experts in the U.N. system. It was agreed that the third definition should be recommended. The definition is presented in Annex 1 along with a formula derived from the proposal of the Swiss delegation. (Agenda item 4; CX/FL 83/3 Part I add. 3, Conference Room document)
8. Amendments were proposed to the definitions for nutrient, sugars and dietary fibre (Annex 2).
 - a) The word "chemical" was inserted before substance to clarify that the definition of nutrient did not apply to whole foods such as beef, milk, etc. Sub-paragraph (c) was amended to accommodate "deficit" rather than "absence".
 - b) The definition of sugars was expanded to include oligo-saccharides upto 4 units in length since they have sweetening properties.
 - c) The definition for dietary fibre was expanded to include edible animal as well as plant material.
9. It was decided that a definition for "essential nutrient" could be included to clarify the distinction between nutrient and essential nutrient (Annex 3).
10. It was decided to include a definition of carbohydrate as proposed by the U.K. in case it should be needed to clarify what is meant by carbohydrate (Annex 3).
11. It was agreed to recommend that the title of Section 3.4 be changed to "Tolerances".

Annex 1

Definition of Nutrient Density

Nutrient density means the percent of the recommended intake of the nutrient provided by a given quantity of the food divided by the percent of the reference energy intake provided by the same quantity of the food.

Formula

$$\begin{aligned}
 & \text{Amount of nutrient in a given portion of the food (A)} \\
 & \text{-----} \\
 \text{N.D.} = & \frac{\text{Recommended intake of the nutrient (B)}}{\text{Energy value of a given portion (C)}} \\
 & \text{-----} \\
 & \text{Reference energy intake (e.g. 2300 kcal) (D)}
 \end{aligned}$$

Example

Nutrient Density of Calcium in milk

	Calcium content 250 ml milk (A)	300 mg Ca	
	-----	-----	
N.D. =	Recommended intake of Calcium (B)	900 mg Ca	=
	-----	-----	= 4.8
	Energy value of 250 ml milk (C)	160 kcal	
	-----	-----	
	Reference energy intake (D)	2300 kcal	

Annex 2

1. Nutrient means any chemical substance normally consumed as a nutrient of food:
 - a) which provides energy; or
 - b) which is needed for growth, development and maintenance of life; or
 - c) a deficit of which will cause characteristic biochemical or physiological changes to occur.
2. Sugars means all mono-saccharides, di-saccharides, and oligo-saccharides up to four units present in a food.
3. Dietary fibre means edible plant and animal material not digested by human enzymes as determined by the agreed-upon method*.

* to be elaborated

Annex 3

1. Essential nutrient means any chemical substance normally consumed as a constituent of food which is needed for growth and development and the maintenance of life and which cannot be synthesized in adequate amounts by the body.
2. Carbohydrate means any neutral polyhydroxy alcohol which is metabolized by man.

REDRAFT OF SECTION 4 OF THE DRAFT GUIDELINES
ON NUTRITION LABELLING (APPENDIX II)

(Prepared by Members of the Ad Hoc Working Group
on Definitions & Methodology)

4. Educational Nutrition Information

4.1.1 Educational nutrition information is intended to increase the consumer's understanding of the nutritional value of their food. There are a number of ways of presenting such information that may be suitable for use on food labels, including:

- (i) indications of the percentage of the Recommended Daily (Dietary) Allowances, Amounts of Intakes (RDAs/RDIs) supplied by a specified serving or portion of the food (Section 4.2);
- (ii) indications of the "nutrient density" of the food (Section 4.3);
- (iii) relating the nutrient content of the food to the mean nutrient content of the total diet;
- (iv) descriptive terms such as "fair", "good" and "excellent" or "low", "moderate" and "high" based on one or more of the criteria in (i), (ii) and (iii) (Section 4.4);
- (v) food group symbols or other pictorial or colour presentations (Section 4.5).

Examples of formats and symbols are presented in Section 4.6.

4.1.2 The use of educational nutrition information on food labels should be optional and should only be given in addition to and not in place of nutrient declaration.

4.1.3 Educational nutrition information on labels should be accompanied by consumer education programmes to increase consumer understanding and use of the information.

4.2 Expression of Nutrient Content in Relation to Recommended Daily (Dietary) Allowance, Amounts or Intakes (RDA's/RDI's)

4.2.1 Definition and Description of Recommended Daily (Dietary) Allowances, Amounts or Intakes (RDA's/RDI's)

4.2.1.1 RDA's/RDI's are the levels of intake of essential nutrients considered to be adequate to meet the known nutritional needs of practically all healthy persons.

4.2.1.2 RDA's/RDI's have been established both by FAO/WHO and by a large number of individual countries. RDA's/RDI's may vary from country to country depending upon, for example, environment, activity level, and food consumption patterns. Within a population different age and sex groups may have different RDA's/RDI's.

4.2.3 In order to declare the nutrient content in terms of percentage RDA's/RDI's, a set of Reference RDA's/RDI's is necessary. (Some countries have already proposed or established such reference standards) Reference RDA's/RDI's should be selected according to certain criteria which may include:

- (i) the highest recommendations from the age and sex groups
- (ii) weighted averages based on the age and sex distribution of the population.

4.2.4 In the interests of international standardization and harmonization, the following are proposed as Reference RDA's/RDI's for labelling purposes:

4.2.4 (continued) (Tentative values proposed by Group on basis of RDA's/RDI's for labelling purposes)

Energy	[9.5 MJ (2300 kcal)]	PER MJ
Protein	[50 g]	[5.3 g]
Vitamin A	[750 µg*]	[80 µg]
Vitamin D	[5 µg]	[0.5 µg]
Vitamin E**	[7 mg]	[0.7 mg]
Vitamin C	[50 mg]	[5.3 mg]
Thiamine	[1.2 mg]	[0.13 mg]
Riboflavin	[1.5 mg]	[0.16 mg]
Niacin	[18 mg]	[1.9 mg]
Vitamin B ₆	[2 mg]	[0.2 mg]
Folacin	[300 µg]	[32 µg]
Vitamin B ₁₂	[2 µg]	[0.2 µg]
Calcium	[800 mg]	[84 mg]
Phosphorus	[800 mg]	[84 mg]
Iron	[12 mg]	[1.3 mg]
Magnesium	[300 mg]	[32 mg]
Zinc	[10 mg]	[1 mg]
Iodine	[150 µg]	[16 µg]

* Retinol equivalent

** d alpha-tocopherol equivalent

4.2.5 Nutrient content may be expressed in a numerical or graphic manner as the percentage of the RDA/RDI provided by a specified serving or portion of the food.

4.3 Expression of Nutrient Content in Terms of Nutrient Density

4.3.1 Definition: Nutrient density means the percentage of the RDA/RDI of any nutrient that would be provided by a given quantity of the food divided by the percentage of the reference energy intake that would be provided by the same quantity of the food.

Nutrient density may be calculated by either of the following formulas:

$$\text{Nutrient Density} = \frac{\text{Amount of nutrient per MJ provided by food}}{\text{RDA/RDI of nutrient per MJ}}$$

$$\text{Nutrient Density} = \frac{\frac{\text{Amount of nutrient in a given portion of the food}}{\text{RDA/RDI of the nutrient}}}{\frac{\text{Amount of the total energy in the same portion of the food}}{\text{RDA of the total energy (e.g. 2,300 kcal)}}}$$

4.3.2 The RDA's/RDI's for each nutrient and the reference energy intake should be established as described in Section 4.2.

4.3.3 Nutrient density may be presented numerically but may be more easily understood when presented graphically.

4.4 Expression of Nutrient Content in Descriptive Terms.

4.4.1 Descriptive terms such as "good source (excellent source)" of (naming the nutrient) may be useful in presenting nutritional information.

4.4.2 Descriptive terms such as "fair", "good", "very good", "excellent" may also be used to indicate the content of nutrients or to interpret numerical declaration of nutrient content.

4.4.3 Objective criteria should be established for the use of such terms and should be standardized within countries, and where possible, within regions of the world. The Criteria may include the following:

- (i) that a serving or portion of the food provides a certain minimum percentage of the RDA/RDI eg. 10%.
- (ii) that the nutrient density of the food is greater than unity. A minimum factor of $[1.5/2]$ is suggested.
- (iii) a combination of a minimum percentage RDA/RDI per serving or portion and a minimum nutrient density.

4.5 Expression of Nutrient Content by Food Group Symbol or Pictorial Means.

4.5.1 Food group symbols or other pictorial or colour presentations of nutritional value may be the only way in which nutritional information can be understood by target populations that have a high illiteracy rate and/or comparatively little knowledge of nutrition.

4.5.2 The symbols should be standardized within countries and, if possible, within regions of the world that have similar dietary patterns.

4.5.3 In countries where official food guides* are used, food group symbols should be based on the food groups set out in the food guide.

4.5.4 Objective criteria for the use of the symbols should be established. These may include:

- (i) minimum amount(s) of certain key nutrient(s) characteristic of the food group in a serving** of the food.
- (ii) minimum nutrient density for certain key nutrient(s) characteristic of the food group.
- (iii) a serving of the food must provide the equivalent of a defined serving of the food group.

* Food guide means a guideline expressed in terms of food groups to assist consumers in selecting a diet which satisfies their nutrient needs and energy requirements.

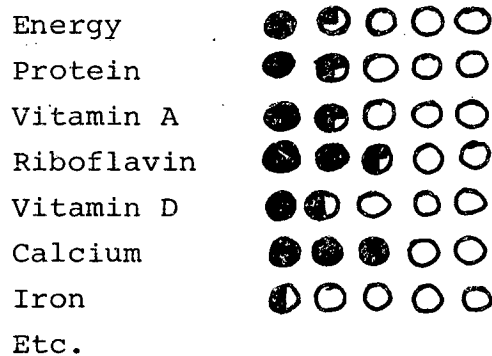
** Serving sizes may be defined by the food guide.

4.6 Examples of Formats

(i) A specified serving of hypothetical food X provides:

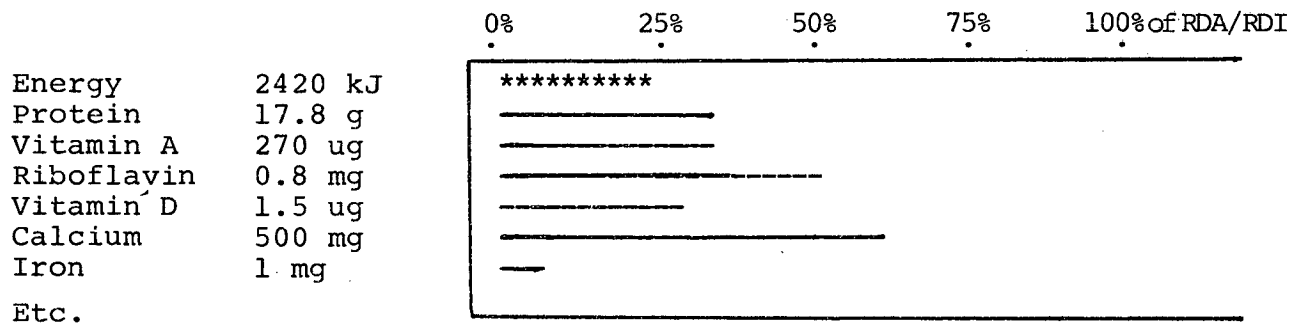
	RDA's/RDI's
Energy	25%
Protein	36%
Vitamin A	36%
Riboflavin	53%
Vitamin D	30%
Calcium	62%
Iron	8%
Etc.	

(ii) A specified serving of hypothetical food X provides:

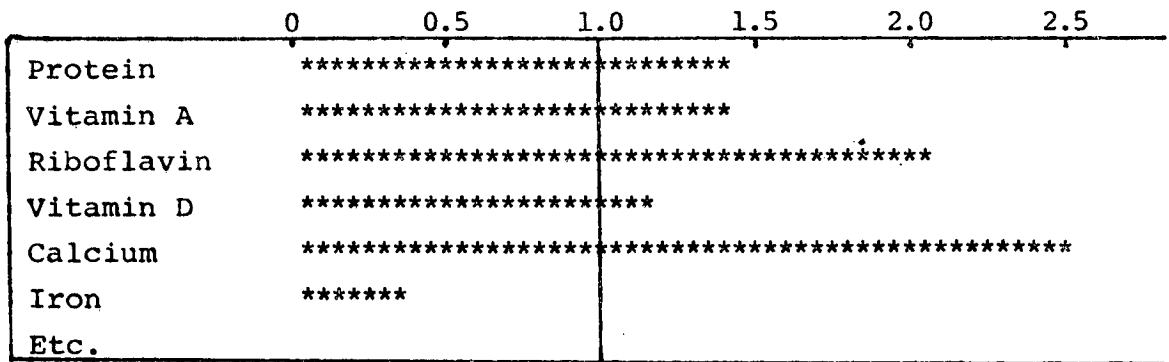


(where ● ● ● ● ● is equivalent to 100% of RDA/RDI)

(iii) A specified serving of hypothetical food X provides:

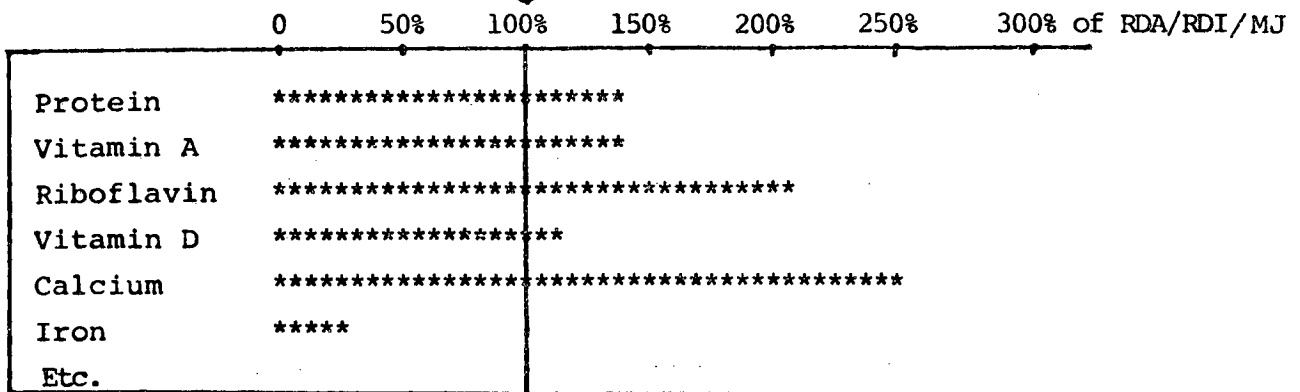


(iv) Nutrient Density Index of hypothetical food X



(v)

Balanced Diet



(vi) Rating of hypothetical food X as a source of:

Energy	Good
Protein	Good
Vitamin A	Good
Riboflavin	Excellent
Vitamin D	Good
Calcium	Excellent
Iron	Poor
Etc.	