CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

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CODEX COMMITTEE ON FATS AND OILS

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PROPOSED DRAFT REVISIONS TO THE CODEX STANDARDS ON FATS AND OILS TO LIMIT TRANS-FATTY ACID (TFA) INTAKE

(Comments of Bangladesh, Burundi, Egypt, European Union, India, Kenya, New Zealand, Peru, Uganda, United Republic of Tanzania, The EU Vegetable Oil and Proteinmeal Federation (FEDIOL), International Dairy Federation (IDF))

Bangladesh

Bangladesh thanks the Codex Committee on Fats and Oils for the opportunity to comment at Step 3 on the Proposed draft revisions to Codex standards on fats and oils to reduce trans-fatty acid (TFA) intake (CX/FO 26/29/5). We also thank the Chairs of the EWG for their efforts in coordinating this work and for the progress made to date.

We would like to note that Bangladesh successfully adopted a regulation in 2021 limiting iTFA content to not more than 2g per 100g of total fat, in line with WHO recommendations, with the objective of improving population health outcomes. Our National Standards and Training Institute and Food Safety Authorities are currently working to enforce this regulation.

Bangladesh's experience, together with that of other Codex Members that have adopted mandatory measures to limit industrial trans fats, demonstrates the feasibility and public health relevance of the approaches under consideration by the Committee.

ANNEX II – PART I: PROPOSED DRAFT REVISIONS TO THE STANDARD FOR EDIBLE FATS AND OILS NOT COVERED BY INDIVIDUAL STANDARDS (CXS 19-1981) (STEP 3)

1.Scope

For the proposed footnote on hydrogenation/hydrogenated (recommendation 8 from the EWG), we recommend removing these as clarification on those terms is unnecessary. If retained, they should not create any confusion regarding the revisions done to the standards; therefore, the footnotes should be simplified as follows:

- The term "hydrogenation" may refer to either full or partial hydrogenation. As provided in the essential composition section, the total amount of iTFA in the final product shall not exceed 2 grams of iTFA per 100 grams of total fat.

3. Essential composition and quality factors

Bangladesh supports the mention of "mandatory legislative or regulatory measures" to limit iTFA and/or prohibit PHO. This approach is consistent with WHO's REPLACE action package and reflects best-practice regulatory measures already adopted by more than 60 Codex Members across different regions.

Bangladesh considers that the effectiveness and clarity of this provision can be significantly strengthened by replacing "should" with "shall" in the relevant compositional requirement. This is appropriate for the following reasons:

- In Codex commodity standards, "shall" is routinely used in Section 3 to define essential compositional and quality requirements for product conformance.
- An iTFA limit and/or a prohibition of PHO is intended to determine whether a product conforms to the standard, rather than to provide non-binding implementation guidance.

The use of “shall” in this context would therefore align with established Codex drafting practice, including within the three standards currently under revision. Retaining “should” risks weakening clarity and undermine the harmonizing function of the standard.

Bangladesh also note that the use of “shall” does not alter the voluntary nature of Codex standards, which remains established procedurally. Rather, clear normative drafting supports consistent interpretation and application across jurisdictions while preserving Members’ flexibility in national implementation.

Finally, clarity at the Codex level is particularly important given the role of Codex standards as international reference points, including in WTO contexts. Ambiguous or overly flexible language may reduce the effectiveness of the standard and create uncertainty regarding product conformance.

For these reasons, we propose the following revised text:

“The final product covered by the standard shall not contain PHO and/or exceed 2 grams of iTFA per 100 grams of total fat. To achieve this, competent national and/or regional authorities should implement mandatory legislative or regulatory measures to:

- **Set a limit of industrially produced *trans*-fatty acids to not more than 2 g per 100 g of total fat in all foods; and/or**
- **Prohibit the production for food use, and the use of partially hydrogenated fats and oils in all foods”**

ANNEX II – PART II: PROPOSED DRAFT REVISIONS TO THE STANDARD FOR FAT SPREADS AND BLENDED SPREADS (CXS 256-1999) (STEP 3)

2.1.2 Edible fats and oils

For the proposed footnote on hydrogenation/hydrogenated (recommendation 8 from the EWG), we recommend removing these as clarification on those terms is unnecessary. If retained, they should not create any confusion regarding the revisions done to the standards; therefore, the footnotes should be simplified as follows:

- The term “hydrogenation” may refer to either full or partial hydrogenation. As provided in the essential composition section, the total amount of iTFA in the final product shall not exceed 2 grams of iTFA per 100 grams of total fat.

3. Essential composition and quality factors

3.2

Bangladesh supports the mention of “mandatory legislative or regulatory measures” to limit iTFA and/or prohibit PHO. This approach is consistent with WHO's REPLACE action package and reflects best-practice regulatory measures already adopted by more than 60 Codex Members across different regions.

Bangladesh considers that the effectiveness and clarity of this provision can be significantly strengthened by replacing “should” with “shall” in the relevant compositional requirement. This is appropriate for the following reasons:

- In Codex commodity standards, “shall” is routinely used in Section 3 to define essential compositional and quality requirements for product conformance.
- An iTFA limit and/or a prohibition of PHO is intended to determine whether a product conforms to the standard, rather than to provide non-binding implementation guidance.

The use of “shall” in this context would therefore align with established Codex drafting practice, including within the three standards currently under revision. Retaining “should” risks weakening clarity and undermine the harmonizing function of the standard.

We also note that the use of “shall” does not alter the voluntary nature of Codex standards, which remains established procedurally. Rather, clear normative drafting supports consistent interpretation and application across jurisdictions while preserving Members’ flexibility in national implementation.

Finally, clarity at the Codex level is particularly important given the role of Codex standards as international reference points, including in WTO contexts. Ambiguous or overly flexible language may reduce the effectiveness of the standard and create uncertainty regarding product conformance.

For these reasons, Bangladesh proposes the following revised text:

“The final product covered by the standard shall not contain PHO and/or exceed 2 grams of iTFA per 100 grams of total fat. To achieve this, competent national and/or regional authorities should implement mandatory legislative or regulatory measures to:

- **Set a limit of industrially produced *trans*-fatty acids to not more than 2 g per 100 g of total fat in all foods; and/or**
- **Prohibit the production for food use, and the use of partially hydrogenated fats and oils in all foods"**

ANNEX II – PART III: PROPOSED DRAFT REVISIONS TO THE STANDARD FOR NAMED ANIMAL FATS (CXS 211-1999) (STEP 3)

2.1.1 Lard

For the proposed footnote on hydrogenation/hydrogenated (recommendation 8 from the EWG), we recommend removing these as clarification on those terms is unnecessary. If retained, they should not create any confusion regarding the revisions done to the standards; therefore, the footnotes should be simplified as follows:

- The term "hydrogenation" may refer to either full or partial hydrogenation. As provided in the essential composition section, the total amount of iTFA in the final product shall not exceed 2 grams of iTFA per 100 grams of total fat.

2.1.2 Rendered pork fat

For the proposed footnote on hydrogenation/hydrogenated (recommendation 8 from the EWG), Bangladesh recommend removing these as clarification on those terms is unnecessary. If retained, they should not create any confusion regarding the revisions done to the standards; therefore, the footnotes should be simplified as follows:

- The term "hydrogenation" may refer to either full or partial hydrogenation. As provided in the essential composition section, the total amount of iTFA in the final product shall not exceed 2 grams of iTFA per 100 grams of total fat.

3. Essential composition and quality factors

3.2

Bangladesh supports the mention of "mandatory legislative or regulatory measures" to limit iTFA and/or prohibit PHO. This approach is consistent with WHO's REPLACE action package and reflects best-practice regulatory measures already adopted by more than 60 Codex Members across different regions.

Bangladesh considers that the effectiveness and clarity of this provision can be significantly strengthened by replacing "should" with "shall" in the relevant compositional requirement. This is appropriate for the following reasons:

- In Codex commodity standards, "shall" is routinely used in Section 3 to define essential compositional and quality requirements for product conformance.
- An iTFA limit and/or a prohibition of PHO is intended to determine whether a product conforms to the standard, rather than to provide non-binding implementation guidance.

The use of "shall" in this context would therefore align with established Codex drafting practice, including within the three standards currently under revision. Retaining "should" risks weakening clarity and undermine the harmonizing function of the standard.

Bangladesh also note that the use of "shall" does not alter the voluntary nature of Codex standards, which remains established procedurally. Rather, clear normative drafting supports consistent interpretation and application across jurisdictions while preserving Members' flexibility in national implementation.

Finally, clarity at the Codex level is particularly important given the role of Codex standards as international reference points, including in WTO contexts. Ambiguous or overly flexible language may reduce the effectiveness of the standard and create uncertainty regarding product conformance.

For these reasons, Bangladesh proposes the following revised text:

"The final product covered by the standard shall not contain PHO and/or exceed 2 grams of iTFA per 100 grams of total fat. To achieve this, competent national and/or regional authorities should implement mandatory legislative or regulatory measures to:

- **Set a limit of industrially produced *trans*-fatty acids to not more than 2 g per 100 g of total fat in all foods; and/or**
- **Prohibit the production for food use, and the use of partially hydrogenated fats and oils in all foods"**

Burundi

Position: Burundi supports the recommendations of the Electronic Working Group (EWG) to revise three Codex standards in alignment with WHO's REPLACE initiative to eliminate industrially produced trans-fatty acids (iTFA) from the global food supply. Burundi recognizes the significant progress made, including consensus on structural changes, the development of clear definitions for PHO, FHO, and iTFA, and the drafting of mandatory measures to limit iTFA to not more than 2 g per 100 g of total fat in all foods or prohibit PHO altogether.

Burundi endorses the recommendation that CCFO29 review and finalize the proposed draft revisions and, upon completion, refer related matters to other Codex Committees for consistency and harmonization. Revisions to labelling terminology, nutrition guidelines, and analytical methods will strengthen compliance verification and enhance transparency in food trade. Burundi also endorses the advancement of this work through the Codex stepwise process.

Rationale: Burundi's support for the recommendations of the Electronic Working Group (EWG) to revise Codex standards in alignment with WHO's REPLACE initiative is grounded in the recognition that industrially produced trans-fatty acids (iTFAs) pose significant risks to public health, particularly in increasing the burden of non-communicable diseases.

Technical Comment: Burundi supports the inclusion of hydrogenation in the scope and the accompanying explanation provided in the footnote.

Justification: Hydrogenation is one of the modification processes applied in the processing of fats and oils and can lead to formation of trans fatty acids.

Recommendation 1: On proposed definitions. Section 2.1

Burundi supports inclusion of the definitions proposed by the working group. This is consistent with the guidance of the Codex Procedural Manual, Section 2.6, Paragraph 90.

Recommendation 2: Definition of partially hydrogenated fats and oils

On the definition of PHO- Burundi proposes the following definition. *Partially hydrogenated fats and oils (PHO) are produced through a chemical process that adds hydrogen to some of the double bonds in unsaturated fats and oils ~~using~~ in the presence of a catalyst, converting them into single bonds and increasing the level of saturation. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of trans-fatty acids, whose level may vary depending on processing conditions and the degree of hydrogenation.*

Justification: To bring clarity about the degree of hydrogenation considering that the TFA formation not only depends on the degree of hydrogenation but also processing conditions applied.

Recommendation 3: On fully hydrogenated fats and oils

Definition of FHO- Burundi proposes an editorial amendment to the definition to read: *Fully hydrogenated fats and oils (FHO) are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils, ~~using~~ in the presence of a catalyst.*

Recommendation 4: On proposed definition of "industrially produced trans-fatty acids"

On the definition of iTFA, *Burundi proposes an editorial amendment to the definition to read: Burundi proposes the definition to read: Industrially produced trans-fatty acids (iTFA) are trans-fatty acids obtained through industrial processes, primarily formed during the partial hydrogenation of unsaturated fats and oils. ~~though~~ Smaller amounts may also be produced during other industrial processes, such as oil refining and deodorization. iTFA are defined solely by their method of production and cannot be chemically distinguished from other TFAs.*

Egypt

No.	Recommendations	comments
1	The EWG recommends that the Committee consider the following approach for the integration of the proposed definitions across the CCFO standards: a) Include the proposed definitions within "Section 2: Descriptions" for all three standards. b) Introduce two subsections within Section 2 ("2.1 Product definitions" and "2.2 Other definitions") separating the descriptions of products covered by the standard from additional definitions needed to clarify the meaning of the standard. This proposal is reflected in draft revisions to the three targeted standards in Annex II.	**Standard for Named Vegetable Oils (CXS 210 1999) to be included to the three targeted standards in Annex II.** **They did not include (CXS 210-1999):** **With reference to point 27, We take note of the latest draft definition of "industrially produced trans-fatty acids (iTFA)," which states:** **"Industrially produced trans-fatty acids (iTFA) are trans-fatty acids primarily formed during the industrial process of partial hydrogenation of unsaturated fats and oils. Smaller amounts may also be produced during other processes, such as oil refining and deodorization."** **Furthermore, We would like to highlight that several countries, including Canada and the Kingdom of Saudi Arabia, have addressed trans-fatty acids through mandatory labeling requirements, whereby the trans-fatty acid content is declared on edible oil packaging *(STANDARD FOR NAMED VEGETABLE OILS CXS 210-1999).* Such measures contribute to increased transparency, consumer awareness, and public health protection.** **In light of the above, We supports the adoption of clear, science-based definitions and regulatory measures aligned with WHO recommendations, including limits or bans on iTFA, as well as appropriate labeling provisions, to effectively reduce iTFA intake and protect public health.**
2	The Committee is invited to review and provide input on the proposed **definition of "partially hydrogenated fats and oils"**, including clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Agree with amendment
3	The Committee is invited to review and provide input on the proposed **definition of "fully hydrogenated fats and oils"**, including clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Agree
4	The Committee is invited to review and provide input on the proposed **definition of "industrially produced trans-fatty acids"**, including its clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Agree

No.	Recommendations	comments
5	The Committee is invited to review and provide input on the proposal to refer the matter of revising the Codex definition of trans-fatty acids in CXG 2-1985 to CCNFSDU, following the CCFO's completion of this work. **(Nutrition labelling)**	Agree distinguish between industrial and ruminant sources
6	The eWG recommends that the Committee consider placement of the provision to **prohibit PHO and/or restrict iTFA** in the "Essential Composition and Quality Factors" section of each standard, as outlined above, and add such a section when missing from the standard with a view to align the structure of such a standard with the Codex Procedural Manual. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Limit **and** Pan No or
7	The Committee is invited to review and provide input on the current draft wording of the proposed provision and comment on: a) Its clarity, enforceability, and alignment with WHO best practices. b) The appropriateness of using "should" rather than "shall" to maintain Codex flexibility while promoting strong public health action. c) The proposed footnote referring to the Codex **definition of food**, for **clarification of the scope** of application for both options within the provision. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Agree
8	The Committee is invited to review and provide input on the draft wording of the **clarifying footnote for hydrogenation** in the above paragraph and provide comments on the clarity and alignment with WHO best practices. This proposal is reflected in the draft revisions to the three targeted standards in Annex II.	Agree
9	The EWG recommends that the Committee consider the proposal to refer the matter of potential revisions to Section 4.2.3.1 of the General Standard for the **Labelling of Prepackaged Foods** (CXS 1 1985) to CCFL to improve clarity and support enforcement of the work of the CCFO, following its completion.	Methods of Analysis and Sampling: With reference to point 48, We proposes the introduction of a clear and harmonized definition for the claim "free of trans fats," based on analytical results, in order to ensure consistency, enforceability, and consumer protection. For regulatory and labeling purposes, a food product may be considered **"free of trans fats"** when the result of laboratory analysis shows a trans-fatty acid content greater than 0.0% and not exceeding 0.5% of total fat. This tolerance accounts for unavoidable trace amounts of trans-fatty acids that may occur due to natural presence or minor formation during permitted processing practices, while remaining consistent with public health objectives. The establishment of this definition would support accurate labeling, facilitate

No.	Recommendations	comments
		international trade, and align with existing practices adopted by several Codex members.
10	It is recommended that the Committee consider the structural revision to CXS 19-1981 to include a **"Methods of Analysis"** section in the main body while retaining this section in the Appendix, ensuring consistency across Codex standards and to support effective enforcement of the iTFA limit and/or PHO prohibition. This proposal is reflected in the draft revisions to CXS 19-1981 in Annex II.	Agree and want test method to differ between the source of iTFA (ruminant or artificial)
11	It is recommended that the Committee: a) Consider the inclusion of a footnote in the provision to clarify the compliance verification approach. b) Review the two proposed footnote options presented above (one concise and one detailed) for wording of the footnote. Both footnote options for this proposal are reflected in the draft revisions to the three targeted standards in Annex II. (If the footnote is supported and its wording is agreed upon by the Committee, it will be referred to CCMAS for technical review and confirmation of appropriateness, given that it references analytical methods and screening tools, as noted in Recommendation 12.)	Suggest to add instead of this option
12	It is recommended that the Committee request CCMAS to review and endorse methods and related provisions necessary for verification of compliance, as follows: a) iTFA limit: Review AOAC 996.06 for endorsement for TFA quantification in composite foods, to enable its use in the hybrid approach for iTFA compliance verification, in line with CCMAS principle of endorsing one primary method per provision. b) PHO prohibition: Review the iodine value methods listed in for endorsement as an indicative screening tool (Type I) at the ingredient level for fats and oils, with explicit limitations (i.e., not for enforcement), to support documentation-based verification. c) Compliance verification footnote: Review the footnote on compliance verification (if agreed by the Committee under Recommendation 11) for technical accuracy and appropriateness, as part of CCMAS endorsement work.	Agree and request CCMAS to provide method to differ between the source of iTFA (ruminant or artificial)
13	New	We proposes the establishment of a dedicated working group to develop a "**Code of Frying Practice for vegetables oil"**, in view of its potential impact on the formation of trans-fatty acids. Scientific evidence indicates that certain frying practices, particularly prolonged or repeated heating of oils at high temperatures, may lead to the formation of trans-fatty acids, in addition

No.	Recommendations	comments
		to other undesirable degradation products. In the absence of harmonized international guidance, variations in frying practices may pose risks to public health and create inconsistencies in food quality and safety. We considers that the development of a Codex Code of Practice for Frying would provide practical, science-based guidance on the selection of appropriate frying oils, control of frying temperatures and duration, oil turnover, and proper handling and disposal of used oils. Such guidance would contribute to minimizing the formation of trans-fatty acids and other harmful compounds, while supporting food safety and quality objectives. Accordingly, We supports the establishment of a Codex working group to elaborate this Code of Practice, taking into account existing scientific evidence, WHO recommendations, and the experiences of Codex Members.

Standard	Amendment		Comments
PROPOSED DRAFT REVISIONS TO THE STANDARD FOR EDIBLE FATS AND OILS NOT COVERED BY INDIVIDUAL STANDARDS (CXS 19-1981) (STEP 3)	scope	This standard (formerly CAC/RS 19-1969) applies to oils and fats and mixtures thereof in a state for human consumption. It includes oils and fats that have been subjected to processes of modification (such as trans- esterification **or hydrogenation**) or fractionation.	**Fully hydrogenation**
	Footnote i	The term "hydrogenation" may refer to either full or partial hydrogenation, as applicable under national and/or regional legislation or regulations. This reflects the global public health objective of eliminating industrially produced trans-fatty acids (iTFA) from the food supply, by setting a mandatory limit of not more than 2 g iTFA per 100 g of total fat in all foods, and/or by prohibiting the	delete
	2.Product definitions	**Fully hydrogenated** fats and oils (FHO) are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils, using a catalyst. This process converts all unsaturated bonds into saturated single bonds, resulting in a fully saturated fat structure. Because the hydrogenation is complete, the formation of industrially produced trans-fatty acids (iTFA) is minimized. The resulting fats and oils are typically solid or semi-solid at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation. **Partially hydrogenated**	Agree

Standard	Amendment		Comments
		fats and oils (PHO) are produced through a chemical process that adds hydrogen to some of the double bonds in unsaturated fats and oils, using a catalyst. This converts those double bonds into single bonds, making the fat more saturated. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of trans-fatty acids, which may vary depending on the degree of hydrogenation. **Industrially produced trans-fatty acids (iTFA)** are trans-fatty acids obtained through industrial processes, primarily formed during the partial hydrogenation of unsaturated fats and oils, though smaller amounts may also be produced during other industrial processes, such as oil refining and deodorization. iTFA are defined solely by their method of production and cannot be chemically distinguished from other TFA.	
	3. ESSENTIAL COMPOSITION AND QUALITY FACTORS	Competent national and/or regional authorities should implement mandatory legislative or regulatory measures to: a) b) 8. Set a limit of industrially	Agree with rephrase as the following: • a limit of industrially produced trans-fatty acids (iTFA) to not

Standard	Amendment		Comments
		produced trans-fatty acids (iTFA) to not more than 2 g per 100 g of total fat in all foods ii; and/or Prohibit the production for food use, and the use of partially hydrogenated fats and oils (PHO) in all foods [iii].	more than 2 g per 100 g of total <u>fat in the product in additional to natural</u> TFA ; and/or • Prohibit the production for use of partially hydrogenated fats and oils (PHO) in the product [iii]. a limitof shall be iodine value ≤ 4
	footnote [iii]	ENFORCEMENT FOOTNOTE OPTIONS FOR COMMITTEE CONSIDERATION: OPTION 1 (CONCISE): For checking the compliance with this provision, non-analytical measures such as ingredient declarations and process controls shall be used instead of, or in addition to, the relevant methods of analysis and sampling contained in the Recommended methods of analysis and sampling (CXS 234-1999), as compliance cannot rely solely on analytical methods. OPTION 2 (DETAILED): For checking the compliance with this provision: a) For the iTFA limit, a hybrid approach shall be used, combining analytical methods contained in the Recommended methods of analysis and sampling (CXS 234-1999) for total trans-fatty acid quantification, with non-analytical measures such as ingredient declarations, PHO-free certifications, and supply chain records to estimate ruminant TFA content and infer iTFA	Agree with Option (1)

Standard	Amendment		Comments
		quantity. For the PHO prohibition, compliance shall be verified through documentation, as there are no validated analytical methods to directly detect PHO in foods. Iodine value (IV) may be used as a screening tool at the ingredient level to help differentiate fully hydrogenated oils from PHO, noting that IV ≥ 4 is typically associated with PHO.	
	8.METHODS OF ANALYSIS AND SAMPLING	For checking the compliance with this standard, the methods of analysis and sampling contained in the Recommended methods of analysis and sampling (CXS 234-1999)12 relevant to the provisions in this standard, shall be used.	Agree and request CCMAS to provide method to differ between the source of iTFA (ruminant or artificial)
	labeling	Add new item	Declaration " free from iTFA "if the free fatty acid content does not exceed 0.5%.
PROPOSED DRAFT REVISIONS TO THE STANDARD FOR FAT SPREADS AND BLENDED SPREADS (CXS 256-1999) (STEP 3)	2.1.2	Edible fats and oils "Edible fats and oils" means foodstuffs composed of glycerides of fatty acids. They are of vegetable or animal (including milk) or marine origin. They may contain small amounts of other lipids such as Phosphatides, of unsaponifiable constituents and of free fatty acids naturally present in fat or oil. Fats of animal origin must, if originating from slaughtered animals, be obtained from animals in good health at the time of slaughter and fit for human consumption as determined by a competent authority recognized in national legislation. Fats and oils	**<u>Fully hydrogenation</u>**

Standard	Amendment		Comments
		that have been subjected to processes of physical or chemical modification including fractionation, inter-esterification or **hydrogenation**[i] are included.	
	3.2	Competent national and/or regional authorities should implement mandatory legislative or regulatory measures to: a) Set a limit of industrially produced trans-fatty acids (iTFA) to not more than 2 g per 100 g of total fat in all foods[iii]; and/or b) Prohibit the production for food use, and the use of partially hydrogenated fats and oils (PHO) in all foodsiv .	Agree with rephrase as the following: • a limit of industrially produced trans-fatty acids (iTFA) to not more than 2 g per 100 g of total fat in the product in additional to natural TFA ; and/or • Prohibit the production for use of partially hydrogenated fats and oils (PHO) in the product [iii]. a limit of shall be iodine value ≤ 4
	FOOTNOTES	iii "Food" as defined in the Codex Alimentarius Commission Procedural Manual. iv ENFORCEMENT FOOTNOTE OPTIONS FOR COMMITTEE CONSIDERATION: OPTION 1 (CONCISE): For checking the compliance with this provision, non-analytical measures such as ingredient declarations and process controls shall be used instead of, or in addition to, the relevant methods of analysis and sampling contained in the Recommended methods of analysis and sampling (CXS 234-1999), as compliance cannot rely solely on analytical methods.	Delete footnote iii agree with option 1

Standard	Amendment		Comments
		OPTION 2 (DETAILED): For checking the compliance with this provision: a) For the iTFA limit, a hybrid approach shall be used, combining analytical methods contained in the Recommended methods of analysis and sampling (CXS 234-1999) for total trans-fatty acid quantification, with non-analytical measures such as ingredient declarations, PHO-free certifications, and supply chain records to estimate ruminant TFA content and infer iTFA quantity. b) For the PHO prohibition, compliance shall be verified through documentation, as there are no validated analytical methods to directly detect PHO in foods. Iodine value (IV) may be used as a screening tool at the ingredient level to help differentiate fully hydrogenated oils from PHO, noting that IV ≥ 4 is typically associated with PHO.	
PROPOSED DRAFT REVISIONS TO THE STANDARD FOR NAMED ANIMAL FATS (CXS 211-1999) (STEP 3)	Product definitions	2.1.1 Lard Pure rendered lard is the fat rendered from fresh, clean, sound fatty tissues from swine (Sus scrofa) in good health, at the time of slaughter, and fit for human consumption. The tissues do not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and the like, and are reasonably free from muscle tissues and blood. Lard subject to processing may contain	**<u>Fully hydrogenation</u>**

Standard	Amendment		Comments
		refined lard, lard stearin and hydrogenatedi lard, or be subject to processes of modification provided that it is clearly labelled. 2.1.2 Rendered pork fat subject to processing may also contain refined lard, refined rendered pork fat, hydrogenatedi lard, hydrogenatedi rendered pork fat, lard stearin and rendered pork fat stearin provided that it is clearly labelled.	
	Footnote i	The term "hydrogenated" may refer to either full or partial hydrogenation, as applicable under national and/or regional legislation or regulations. This reflects the global public health objective of eliminating industrially produced trans-fatty acids (iTFA) from the food supply, by setting a mandatory limit of not more than 2 g iTFA per 100 g of total fat in all foods, and/or by prohibiting the production and use of partially hydrogenated fats and oils in all foods.	Delete
	3.2	Competent national and/or regional authorities should implement mandatory legislative or regulatory measures to: a) Set a limit of industrially produced trans-fatty acids (iTFA) to not more than 2 g per 100 g of total fat in all foodsii; and/or b) Prohibit the production for food use, and the use of partially hydrogenated fats and oils (PHO) in all foods[iii].	Agree with rephrase as the following: • a limit of industrially produced trans-fatty acids (iTFA) to not more than 2 g per 100 g of total <u>fat in the product in additional to natural</u> TFA ; and/or • Prohibit the production for use of partially hydrogenated fats and oils (PHO) in the product [iii].

Standard	Amendment		Comments
			a limit of shall be iodine value ≤ 4
	Footnotes	ii "Food" as defined in the Codex Alimentarius Commission Procedural Manual. iii ENFORCEMENT FOOTNOTE OPTIONS FOR COMMITTEE CONSIDERATION:	Delete footnote iii agree with option 1
	labeling	Add new item	Declaration " free from iTFA "if the free fatty acid content does not exceed 0.5%.

European Union

European Union Competence
European Union Vote

The EU would like to thank Canada and Saudi Arabia for the preparation of this draft and would also like to provide the following comments:

Recommendation 1

The EWG recommends that the Committee consider the following approach for the integration of the proposed definitions across the CCFO standards:

a) Include the proposed definitions within "Section 2: Descriptions" for all three standards.

b) Introduce two subsections within Section 2 ("**2.1 Product definitions**" and "**2.2 Other definitions**") separating the descriptions of products covered by the standard from additional definitions needed to clarify the meaning of the standard.

This proposal is reflected in draft revisions to the three targeted standards in Annex II.

The EU agrees with recommendation 1.

Recommendation 2

The Committee is invited to review and provide input on the proposed definition of "partially hydrogenated fats and oils", including clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

The EU suggests the following changes on recommendation 2:

Partially hydrogenated fats and oils (PHO) are produced through a chemical process that adds hydrogen to some of the double bonds in unsaturated fats and oils**~~, using a catalyst~~**. This converts those double bonds into single bonds, making the fat more saturated. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original **fat or** oil composition. It also leads to the formation of trans-fatty acids, which may vary depending on the degree of hydrogenation. **It correlates with a trans-fatty acids content above 2% on a fat basis.**

Rationale:

The EU considers that the mention of a catalyst in the process can be omitted. Reference to fats and oils should be kept throughout the text for consistency. Furthermore, including the trans fatty acid limit in the definition ensures better coherence between the 2 options of the WHO REPLACE TFA policy, which may be chosen by national and/or regional authorities.

Recommendation 3

The Committee is invited to review and provide input on the proposed definition of "fully hydrogenated fats and oils", including clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

The EU suggests the following changes on recommendation 3:

Fully hydrogenated fats and oils (FHO) are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils**~~, using a catalyst~~**. This process converts all unsaturated bonds into saturated single bonds, resulting in a fully saturated fat structure. Because the hydrogenation is complete, the formation of industrially produced *trans*-fatty acids (iTFA) is minimized **and in all cases below 2%**. The resulting fats and oils are typically solid **~~or semi-solid~~** at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation.

Rationale:

The EU notes that to be in line with the definition of "partially hydrogenated fats and oils", mentioning of the catalyst can be omitted. All fully hydrogenated fats and oils are solid at room temperature, therefore the sentence in the definition "*The resulting fats and oils are typically solid or semi-solid at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation*". needs to be corrected to "The resulting fats and oils are typically solid ~~or semi-solid~~ at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation". Furthermore, including the trans fatty acid content as proposed would add clarity.

Recommendation 4

The Committee is invited to review and provide input on the proposed definition of "industrially produced trans-fatty acids", including its clarity, technical accuracy, and suitability for inclusion in the targeted CCFO standards.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

The EU suggests the following changes on recommendation 4:

"Industrially produced trans-fatty acids (iTFA) are *trans*-fatty acids primarily formed during the industrial process of partial hydrogenation of unsaturated fats and oils. Smaller amounts may also be produced during other processes, such as oil refining and deodorization. **~~iTFA are defined solely by their method of production and are difficult to chemically distinguish from naturally occurring TFA".~~**

Rationale:

The EU notes that "iTFA" and "rTFA" are not "similar", but looking at individual TFA substances, they are from both sources "identical".

In the EU, a regulatory approach limiting industrially produced TFA in foods has been chosen. On 24 April 2019, the Commission adopted a Commission Regulation that limits the presence of trans fat, other than trans-fat naturally occurring in fat of animal origin, in food which is intended for the final consumer and food intended for supply to retail. The maximum limit allowed is 2 grams per 100 grams of fat. The EU approach is not referring to iTFA or PHO and therefore has not provided definitions, however, there is indirect reference to iTFA by considering that all TFA are captured that are not naturally occurring in animal fats (ruminant fats). The EU supports the proposed definition; however, the EU does not understand the need for the last sentence. While there is an overlap between the TFA profile between industrial and ruminant TFA, there is methodology available to estimate amounts of ruminant TFA in a mixture of industrial TFAs and ruminant TFAs. Including such assessment methodology in a definition seems to be complex and not appropriate, therefore the EU proposes to delete the last sentence.

Recommendation 5

The Committee is invited to review and provide input on the proposal to refer the matter of revising the Codex definition of trans-fatty acids in CXG 2-1985 to CCNFSDU, following the CCFO's completion of this work.

The EU agrees to refer the matter of revising the Codex definition of trans-fatty acids in CXG 2-1985 to CCNFSDU, following the CCFO's completion of this work.

Recommendation 6

The eWG recommends that the Committee consider placement of the provision to prohibit PHO and/or restrict iTFA in the "Essential Composition and Quality Factors" section of each standard, as outlined above, and add such a section when missing from the standard with a view to align the structure of such a standard with the Codex Procedural Manual.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

The EU agrees with recommendation 6.

Recommendation 7

The Committee is invited to review and provide input on the current draft wording of the proposed provision and comment on:

a) Its clarity, enforceability, and alignment with WHO best practices.

b) The appropriateness of using "should" rather than "shall" to maintain Codex flexibility while promoting strong public health action.

c) The proposed footnote referring to the Codex definition of food, for clarification of the scope of application for both options within the provision.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

Regarding recommendation 7, the EU notes that agreement to this text depends on the definitions of the key terms that are defined "partially hydrogenated fats and oils" and 'industrially produced trans-fatty acids'. The EU has provided its modified definitions. The EU considers that trade implications need to be discussed in case a country or region chooses the first and another country or region chooses the second option. Such discussions need to take into account the possible methods for enforcement of both options and possible divergent qualifications of products as being compliant or not stemming from different methodologies. The EU supports the wording "shall", as used for mandatory requirements in Codex Standards.

Recommendation 8

The Committee is invited to review and provide input on the draft wording of the clarifying footnote for hydrogenation in the above paragraph and provide comments on the clarity and alignment with WHO best practices.

This proposal is reflected in the draft revisions to the three targeted standards in Annex II.

The EU suggests the following changes on recommendation 8:

The term "hydrogenation" may refer to either full or partial hydrogenation, as applicable under national and/or regional legislation or regulations. **Partial hydrogenation leads to the formation of industrially produced trans-fatty acids (iTFA), which should be eliminated from the food supply, in line with** ~~This reflects~~ the global public health objective ~~of eliminating industrially produced *trans* fatty acids (iTFA) from the food supply~~, by setting a mandatory limit of not more than 2 g iTFA per 100 g of total fat in all foods, and/or by prohibiting the production and use of partially hydrogenated fats and oils in all foods.

Rationale:

The EU can support the addition of the footnote to provide clarity, however, considers that with regard to explaining "hydrogenation" in the footnote, it is not clear why referring to either full or partial hydrogenation "*reflects the global public health objective of eliminating industrially produced trans-fatty acids (iTFA) from the food supply, by setting a mandatory limit of not more than 2 g iTFA per 100 g of total fat in all foods, and/or by prohibiting the production and use of partially hydrogenated fats and oils in all foods.*" The EU can agree to maintain this sentence, but an explanatory link needs to be inserted.

Recommendation 9

The EWG recommends that the Committee consider the proposal to refer the matter of potential revisions to Section 4.2.3.1 of the General Standard for the Labelling of Prepackaged Foods (CXS 1- 1985) to CCFL to improve clarity and support enforcement of the work of the CCFO, following its completion.

The EU agrees with recommendation 9.

Recommendation 10

It is recommended that the Committee consider the structural revision to CXS 19-1981 to include a "**Methods of Analysis**" section in the main body while retaining this section in the Appendix, ensuring consistency across Codex standards and to support effective enforcement of the iTFA limit and/or PHO prohibition.

This proposal is reflected in the draft revisions to CXS 19-1981 in Annex II.

The EU agrees with recommendation 10.

Recommendation 11

It is recommended that the Committee:

a) Consider the inclusion of a footnote in the provision to clarify the compliance verification approach.

b) Review the two proposed footnote options presented above (one concise and one detailed) for wording of the footnote.

Both footnote options for this proposal are reflected in the draft revisions to the three targeted standards in Annex II.

(If the footnote is supported and its wording is agreed upon by the Committee, it will be referred to CCMAS for technical review and confirmation of appropriateness, given that it references analytical methods and screening tools, as noted in Recommendation 12.)

Regarding recommendation 11, the EU supports the efforts to address the issue of inconsistencies in product eligibility across markets when different options are chosen to limit iTFA intake, notably limit iTFA content or prohibit PHO use. The footnote texts should not refer to "shall" but "can" as outlined below.

a) Footnote Option1 (Concise):

"For checking the compliance with this provision, non-analytical measures such as ingredient declarations and process controls **can~~shall~~** be used instead of, or in addition to, the relevant methods of analysis and sampling contained in the R*ecommended methods of analysis and sampling* (CXS 234-1999), as compliance cannot rely solely on analytical methods."

b) Footnote Option 2 (Detailed):

"For checking the compliance with this provision:

i. For the iTFA limit, a hybrid approach **can~~shall~~** be used, combining analytical methods contained in the *Recommended Methods of Analysis and Sampling* (CXS 234-1999) for total *trans*-fatty acid quantification, with non-analytical measures such as ingredient declarations, PHO-free certifications, and supply chain records to estimate ruminant TFA content and infer iTFA quantity.

ii. For the PHO prohibition, compliance **can~~shall~~** be verified through documentation, as there are no validated analytical methods to directly detect PHO in foods. Iodine value (IV) may be used as a screening tool at the ingredient level to help differentiate fully hydrogenated oils from PHO, noting that IV ≥ 4 is typically associated with PHO."

Rationale:

Regarding assessments of fats and oils that are derived from non-ruminant origin, analytical methods are sufficient to determine compliance with a requirement to not exceed 2% of iTFA.

The EU notes that compliance assessment is straight forward for fats and oils covered by the standards. If a fat/oil contains more than 2 g iTFA/100 g as determined by one of the GC-FID methods already endorsed by CCMAS or the IV is higher than 4, the fat/oil does not comply with the standard. The issue for composite foods is more complex.

While compliance of provisions in a commodity standard has to be verified by methods endorsed by CCMAS, the EU would like to receive clarification about extending this verification principle to "all foods" as "all foods" that are not in the scope of the three commodity standards.

With regard to the footnote to support hybrid compliance verification approaches, the EU would like to receive clarification about the indicated "screening tools" ("Hybrid compliance verification approaches, which combine analytical testing with non-analytical measure such as documentation review and screening tools, …"). The EU would like to know what kind of screening tools are meant and whether this refers to the iodine value? If so, the EU considers that the determination of the iodine value is an analytical measure rather than a screening

tool. Furthermore, the EU is not aware that in the *Principles for the Use of Sampling and Testing in International Food Trade* (CAC/GL 83-2013), make reference to footnotes to relevant provisions.

Recommendation 12

It is recommended that the Committee request CCMAS to review and endorse methods and related provisions necessary for verification of compliance, as follows:

a) iTFA limit: Review AOAC 996.06 **any other suitable method** for endorsement for TFA quantification **of the products described in [CXS 19-1981, CXS 256-1999 and CXS- 211-1999] [**in composite foods**]**, to enable its use in the hybrid approach for iTFA compliance verification, in line with CCMAS principle**s** ~~of endorsing one primary method per provision~~.

b) PHO prohibition: Review the iodine value methods listed in for endorsement as an indicative screening tool (Type I) at the ingredient level for fats and oils, with explicit limitations (i.e., not for enforcement), to support documentation-based verification.

c) Compliance verification footnote: Review the footnote on compliance verification (if agreed by the Committee under Recommendation 11) for technical accuracy and appropriateness, as part of CCMAS endorsement work.

Regarding recommendation 12, the EU notes that CCMAS typically does not only endorses one primary method per provision (usually Type I or II) for clarity and consistency, but that Type III methods can co-exist with Type II methods. Concerning Annex 1, the EU notes that on of method typing. Type I does not stand for most appropriate. Furthermore, methods listed in *Table A.2. Endorsed Analysis-Only Methods for Total TFA Quantification in Fats and Oils*, the methods mentioned are appropriate for the commodities covered by the three standards.

India

(1) 2.1 Other definitions

Comment: India supports the definition with below amendment in the definition:

Fully hydrogenated fats and oils are obtained by an **industrial** chemical **hydrogenation** process , using a **nickel** catalyst, that modifies unsaturated fats and oils by adding hydrogen to **nearly all** unsaturated **bonds (double bonds),** converting them into saturated bonds (single bonds). This process results in an **almost 100%** saturated structure and minimizes **residual** industrially produced trans-fatty acids (iTFA). Fully hydrogenated fats and oils are **predominantly** solid or semi solid at room temperature due to **an increase** in melting point and **have enhanced** stability and resistance to oxidation.

Partially hydrogenated fats and oils (PHO) are produced through a chemical **hydrogenation** process that adds hydrogen to some of the double bonds in unsaturated fats and oils, using a **nickel** catalyst. This converts those double bonds into single bonds, making the fat more saturated. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of **industrially produced** trans fatty acids, which may vary depending on the degree of hydrogenation.

Industrially produced trans-fatty acids (iTFA) are trans-fatty acids primarily formed during the industrial process of partial hydrogenation of unsaturated fats and oils. Smaller amounts may also be produced during other processes, such as oil refining and deodorization. iTFA are not naturally produced and defined solely by their method of production

Rationale: Inclusion of word industrial in the definition of hydrogenated fats is to ensure the application of clause limited to industrially produced trans- fat and exclusion of beneficial ones produced in ruminants like milk. The Standard for Fat Spreads and Blended Spreads (CXS 256-1999) includes some dairy spreads as well. In this context, it is important that the iTFA are recognized as different from rTFA. However, it is very difficult to analytically differentiate them and hence different approaches such as higher isomeric uniformity in iTFA or to exempt rTFA's based on calculations are advocated. The proposed changes are to ensure consistent clarity. Furthermore, one study referenced by the 2023 WHO Guideline states: "Animal and cell culture studies demonstrate that the effects of rTFA may differ from those of iTFA, and they suggest that VA [vaccenic acid] and c9,t11-CLA may be hypo-cholesterolemic and antiatherogenic."[1] The isomer of CLA that is naturally occurring in ruminant fat is predominantly c9,t11-CLA.

[1] Gebauer, S. K., Destaillats, F., Dionisi, F., Krauss, R. M., & Baer, D. J. (2015). Vaccenic acid and trans fatty acid isomers from partially hydrogenated oil both adversely affect LDL cholesterol: a double-blind, randomized controlled trial. American Journal of Clinical Nutrition, 102(6), 1339–1346. https://doi.org/10.3945/ajcn.115.116129

(2) 3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

Comment: India supports the definition with below amendment in the definition:

a) Set a limit of industrially produced trans- fatty acids (iTFA) to not more than 2 g per 100 g of total fat in ~~all foods~~ **food products having edible oils and fats as an ingredient**.

Rationale: Instead of all foods, the limit should be applied only for products where oil is being added.

(3) ENFORCEMENT FOOTNOTE OPTIONS FOR COMMITTEE CONSIDERATION:

Comment: India supports detailed footnote (Option 2). The detailed footnote provides a lot more clarity on the importance of differentiation.

Kenya

Recommendation 5: Referring the matter of revising the Codex definition of trans-fatty acids in CXG 2-1985 to CCNFSDU: Kenya supports the EWG proposal to refer the definition of TFA to CCNFSDU being the competent committee to add clarity in CXS 2-1985 to distinguish the iTFA and rTFA. This clarity will ensure no conflict during implementation of iTFA limits as proposed.

Recommendation 6 and 7: Kenya supports the proposed placement of the provision to prohibit partially hydrogenated oils (PHOs) and/or restrict industrially produced trans fatty acids (iTFAs) under the Essential Composition and Quality Factors section, as recommended by the Electronic Working Group. Kenya considers this placement to be appropriate and consistent with Codex principles, as it clearly establishes the compositional and quality requirements of fats and oils to ensure consumer health protection.

With regard to the current draft wording of the proposed provision, Kenya is of the view that: a) the statement is clear and aligned with WHO best practices. Recognizing that Codex texts constitute recommendations to governments, Kenya considers that adoption of this provision by Members would provide the necessary impetus for national implementation and enforcement. In this regard, Kenya proposes that the Committee recommend consideration and adoption of the text, as appropriate, by relevant Codex Committees and within applicable commodity standards, in order to facilitate implementation across foods and support global public health objectives;

(b) in the context of the provision, the use of the term *"should"* is appropriate, as it provides a strong recommendation on the action to be taken without rendering the provision mandatory at Codex level; and (c) Kenya supports the proposal to refer to the Codex definition of food, as this ensures clarity and consistency across Codex texts.

Recommendation 8: clarifying footnote for hydrogenation: Kenya supports the draft text on the footnote as provided by the EWG.

Recommendation 9: Reference the matter of potential revisions to Section 4.2.3.1 of the GSFL to CCFL: Kenya supports the EWG proposal to refer the matter to CCFL as the competent Committee.

Recommendation 10: Inclusion of "Methods of Analysis" section in CXS 19-1981: Kenya supports inclusion of a section of method of analysis as proposed by EWG. This is consistent with the Codex Procedural Manual on the format of commodity standards.

Recommendation 11: proposal of Inclusion of footnote and the choice of options: Kenya supports the inclusion of the footnote, as it enhances clarity and facilitates a common understanding among users of the standard; and Kenya supports Option 1,

Justification: Option 1 approach to implementation and verification recognizes the analytical capacity and constraints faced by many Member countries and, this ensures that the provisions are practical and enforceable. While option 2 provides a hybrid approach it makes it mandatory that may not be achievable. At the same time, part B of option 2 provides for use of a screening method that cannot be fully relied on in decision making.

Recommendation 12: Request to CCMAS to review and endorse methods and related provisions necessary for verification of compliance

Kenya supports the proposal by the EWG

ANNEX II - PART III - PROPOSED DRAFT REVISIONS TO THE STANDARD FOR NAMED ANIMAL FATS (CXS 211-1999)

Comment: Kenya proposes the editorial amendment to the definition of Lard subject to processing defined to read: **Lard subject to processing** may contain refined lard, lard stearin and **hydrogenated**[i] lard, or be subject to **other** processes of modification provided that it is clearly labelled.

New Zealand

New Zealand thanks Canada and Saudi Arabia for preparing the document CX/FO 26/29/5 and have the following comments to make:

For recommendations 2 and 3, we suggest amending the proposed definitions (in red below) so that they are consistent with each other.

> "**Partially hydrogenated fats and oils (PHO)** are produced through a chemical process ~~that adds~~ in which hydrogen is added to some of the double bonds in unsaturated fats and oils, using a catalyst. This process converts those unsaturated double bonds into saturated single bonds, making the fat more saturated. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of industrially produced trans-fatty acids (iTFA), which may vary depending on the degree of hydrogenation."
>
> "**Fully hydrogenated fats and oils (FHO)** are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils, using a catalyst. This process converts all unsaturated double bonds into saturated single bonds, resulting in a fully saturated fat structure. Because the hydrogenation is complete, the formation of industrially produced trans-fatty acids (iTFA) is minimized.
>
> The resulting fats and oils are typically solid or semi-solid at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation".

For recommendation 5, we do not consider that the definition for TFA requires updating or review to implement the global public policy objective of eliminating iTFA from the food supply. A change in the definition of TFA will have wider implications to Codex texts, without contributing to the aim of eliminating iTFA.

New Zealand does not support referring the definition of TFA to CCNFSDU as we do not consider the use of definition of TFA and labelling as a risk management strategy to reduce iTFA intakes.

If this issue is to be referred, it should be acknowledged that there are wider implications for amendments to the definition of TFA across Codex texts where the term is used that CCNFSDU must consider. This will require substantive work from CCNFSDU and technical assessments to manage a change in definition and will need to be considered in the context of prioritisation in their work program.

It is not possible to reformulate products to reduce their TFA content where TFA is present inherently, such as in dairy and meat. These products can make a positive contribution to a healthy diet and are encouraged as ingredients in some CCNFSDU texts as quality ingredients that are a source of a number of key nutrients.

A change to the definition of TFA will have implications across Codex texts where the term is used, and would need CCNFSDU to revise the limits associated with TFA to ensure that the quality ingredients can continue to be used in product formulation. One example of this is the recently revised Codex Follow-up formula standard which has a limit of 3% TFA in formula product. Both standards prioritise the inclusion of dairy products as ingredients in the formula product, and TFA limits are set in a way that would not prohibit the inclusion of dairy.

For recommendation 8, the second sentence could be misunderstood as suggesting that both full and partial hydrogenation produce iTFA. We suggest amending (in red below) the proposed footnote to improve clarity.

> "The term "**hydrogenation**" may refer to either full or partial hydrogenation, as applicable under national and/or regional legislation or regulations. Codex supports ~~This reflects~~ the global public health objective of eliminating industrially produced trans-fatty acids (iTFA) from the food supply, by setting a mandatory limit of not more than 2 g iTFA per 100 g of total fat in all foods, and/or by prohibiting the production and use of partially hydrogenated fats and oils in all foods."

For recommendation 9, we support this recommendation for further consideration by CCFL. Noting that CCFL would need to consider the broader implications of changing terminology. The rationale is for consistency between texts, to reduce ambiguity (particularly as partially- hydrogenated is already specified), and it could help with enforcement of a ban on partially hydrogenated oil.

Peru

POSICIÓN PAÍS PERÚ

PROYECTO DE POSICIÓN PAÍS PERÚ

Nombre de la Comisión Técnica Nacional: Grasas y aceites

Nombre del documento en consulta: CL 2025/79-FO Solicitud de observaciones sobre los anteproyectos de revisiones de las normas del Codex sobre grasas y aceites para reducir la ingesta de ácidos grasos trans (AGT)

Plazo para remitir al Pleno: 16/01/26

Plazo para presentar al Pleno: 16/01/26

Plazo Codex internacional: 23/01/26

Comentario General:

El Perú agradece al Comité del Codex sobre Grasas y Aceites (CCFO), presidido por Malasia, por el esfuerzo emprendido a la fecha, así como al Grupo de trabajo electrónico el cual también presidido por Canadá y copresidido por Arabia Saudita sobre Anteproyectos de revisiones de las normas del Codex sobre grasas y aceites para reducir la ingesta de ácidos grasos trans y en atención y respuesta al documento CX/FO 26/29/5 y la CL 2025/79-FO Solicitud de observaciones sobre los anteproyectos de revisiones de las normas del Codex sobre grasas y aceites para reducir la ingesta de ácidos grasos trans (AGT) referimos lo siguiente:

Observaciones Específicas

Sobre: a) examine y apruebe el proyecto de revisiones propuestas a las tres normas del Codex objeto de estudio que figuran en el Anexo II, de conformidad con las recomendaciones 1-4, 10 y 11;

Sobre la Recomendación 1

Perú está de acuerdo con la incorporación de las definiciones propuestas en todas las normas del CCFO en la «Sección 2: Descripciones» de las tres normas e introducir dos subsecciones dentro de la Sección 2 («2.1 Definiciones de los productos» y «2.2 Otras definiciones») para separar las descripciones de los productos cubiertos por la norma de las otras definiciones necesarias para aclarar el significado de las normas respectivas.

Sobre la Recomendación 2

Perú está de acuerdo con la definición propuesta de «grasas y aceites parcialmente hidrogenados», incluida en los proyectos que figuran en el Anexo II.

Sobre la Recomendación 3

Perú está de acuerdo con la definición propuesta de «grasas y aceites totalmente hidrogenadas», incluida en los proyectos que figuran en el Anexo II.

Sobre la Recomendación 4

Perú está de acuerdo con la definición propuesta de «ácidos grasos trans producidos industrialmente», incluida en los proyectos que figuran en el Anexo II.

Sobre la Recomendación 10

Perú está de acuerdo revisión estructural de la norma CXS 19-1981 con el objeto de incluir una sección «Métodos de análisis» y la propuesta detallada en el anexo II de CX/FO 26/29/5.

Sobre la Recomendación 11

Perú está de acuerdo con la opción de nota al pie detallada (opción 2) y su remisión al CCMAS.

Sobre b) una vez finalizada su labor, estudie la posibilidad de remitir las cuestiones conexas a otros comités del Codex, como se indica a continuación:

i. CCFL: A fin de examinar y considerar posibles revisiones de la terminología de etiquetado en la Norma general para el etiquetado de los alimentos preenvasados (CXS 1-1985), de conformidad con la Recomendación 9.

Perú está de acuerdo con remitir la cuestión de las posibles revisiones de la Sección 4.2.3.1 de la Norma general para el etiquetado de los alimentos preenvasados (CXS 1-1985) al CCFL para mejorar la claridad y apoyar la aplicación de la labor del CCFO, una vez finalizada.

ii. CCNFSDU: A fin de examinar y considerar las revisiones de la definición del Codex de ácidos grasos trans en las Directrices para el etiquetado nutricional (CXG 2-1985), de conformidad con la Recomendación 5.

Perú está de acuerdo con remitir al CCNFSDU la revisión de la definición del Codex de los ácidos grasos trans que figura en las directrices CXG 2-1985, una vez que el CCFO haya completado esta labor.

iii. CCMAS: A fin de examinar y considerar la ratificación de los métodos analíticos y las disposiciones conexas necesarias para la verificación del cumplimiento, incluida la nota a pie de página sobre el enfoque de verificación del cumplimiento, si así lo acuerda el Comité en virtud de las recomendaciones 11 y 12.

Sobre la Recomendación 11

Perú está de acuerdo con la opción de nota al pie detallada (opción 2) y su remisión al CCMAS.

Sobre la Recomendación 12

a) Perú está de acuerdo con la propuesta del método AOAC Official Method 996.06 *Fat (Total, Saturated, and Unsaturated) in Foods*. y su ratificación en lo referente a la cuantificación de AGT en los alimentos compuestos, a fin de permitir su utilización en el enfoque híbrido para la verificación del cumplimiento de AGTi, conforme el principio del CCMAS de ratificar un método principal por disposición.

b) Prohibición del APH: Perú recomienda solicitar al CCMAS la revisión de los métodos de índice de yodo enumerados del Tipo I.

c) Nota a pie de página sobre la verificación del cumplimiento: Perú ha dado repuesta en la recomendación 11, eligiendo la opción 2 detallada.

Sobre las recomendaciones 6, 7 y 8

Sobre la Recomendación 6

Perú está de acuerdo con incluir una disposición para prohibir el APH y/o restringir el AGTi en la sección «Factores esenciales relativos a la composición y la calidad» de cada norma, y el añadido de dicha sección cuando no exista en la norma conforme se ha planteado en el anexo II de CX/FO 26/29/5.

Sobre la Recomendación 7

Perú está de acuerdo con el proyecto de redacción de la disposición propuesta, la idoneidad de utilizar «debería» en lugar de «deberá», sin embargo, manifestamos preocupación por la traducción al español de "shall" debiendo ser traducido como "debe" y "should" debiendo ser traducido como "debería".

Sobre la Recomendación 8

Perú está de acuerdo con la nota aclaratoria sobre la hidrogenación «*El término «hidrogenación» puede referirse a la hidrogenación total o parcial, según sea aplicable en virtud de la legislación o la normativa nacional o regional. Esto expresa el objetivo de salud pública mundial de eliminar los ácidos grasos trans producidos industrialmente (AGTi) del suministro de alimentos, establece un límite obligatorio de no más de 2 gramos de AGTi por cada 100 gramos de grasa total en todos los alimentos, y/o prohíbe la producción y utilización de grasas y aceites parcialmente hidrogenados en todos los alimentos*»; la cual está a lineada a la regulación nacional.

Observaciones sobre los anteproyectos de revisión de las normas del Codex sobre grasas y aceites para limitar la ingesta de ácidos grasos trans (AGT) que figuran en el documento CX/FO 26/29/5 (Anexo II, partes I a III).

a) Perú ha examinado y aprueba el proyecto de revisiones propuestas a las tres normas del Codex objeto de estudio que figuran en el Anexo II, de conformidad con las recomendaciones 1-4, 10 y 11, y plantea los siguientes comentarios específicos:

N°	Sección /numeral	Dice	Debe decir	Categoría de comentario[2]	Otros comentarios[3]
1	Capítulo 3. anexo II – parte I	Las autoridades nacionales y/o regionales competentes deben aplicar medidas legislativas o reglamentarias obligatorias para:	Las autoridades nacionales y/o regionales competentes debe**<u>ría</u>**n aplicar medidas legislativas o reglamentarias obligatorias para:	Sustancial	Dado que en la versión en inglés se indica "should" por lo que debería traducirse como "deberían"

[2] Categorías de comentario: Editorial, Técnico, Sustancial, Traducción (ver anexo).
[3] Sustento Técnico de cambio /Comentario Específico

N°	Sección /numeral	Dice	Debe decir	Categoría de comentario[2]	Otros comentarios[3]
2	Capítulo 3.2 anexo II – parte II	Las autoridades nacionales y/o regionales competentes deben aplicar medidas legislativas o reglamentarias obligatorias para:	Las autoridades nacionales y/o regionales competentes deber**ía**n aplicar medidas legislativas o reglamentarias obligatorias para	Técnico	Dado que en la versión en inglés se indica “should” por lo que debería traducirse como “deberían”
3	Capítulo 3.2 anexo III – parte II	Las autoridades nacionales y/o regionales competentes deben aplicar medidas legislativas o reglamentarias obligatorias para:	Las autoridades nacionales y/o regionales competentes deber**ía**n aplicar medidas legislativas o reglamentarias obligatorias para	Técnico	Dado que en la versión en inglés se indica “should” por lo que debería traducirse como “deberían”
4	ANEXO II – PARTE II y III Opciones de notas al pie sobre cumplimiento para la consideración del comité:	Perú está de acuerdo con la opción 2 de la nota: “b)”. Sin embargo, al ser una nota, solicita cambiar el verbo “shall” a “should” en a) y b)	a) **For the iTFA limit, a hybrid approach should ~~shall~~ be used, combining analytical methods contained in the *Recommended methods of analysis and sampling* (CXS 234-1999) for total *trans*-fatty acid quantification, with non-analytical measures such as ingredient declarations, PHO-free certifications, and supply chain records to estimate ruminant TFA content and infer iTFA quantity.** b) **For the PHO prohibition, compliance should ~~shall~~ be verified through documentation, as there are no validated analytical methods to directly detect**		Las notas se utilizan para dar información adicional con el propósito de ayudar a la comprensión o uso del texto del documento. El documento debe ser utilizable sin las notas. Asimismo, no debe incluir requisitos mandatorios sólo informativos.

N°	Sección /numeral	Dice	Debe decir	Categoría de comentario[2]	Otros comentarios[3]
			PHO in foods. Iodine value (IV) may be used as a screening tool at the ingredient level to help differentiate fully hydrogenated oils from PHO, noting that IV ≥ 4 is typically associated with PHO.		

b) Perú está de acuerdo en que una vez aprobado el proyecto de revisiones propuestas a las tres normas del Codex objeto de estudio que figuran en el Anexo II, se consulte con CCFL, CCNFSDU y CCMAS en los temas de su competencia, recomendación brindada en CX/FO 26/29/5.

Uganda

Position:

Uganda strongly supports the recommendations of the Electronic Working Group (EWG) to revise three Codex standards in alignment with WHO's REPLACE initiative to eliminate industrially produced trans-fatty acids (iTFA) from the global food supply. Uganda recognizes the significant progress made, including consensus on structural changes, the development of clear definitions for PHO, FHO, and iTFA, and the drafting of mandatory measures to limit iTFA to not more than 2 g per 100 g of total fat in all foods or prohibit PHO altogether.

Uganda further endorses the recommendation that CCFO29 review and finalize the proposed draft revisions and, upon completion, refer related matters to other Codex Committees for consistency and harmonization. In particular, revisions to labelling terminology, nutrition guidelines, and analytical methods will strengthen compliance verification and enhance transparency in food trade. Uganda also endorses the advancement of this work through the Codex stepwise process.

Rationale:

Uganda's support for the recommendations of the Electronic Working Group (EWG) to revise Codex standards in alignment with WHO's REPLACE initiative is grounded in the recognition that industrially produced trans-fatty acids (iTFAs) pose significant risks to public health, particularly in increasing the burden of non-communicable diseases. At present, Uganda has no regulatory mechanisms in place to monitor or limit iTFAs in the food supply, which makes reliance on international standards and Codex guidance critical. By endorsing the proposed revisions, Uganda seeks to strengthen its national food safety framework through harmonization with global best practices, ensuring that consumers are protected from harmful dietary components and that trade in fats and oils is conducted transparently and fairly.

Furthermore, Uganda views the adoption of clear definitions for PHO, FHO, and iTFA, alongside mandatory measures to limit iTFAs to not more than 2 g per 100 g of total fat in all foods or prohibit PHO altogether, as essential tools for building future regulatory capacity. These measures will provide Uganda with a strong foundation to develop national policies and enforcement mechanisms, while also aligning with broader public health goals. Supporting the advancement of this work through the Codex stepwise process allows Uganda to progressively strengthen its food control systems, enhance consumer confidence, and contribute to global efforts to eliminate iTFAs from the food supply.

United Republic of Tanzania

Position: United Republic of Tanzania supports the recommendations of the Electronic Working Group (EWG) to revise three Codex standards in alignment with WHO's REPLACE initiative to eliminate industrially produced trans-fatty acids (iTFA) from the global food supply. United Republic of Tanzania recognizes the significant progress made, including consensus on structural changes, the development of clear definitions for PHO, FHO, and iTFA, and the drafting of mandatory measures to limit iTFA to not more than 2 g per 100 g of total fat in all foods or prohibit PHO altogether.

United Republic of Tanzania endorses the recommendation that CCFO29 review and finalize the proposed draft revisions and, upon completion, refer related matters to other Codex Committees for consistency and harmonization. Revisions to labelling terminology, nutrition guidelines, and analytical methods will strengthen compliance verification and enhance transparency in food trade. United Republic of Tanzania also endorses the advancement of this work through the Codex stepwise process.

Rationale: United Republic of Tanzania's support for the recommendations of the Electronic Working Group (EWG) to revise Codex standards in alignment with WHO's REPLACE initiative is grounded in the recognition that industrially produced trans-fatty acids (iTFAs) pose significant risks to public health, particularly in increasing the burden of non-communicable diseases.

Technical Comment: United Republic of Tanzania supports the inclusion of hydrogenation in the scope and the accompanying explanation provided in the footnote.

Justification: Hydrogenation is one of the modification processes applied in the processing of fats and oils and can lead to formation of trans fatty acids.

Recommendation 1: On proposed definitions. Section 2.1

United Republic of Tanzania supports inclusion of the definitions proposed by the working group. This is consistent with the guidance of the Codex Procedural Manual, Section 2.6, Paragraph 90.

Recommendation 2: Definition of partially hydrogenated fats and oils

On the definition of PHO- United Republic of Tanzania proposes the following definition. *Partially hydrogenated fats and oils (PHO) are produced through a chemical process that adds hydrogen to some of the double bonds in unsaturated fats and oils ~~using~~ in the presence of a catalyst, converting them into single bonds and increasing the level of saturation. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of trans-fatty acids, whose level may vary depending on processing conditions and the degree of hydrogenation.*

Justification: To bring clarity about the degree of hydrogenation considering that the TFA formation not only depends on the degree of hydrogenation but also processing conditions applied.

Recommendation 3: On fully hydrogenated fats and oils

Definition of FHO- *United Republic of Tanzania proposes an editorial amendment to the definition to read: Fully hydrogenated fats and oils (FHO) are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils, ~~using~~ in the presence of a catalyst.*

Recommendation 4: On proposed definition of "industrially produced trans-fatty acids"

On the definition of iTFA, *United Republic of Tanzania proposes an editorial amendment to the definition to read: United Republic of Tanzania proposes the definition to read: Industrially produced trans-fatty acids (iTFA) are trans-fatty acids obtained through industrial processes, primarily formed during the partial hydrogenation of unsaturated fats and oils. ~~though~~ Smaller amounts may also be produced during other industrial processes, such as oil refining and deodorization. iTFA are defined solely by their method of production and cannot be chemically distinguished from other TFAs.*

The EU Vegetable Oil and Proteinmeal Federation (FEDIOL)

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

FEDIOL, as an observer to the Codex Alimentarius, took part in the work of the Codex Alimentarius electronic group on *trans* fatty acids (TFA) and provided comments through the different steps. Ahead of the discussions foreseen at the CCFO 29, FEDIOL would like to provide the below comments on the proposed draft revisions to Codex standards on fats and oils to limit *trans* fatty acid intake document CX/FO 26/29/5.

General comments:

FEDIOL has been following closely Codex Alimentarius discussions on *trans* fatty acids for many years. We provided comments to the CCFL on such a topic at several occasions, in September 2021, April 2022 and May 2023 and at CCNFSDU in November 2014, December 2016, and July 2018. Since the topic was raised at CCFO level, FEDIOL took part in the 2 rounds of consultation and provided input.

As already highlighted in the past, FEDIOL and its members have engaged on *trans* fatty acids (TFA) and reformulation of their products for many years. FEDIOL has in place a FEDIOL code of practice on refining[4], application of which ensures that, during refining, all refined vegetable oils and fats produced in compliance with the Code do not contain more than 2% TFA on fat basis, including in bottled vegetable oils and frying oils.

Furthermore, FEDIOL has been supportive and accompanied the process, which led to the setting of the EU law on TFA, through the adoption of Commission Regulation (EU) no 2019/649 in April 2019[5]. The EU law sets a maximum limit of *trans* fat (other than *trans* fat naturally occurring in fat of animal origin) in food, which is intended for the final consumer and food intended for supply to retail, of 2 grams per 100 grams of fat (i.e. 2% TFA on fat basis).

FEDIOL is also a strong supporter of the need for alignment between rules on TFA set at EU level and Codex Alimentarius level, as EU rules have proven to be fully effective in addressing public health in the region in line with WHO REPLACE objectives. At minimum, there should be no contradiction between such rules.

Specific comments:

1. On the drafting of definitions – points 17 to 24

FEDIOL concurs with the need to set clear definitions for Partially Hydrogenated Oils (PHO) and Fully Hydrogenated oils (FHO). This has been one of FEDIOL battle horses for many years.

However, FEDIOL considers that the definitions proposed in document CX/FO 26/29/5 are too broad and will not enable to address adequately TFA reduction. Indeed, there is not a clear link between the TFA content and the definitions of PHO or of FHO. **The lack of such clarification will continue creating confusion on the market and is not in line with WHO REPLACE objectives.**

For such reasons, FEDIOL proposes linking TFA content directly into the definitions of PHO and of FHO, as already proposed in the rounds of consultation in the CCFO electronic group, and also in previous Codex Alimentarius consultations. This was also supported in the electronic group by 2 members – the European Union and the Netherlands – and by another observer, IMACE.

Contrary to what is mentioned under point 21 b), FEDIOL does not agree that "*Embedding a numerical iTFA threshold within the PHO definition (e.g., <2% iTFA) to align with the WHO best-practice is not appropriate because it does not accurately reflect the typical iTFA content of PHO.*" **FEDIOL takes the opposite view.** The level of 2% TFA is the most accurate threshold to define PHO and FHO – contrary to the iodine value, which would still leave higher levels of TFA – higher than 2% – as already highlighted at multiple occasions[6]. FEDIOL therefore opposes the view that "*using a 2% iTFA limit as a definitional criterion for PHO risks misclassification and does not capture the true compositional characteristics of these oils."*

As regards iodine value (IV), FEDIOL concurs, under point 21 a) that "*iodine value cannot specifically identify PHO, nor can it quantify iTFA content.*" **We however strongly oppose** the fact that "*iodine value can be used as a practical enforcement parameter, particularly* ***to distinguish FHO, which have low iodine value due to near-complete saturation, from PHO."*** **As indicated with detailed examples, this is not always the case.** The iodine value can also vary depending on the refining process used or depending on the presence of other substances in some vegetable oils and fats (called "unsaponified components").

As demonstrated by the below case studies, an oil with an iodine value <4 considered as Fully Hydrogenated Vegetable Oil (FHO) according to the definition based on iodine value (IV) does not necessarily imply a TFA content <2% on fat basis and an iodine value >4 does not necessarily imply a TFA content >2%.

Case study 1:

In practice, a hydrogenated vegetable oil or fat can well have an iodine value greater than 4, and hence be considered as a "partially" hydrogenated oil under US law, but still be at or below 2% TFA on fat basis. There is no rationale on health grounds to prohibit a vegetable oil or fat with an IV greater than 4, but with a low TFA content.

Case study 2:

A vegetable oil/fat can have an iodine value at or below 4, and hence be regarded as a "fully hydrogenated oil" under US law. However, it can correlate with a TFA level of 3.5 to 4%.

[4] https://www.fediol.eu/data/FEDIOL%20Code%20of%20Practice%20on%20Oil%20Refining%20-%20revision%209%20March%202020.pdf
[5] http://data.europa.eu/eli/reg/2019/649/oj
[6] See for example FEDIOL position on TFA following Codex Committee on Fats and Oils (CCFO) meeting held in February 2024, 24NUT082.

Therefore, FEDIOL requests the deletion of the sentence under point 21 a) as follows: *"However, iodine value can be used as a practical enforcement parameter, particularly to distinguish FHO, which have low iodine value due to near-complete saturation, from PHO."*

Overall, FEDIOL opposes referring to the iodine value concept, in any reference to TFA, as this is not the right parameter to choose for TFA assessment.

Instead:

For the definition of PHO proposed under point 23, FEDIOL would provide the following comments: "*Partially hydrogenated fats and oils (PHO) are produced through a chemical process that adds hydrogen to some of the double bonds in unsaturated fats and oils, using a catalyst. This converts those double bonds into single bonds, making the fat more saturated. During this process, some of the remaining double bonds undergo geometric isomerization, changing from the natural cis configuration to the trans configuration. The process can be controlled to create fats and oils with a wide range of physical properties, such as texture and melting point, regardless of the original oil composition. It also leads to the formation of trans fatty acids, which may vary depending on the degree of hydrogenation*. **NEW It correlates with a *trans* fatty acids (TFA) content above 2% on fat basis.**"

For the definition of FHO proposed under point 24, "*Fully hydrogenated fats and oils (FHO) are produced through a chemical process in which hydrogen is added to all the double bonds in unsaturated fats and oils, using a catalyst. This process converts all unsaturated bonds into saturated single bonds, resulting in a fully saturated fat structure. Because the hydrogenation is complete, the formation of industrially produced trans-fatty acids (iTFA) is minimized. The resulting fats and oils are typically solid or semi-solid at room temperature due to their higher melting point and exhibit enhanced stability and resistance to oxidation,* **NEW with a *trans* fatty acid (TFA) content of 2 % or less on fat basis."**

FEDIOL remains available to provide further input to the discussions and planned next steps, including on the definitions of PHO and FHO, as suggested in recommendation 9 of the Discussion Paper.

2. On Inclusion of a Prohibition on PHO and/or a Limit on iTFA - Proposed wording of the Provision – points 35 to 39

On point 36, line 2, there is a typo, "proposes that the iTFA limit applies to fall foods" should read as "proposes that the iTFA limit applies to ~~f~~all foods".

FEDIOL is supportive of the general approach to apply the restrictions to all foods and not only to oils and fats. This is also in line with the approach set at EU level.

On point 37, FEDIOL is supportive of the approach whereby flexibility is ensured, enabling the use of "and/or" to implement the approaches. This will continue ensuring that those countries having already implemented one of the approaches will continue doing so. FEDIOL welcomes this modification, compared with the previous versions under consultation in the electronic group. FEDIOL can therefore support recommendation 7.

On point 39 b), FEDIOL wonders whether the wording of the prohibition was not clearer in the previous version of the text. FEDIOL would therefore support going back to the following sentence "*prohibit the production and use of partially hydrogenated fats and oils (PHO) in all foods.*", which means the same and is clearer for implementation purposes.

3. On Footnote to Support Hybrid Compliance Verification Approaches – points 56 to 58

FEDIOL supports option 1. It does not support option 2, which explicitly refers to the use of iodine value as a tool to check PHO and hence TFA content. As explained at many occasions, the iodine value measurement is not the right tool to check TFA compliance, not even in the case of PHO content. Including it will create confusion and inconsistencies in enforcement. **Therefore, FEDIOL is of the view of keeping option 1 only and not supporting the use of the iodine value at Codex Alimentarius level.**

4. On Summary of EWG Review of Methods of Analysis – points 59 to 61

As highlighted above, FEDIOL does not support the use of the iodine value for measuring presence of PHO and TFA content. Hence, it does not support proposing the CCMAS to "*Endorse iodine value methods as an indicative screening tool (Type I) for ingredient-level checks, with explicit limitations, noting the absence of an analytical method for PHO detection."*

As always, FEDIOL remains available to provide additional information upon request.

International Dairy Federation (IDF)

IDF supports the global public health objective of reducing the intake of industrially produced trans-fatty acids (iTFAs) derived from partially hydrogenated vegetable oils.

Regarding the proposal to refer the potential revision of the Codex definition of trans-fatty acids to CCNFSDU, IDF has the following comments:

- **No need to revise the Codex definition of trans-fatty acids**

IDF does not support, nor do we see a justification for, revising the current Codex definition of trans-fatty acids. The existing definition, when considered alongside the definition of industrially produced trans-fatty acids (iTFAs), clearly establishes that ruminant trans-fatty acids are outside the scope of standards and measures addressing iTFA reduction. The Codex definition of TFA was established after much deliberations and, since then, there appears to be no development in science that calls for a revision of this definition.

- **Referral will not facilitate current CCFO work**

Based on the scope of work agreed by CCFO and approved by the Codex Commission, revising the trans-fatty acid definition or referring the matter to CCNFSDU would neither assist nor impede the development of Codex work on implementing numerical limits or ingredient prohibitions aimed at reducing iTFA intake. The current CCFO work focuses on the application of measures targeting industrial sources of trans-fatty acids, which can be addressed within the existing Codex framework without reopening nutrition-labelling definitions or initiating parallel committee work.

- **Implications for labelling**

Should a consultation with CCNFSDU nevertheless be pursued, a parallel consultation with CCFL would also be necessary, given the direct implications for food labelling provisions.

- **Exclusion of CLA from the Codex TFA definition**

The Codex definition of trans-fatty acids should continue to maintain the explicit exclusion of Conjugated Linoleic Acid (CLA) isomers from the definition.

As the WHO REPLACE initiative focuses on eliminating industrially produced TFAs, any Codex work should ensure that the exclusion of naturally occurring CLA isomers is preserved. Our position is supported by the following considerations:

- CLA is structurally different from industrially produced trans fatty acids, as the trans double bond is part of the conjugated double bond structure. Trans double bonds in conjugation behave differently from isolated trans double bonds (or methylene interrupted double bonds).
- The conclusions drawn by the 2023 WHO Guideline on Saturated fatty acid and trans-fatty acid intake for adults and children (2023 WHO Guideline[7]) regarding CLA do not have referenced scientific studies supporting the conclusion to include CLA in the overall definition of trans fatty acids.
- Furthermore, one study referenced by the 2023 WHO Guideline states: “Animal and cell culture studies demonstrate that the effects of rTFA may differ from those of iTFA, and they suggest that VA [vaccenic acid] and c9,t11-CLA may be hypo-cholesterolemic and antiatherogenic.”[8] The isomer of CLA that is naturally occurring in ruminant fat is predominantly c9,t11-CLA.

[7] Saturated fatty acid and trans-fatty acid intake for adults and children: WHO guideline. Geneva: World Health Organization; 2023. https://iris.who.int/server/api/core/bitstreams/463fa93e-6c17-4e5b-a4d7-928354ea34c3/content

[8] Gebauer, S. K., Destaillats, F., Dionisi, F., Krauss, R. M., & Baer, D. J. (2015). Vaccenic acid and trans fatty acid isomers from partially hydrogenated oil both adversely affect LDL cholesterol: a double-blind, randomized controlled trial. American Journal of Clinical Nutrition, 102(6), 1339–1346. https://doi.org/10.3945/ajcn.115.116129