

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 11

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Forty-seventh Session

Gatineau, Canada

15 – 19 May 2023

Discussion paper on trans fatty acids

(Comments from Burundi, Ghana, South Africa, United Republic of Tanzania, FEDIOL)

Burundi

Comment: Burundi is in agreement with the request made by Canada to defer the matter for consideration at CCFL48

Ghana

Ghana support Canada's recommendation to defer discussions on Trans Fatty Acids to CCFL48

South Africa

Recommendation:

The Committee is invited to defer discussion to CCFL48 and to request Canada to prepare a discussion paper on TFA taking into account discussions at CCFO for consideration by CCFL48.

- South Africa supports the postponement of the discussion on Trans fatty acids to CCFL48.

United Republic of Tanzania

The URT Supports the proposal by Canada to defer the discussion to CCFL48

Justification:

The input from CCFO28 will assist in the development of a discussion paper to outline possible new work to further explore labeling options to reduce TFA intake, therefore, since CCFLO28 is planned for 2024, there is not enough information to discuss during CCFL47

FEDIOL

FEDIOL is the European federation representing the interests of the European vegetable oil and protein meal industry. Directly and indirectly, FEDIOL covers about 150 processing sites that crush oilseeds and/or refine crude vegetable oils. These plants belong to around 35 companies. It is estimated that over 80% of the EU crushing and refining activity is covered by the FEDIOL membership structure.

FEDIOL, as an observer to the Codex Alimentarius, notes the discussion paper on *trans* fatty acids prepared by Canada under agenda point 11 and the proposal for new work brought up forward by Argentina, Paraguay and the Kingdom of Saudi Arabia under agenda point 13 a) under potential work for CCFL. Ahead of the discussions foreseen at the CCFL 47, FEDIOL would like to provide the below comments.

General comments:

FEDIOL has been following closely discussions on *trans* fatty acids, which took place at Codex Alimentarius level for the past years. We provided comments to the CCFL on such a topic by responding to the questionnaire prepared by Canada in April 2022 and ahead of the CCFL 46 in September 2021. Before that, FEDIOL also submitted a CRD on the topic in the Codex Committee on nutrition and foods for special dietary uses (CCNFSDU) in November 2014, December 2016, and July 2018.

FEDIOL would like to recall that the 2 possible options linked to labelling of TFA have already been discussed extensively in Codex Committees in the past years and recently in the CCFL 46 in particular, and that it was concluded that there was no agreement to proceed with new work so far, which is why a new discussion paper, building upon the response to the questionnaire held in 2022, was triggered instead.

FEDIOL would like to recall that the 2 labelling options on TFA considered so far are as follows:

- 1) the option to amend the Guidelines on Nutrition Labelling (CXG 2-1985) to require the declaration of the amount of TFA, where nutrient declaration is required.
- 2) the option to amend the General Standard for the Labelling of Pre-packaged Foods (CXS1-1985) to add a requirement that partially hydrogenated and fully hydrogenated oils be declared by their specific names (similar to Section 4.2.3.2 regarding pork fat, lard and beef fat) and to define these terms.

FEDIOL would like to highlight that it does not support any of the above TFA labelling options for the following reasons:

- 1) A general declaration of the amount of TFA on food labelling is not the way forward. Ample studies^{1,2} have demonstrated that it does not help consumers change to healthy diets across countries and across population groups. This is also not in line with the policy approach set in the WHO REPLACE initiative and was also not the approach chosen at EU level, when assessing the various policy options, before

¹ Stender S. *et al.*, Tracing artificial *trans* fat in popular foods in Europe: a market basket investigation, *BMJ Open* 2014. "The effectiveness of policies for reducing dietary TF was recently assessed based on studies published between 2005 and 2012. It was found that 'bans were most effective in eliminating TF from the food supply, whereas mandatory TF labelling and voluntary TF limits had a varying degree of success'".

² Downs S. *et al.*, The effectiveness of policies for reducing dietary *trans* fat: a systematic review of the evidence, *Bulletin of the World Health Organization* 2013. "Our observation that national and local bans were far more effective than mandatory TFA labelling reflects the Danish Nutrition Council's decision to opt for a ban when considering how to remove TFAs from the food supply. Labelling policies have several limitations. First, TFA intake can remain extremely high in pockets of the population. In Canada, even after mandatory labelling led to 76% of foods meeting voluntary TFA limits, intake in the population still exceeded the WHO recommendation that less than 1% of dietary energy intake should come from consuming TFAs. In particular, intake by teenage boys was double the recommended level. Second, some foods with low TFA levels are costlier, which will be felt more by consumers with a low socioeconomic status. Ricciuto *et al.* found that some margarine companies in Canada offered products with a low TFA level while continuing to sell products with a high level at a lower price. Thus, price-conscious consumers would be more likely to consume the less healthy product, thereby increasing their risk of diet-related chronic disease. Third, for labelling regulation to be effective, the population must be both aware of TFAs and able to interpret nutrition labels accurately. In high-income countries, where literacy levels are high, labelling is more likely to be effective in reducing TFA intake than in low- and middle-income countries."

regulating TFA. This is why the EU chosen policy approach was to set maximum levels on *trans* fatty acids and not on declaring the maximum content of TFA on labels.

- 2) In the same way, labelling partially and fully hydrogenated vegetable oils and fats will not help further protecting consumers health, as it solely relies on consumers' ability to read and understand nutritional labels and particularly the difference between partially and fully hydrogenated oils and what it means in terms of TFA content. The hydrogenation of vegetable oils and fats is indeed a technique used to transform liquid or semi solid vegetable oils into semi solid or solid vegetable oils. Fully hydrogenated oils can be used in a number of food products to ensure a certain texture and structure, such as the fluffiness in croissants and contains levels of TFA well below 2%. On the other hand, the process of partial hydrogenation can generate a high proportion of trans fatty acids (TFA). See for more details [FEDIOL infographic](#). This lack of understanding by consumers and tendency to believe mistakenly that partially hydrogenated oils have lower TFA levels has already been assessed in the past³. Again, this approach is not in line with the WHO REPLACE initiative.

FEDIOL would like to highlight once again that, if there is a desire to further address TFA in line with the WHO REPLACE initiative, it would be better to set maximum levels on *trans* fatty acids. Such approach was supported by FEDIOL at EU level since 2014. It will undoubtedly provide incentives to reformulate food products, address hotspots and build on industry reformulation work. It would also reduce TFA intake for all consumers irrespective of their ability to read and understand nutrition labelling.

FEDIOL remains available to provide further input to the upcoming CCFO 28 meeting expected in 2024 and to the next discussion paper to be prepared by Canada ahead of the CCFL 48.

³ Report from the Commission to the European Parliament and the Council regarding *trans* fats in foods and in the overall diet of the Union population, COM(2015)619 final, 3 December 2015.