



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 4.8

CX/CAC 21/44/10

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEx ALIMENTARIUS COMMISSION

Forty-fourth Session

WORK FROM THE CODEx COMMITTEE ON FOOD LABELLING (CCFL) FOR ADOPTION OR APPROVAL BY THE COMMISSION

1. The Commission is invited to adopt the draft and proposed draft standards and related texts submitted for final adoption (Step 8 and Step 5/8) as listed in **Part 1** of this document.
2. Comments received regarding the draft and proposed draft standards and related texts from CCFL are contained in CX/CAC 21/44/10 Add.1.
3. The Commission is also invited to approve proposals to undertake new work, taking into account the critical review conducted by the Executive Committee, as listed in **Part 2** of this document, including the reference to the project document in the relevant report. The project document is also compiled in this document for ease of reference and to ensure availability in all six languages. The Commission is invited to consider this proposal in light of its Strategic Plan 2020-2025 and the Criteria for the Establishment of Work Priorities and Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission.
4. CCFL recommends that CAC44 request Commodity Committees to review the labelling provisions for nonretail containers in light of the new standard for the labelling of non-retail containers (paragraph 60 ii.)
5. CCFL46 endorsed the labelling provisions in the General Standard for Dried Fruits (and its annexes), with a recommendation to amend 4.2.1 (Annex C raisins) by including a reference to the *General Guidelines on Claims* (CXG 1-1979), which is forwarded to CAC44 for adoption.

Part 1 – Standards and related texts submitted for final adoption

Codex body	Standards and Related Texts	Reference	Job No.	Step
	Draft General standard for the labelling of non-retail containers of foods; and consequential amendment to the Procedural Manual	REP21/FL, paragraph 60 i., Appendix III	N06-2016	8
CCFL	Proposed draft Guidelines on front-of-pack nutrition labelling and inclusion as an Annex to the <i>Guidelines on Nutrition Labelling</i> (CXG 2-1985); and consequential amendment to Section 5 of the <i>Guidelines on Nutrition Labelling</i> (CXG 2-1985);	REP21/FL, paragraph 99 i. and ii, Appendix IV	N04-2018	5/8

Part 2 – Proposals to elaborate new standards and related texts

Codex body	Text	Reference and project document
CCFL	Proposal for new work on labelling information provided through technology	<ul style="list-style-type: none"> • REP21/FL, paragraph 142 i), Appendix V • Annex I of this document

PROJECT DOCUMENT
PROPOSAL FOR NEW WORK ON LABELLING INFORMATION PROVIDED THROUGH
TECHNOLOGY

(for approval)

1. PURPOSE AND SCOPE OF THE NEW WORK

The purpose of this proposed new work is to address gaps in CCFL texts in order to provide sufficient guidance regarding the use of technology to provide food labelling information.

The scope of this proposed work is prepackaged foods for the consumer or for catering purposes, in line with the scope of the *General Standard for Labelling of Prepackaged Foods* (GSLPF). It excludes the use of innovation and technology in the labelling of non-retail packages of food. For the purposes of this project document, innovation and technology in food labelling relates to information about a prepackaged food presented through technology, such as in the case of a prepackaged food that is physically present with the consumer, and for which additional product information is available through electronic or technological means.

2. RELEVANCE AND TIMELINESS

There is a general interest and acknowledgement of the increasing prevalence of the use of technology and electronic means of communication around the world, including for food labelling. There is an overall recognition from member countries and observers that the use of innovation and technology in food labelling is a relevant topic that requires consideration. This work is timely as it is an opportunity to bring consistent guidance to a rapidly expanding area and it is closely linked to the work on e-commerce/internet sales. Therefore, there are benefits to proceeding concurrently with the work on e-commerce/internet sales.

3. MAIN ASPECTS TO BE COVERED

This new work proposal is to:

- a. Review and revise the GSLPF to ensure the General Principles in Section 3 apply when using technology in food labelling. This may include amending or introducing new definitions in section 2, and updating principles in section 3.
- b. Outline broad criteria/develop guidelines (supplementary text, separate guidelines) for the use of technology in food labelling, including:
 - i. information that must always be physically present on the label of a prepackaged food at the time of sale, and the types of information that may be provided using technology.
 - ii. circumstances where exemptions may be appropriate.
 - iii. consistency between information provided through technology with information provided on a physical label.
 - iv. considerations related to legibility, the presentation of information, language requirements, and how physical labels link or refer to additional information available electronically
 - v. accessibility of information provided through technology to consumers.
- c. Review and provide proposals for amendments, as necessary, to any relevant Codex texts that would be impacted by the above.

4. ASSESSMENT AGAINST THE CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES

General criterion:

Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries.

The use of QR codes and other technological means of providing consumers with information is growing globally. In addition, consumers are increasingly wanting more information about products they purchase that exceeds the space available on food labels. The lack of standardized guidance for labelling information provided through technology may result in issues pertaining to health, food safety, and the protection of fair practices in the global food trade.

Criteria applicable to general matters

a) *Diversification of national legislations and apparent resultant or potential impediments to international trade*

No national regulations have been identified as having been developed on this topic, and the majority of members have not identified mandatory labelling information that may be provided through technology. With the rapid growth of technology and accessibility to it, it is important to maintain some consistency in terms of what is available on a package versus what is provided through technology to ensure consumers have the information they need to make informed, safe food choices, and to minimize impediments to trade.

b) *Scope of work and establishment of priorities between the various sections of the work*

It is proposed that the two streams of work, one related to the general principles of the GSLPF and the other related to the development of broad guidelines and criteria regarding the use of technology in food labelling, can proceed concurrently.

c) *Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies)*

The current Draft *Guidance for the Labelling of Non-Retail Containers of Food* addresses the use of innovation and technology for those types of foods, in that these guidelines provide specific circumstances under which alternative means (which includes technology) may be used to provide certain types of mandatory labelling information. The Draft Guidance also addresses the presentation of information provided by means other than the label. Certain aspects of this text may serve as a useful reference for this proposed project.

There has been no other international work identified that specifically relates to this topic. Codex is the relevant international organization responsible for developing standards concerning innovation and technology in food labelling.

d) *Amenability of the subject of the proposal to standardization*

Updates and new guidelines would make it clear when and how the use of technology in food labelling is acceptable, and be aligned with ongoing work in e-commerce/internet sale of food. As the intent is to develop broad principles, these could be effectively standardized, with the involvement of and input from Codex Members.

e) *Consideration of the global magnitude of the problem or issue*

Technology and its advances have a powerful impact on human behavior all over the world. Food labelling information remains an important tool for consumers to support informed purchasing choices. While offering benefits to consumers, the rise in the use of technology in food labelling also presents risks to consumer protection, and public health and safety. In the absence of clear, internationally recognized guidelines, there may be risks of deliberate or non-deliberate misleading practices, or lack of access to mandatory labelling information, which may lead to marketplace disruption and consumer detriment. Identifying which types of labelling information may be provided using technology and principles to facilitate a level of consistency across different technological labelling platforms would be beneficial in ensuring standardized presentation of information.

5. RELEVANCE TO THE CODEX STRATEGIC OBJECTIVES

The proposed work is in line with the Commission's mandate for the development of international standards, guidelines and other recommendations for protecting the health of consumers and ensuring fair practices in food trade. The new work proposal will contribute to advancing Strategic Goals 1 and 3 as described below.

In relation to the new Strategic Plan/Goals (2020-2025):

Strategic Goal 1: Address current, emerging and critical issues

This work offers CCFL to address one of the most topical developments in the food labelling domain. Technology provides a new and convenient way for companies to share information with consumers, and many are already doing so. However, guidance is required to facilitate consistency, clarity and access to information by consumers for making informed purchasing decisions and to avoid misleading practices.

Strategic Goal 3: Deliver impact through the recognition and use of Codex standards

Responses from members have not revealed examples of international standards or requirements on this specific topic. The work proposed to be undertaken by CCFL would provide a harmonized approach that could be used globally by Member countries, facilitating fair food trade for the benefit of all stakeholders.

6. RELATION BETWEEN THE PROPOSAL AND OTHER EXISTING CODEX DOCUMENTS AS WELL AS OTHER ONGOING WORK

The proposal includes a review of impacts on other Codex text(s) related to food labelling, with adjustments as necessary for consistency. This work is related to the concurrent CCFL work on e-commerce/internet sales as both work streams involve electronic platforms used in food labelling. The work on e-commerce/internet sales will be taken into consideration during the course of this work in order to ensure alignment and to avoid duplication.

The draft *Guidance for the Labelling of Non-Retail Containers of Food* is addressing the use of alternative means, including technology, for those foods. As such, the focus of this project document is on prepackaged foods for the consumer or for catering purposes.

7. REQUIREMENT FOR AND AVAILABILITY OF EXPERT SCIENTIFIC ADVICE

None identified at this stage. There will be opportunities to consult with relevant bodies if necessary throughout the process.

8. NEED FOR TECHNICAL INPUT TO THE STANDARD FROM EXTERNAL BODIES

None identified at this stage. There will be opportunities to consult with relevant bodies if necessary throughout the process taking into account related work in other international fora.

9. PROPOSED TIME-LINE FOR COMPLETION OF THE NEW WORK, INCLUDING THE START DATE, THE PROPOSED DATE FOR ADOPTION AT STEP 5, AND THE PROPOSED DATE FOR ADOPTION BY THE COMMISSION

Subject to the Codex Alimentarius Commission approval at its 44th session in 2021, it is expected that the work can be completed in three sessions.