

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
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WORLD  
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Agenda Item 3

CX/FL 06/34/3-Add.1

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD LABELLING

Thirty-fourth Session  
Ottawa, Canada, 1 – 5 May 2006

### CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS COMMITTEE ON MILK AND MILK PRODUCTS<sup>1</sup>

#### 1. Draft Standard for a Blend of Evaporated Skimmed Milk and Vegetable Fat

##### 3.4 COMPOSITION

###### *Blend of Evaporated Skimmed Milk and Vegetable Fat*

Minimum total fat 7.5% m/m

###### *Reduced Fat Blend of Evaporated Skimmed Milk and Vegetable Fat*

Total fat More than 1% and less than 7.5% m/m

#### 7. LABELLING

In addition to the provision of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) the following specific provisions apply.

##### 7.1 NAME OF THE FOOD

The name of the food shall be:

- Blend of Evaporated Skimmed Milk and Vegetable Fat; or
- Reduced Fat Blend of Evaporated Skimmed Milk and Vegetable Fat

Other names may be used if allowed by national legislation in the country of retail sale.

##### 7.2 DECLARATION OF TOTAL FAT CONTENT

The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

A statement shall appear on the label as to the presence of edible vegetable fat and/or edible vegetable oil. When required by the country of retail sale, the common name of the vegetable from which the fat or oil is derived shall be included in the name of the food or as a separate statement.

##### 7.3 DECLARATION OF MILK PROTEIN

The milk protein content shall be declared in a manner acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

<sup>1</sup> ALINORM 06/29/11, Appendices III to XXIII

#### **7.4 LIST OF INGREDIENTS**

Notwithstanding the provision of Section 4.2.1 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991) milk products used only for protein adjustment need not be declared.

#### **7.5 ADVISORY STATEMENT**

A statement shall appear on the label to indicate that the product should not be used as a substitute for infant formula. For example, "NOT SUITABLE FOR INFANTS".

### **2. Draft Standard for a Blend of Skimmed Milk and Vegetable Fat in Powdered Form**

#### **3.3 COMPOSITION**

*Blend of Skimmed Milk and Vegetable Fat in Powdered Form*

Minimum total fat 26% m/m

*Reduced Fat Blend of Skimmed Milk Powder and Vegetable Fat in Powdered Form*

Total fat More than 1.5% and less than 26% m/m

#### **7. LABELLING**

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985 Rev.1-1991) the following specific provisions apply:

##### **7.1 NAME OF THE FOOD**

The name of the food shall be :

- Blend of Skimmed Milk and Vegetable Fat in Powdered Form; or
- Reduced Fat Blend of Skimmed Milk and Vegetable Fat in Powdered Form.

Other names may be used if allowed by national legislation in the country of retail sale.

##### **7.2 DECLARATION OF TOTAL FAT CONTENT**

The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

A statement shall appear on the label as to the presence of edible vegetable fat and/or edible vegetable oil. When required by the country of retail sale, the common name of the vegetable from which the fat or oil is derived shall be included in the name of the food or as a separate statement.

##### **7.3 DECLARATION OF MILK PROTEIN**

The milk protein content shall be declared in a manner acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

#### **7.4 LIST OF INGREDIENTS**

Notwithstanding the provision of Section 4.2.1 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991) milk products used only for protein adjustment need not be declared.

#### **7.5 ADVISORY STATEMENT**

A statement shall appear on the label to indicate that the product should not be used as a substitute for infant formula. For example, "NOT SUITABLE FOR INFANTS".

### **3. Draft Standard for a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat**

#### **3.4 COMPOSITION**

*Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat*

Minimum total fat 8% m/m

*Reduced Fat Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat*

Total fat More than 1% and less than 8% m/m

## 7. LABELLING

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) the following specific provisions apply :

### 7.1 NAME OF THE FOOD

The name of the food shall be:

- Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat; or
- Reduced Fat Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat

Other names may be used if allowed by national legislation in the country of retail sale.

### 7.2 DECLARATION OF TOTAL FAT CONTENT

The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

A statement shall appear on the label as to the presence of edible vegetable fat and/or edible vegetable oil. Where required by the country of retail sale, the common name of the vegetable from which the fat or oil is derived shall be included in the name of the food or as a separate statement.

### 7.3 DECLARATION OF MILK PROTEIN

The milk protein content shall be declared in a manner acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

### 7.4 LIST OF INGREDIENTS

Notwithstanding the provision of Section 4.2.1 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) milk products used only for protein adjustment need not be declared.

### 7.5 ADVISORY STATEMENT

A statement shall appear on the label to indicate that the product should not be used as a substitute for infant formula. For example, "NOT SUITABLE FOR INFANTS".

### Secretariat Note on the above Draft Standards

The Committee is invited to consider the reference to "**Reduced Fat**" in section 7.1 in the light of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997, Rev. 1-2004), and in particular whether it complies with the provisions for comparative claims, as defined in the *Guidelines*. The relevant sections are reproduced below for ease of reference.

*2.1.2 Nutrient Comparative claim is a claim that compares the nutrient levels and/or energy value of two or more foods. (Examples: "reduced"; "less than"; "fewer"; "increased"; "more than".)*

### **6. COMPARATIVE CLAIMS**

*Comparative claims should be permitted subject to the following conditions and based on the food as sold, taking into account further preparation required for consumption according to the instructions for use on the label:*

*6.1 The foods being compared should be different versions of the same food or similar foods. The foods being compared should be clearly identified.*

*6.2 A statement of the amount of difference in the energy value or nutrient content should be given. The following information should appear in close proximity to the comparative claim:*

*6.2.1 The amount of difference related to the same quantity, expressed as a percentage, fraction, or an absolute amount. Full details of the comparison should be given.*

*6.2.2 The identity of the food(s) to which the food is being compared. The food(s) should be described in such a manner that it (they) can be readily identified by consumers.*

6.3 The comparison should be based on a relative difference of at least 25% in the energy value or nutrient content, except for micronutrients where a 10% difference in the NRV would be acceptable, between the compared foods and a minimum absolute difference in the energy value or nutrient content equivalent to the figure defined as "low" or as a "source" in the Table to these Guidelines.

6.4 The use of the word "light" should follow the same criteria as for "reduced" and include an indication of the characteristics which make the food "light".

4. **Draft Revised Standard for Cheddar (C-1)<sup>2</sup>**
5. **Draft revised Standard for Danbo (C-3)**
6. **Proposed draft revised Standard for Edam (C-4)**
7. **Proposed draft revised Standard for Gouda (C-5)**
8. **Proposed draft revised Standard for Samsø (C-7)**
9. **Proposed draft revised for Emmentaler (C-9)**
10. **Proposed draft revised for Tilsiter (C-11)**
11. **Proposed draft revised for Saint-Paulin (C-13)**
12. **Proposed draft revised for Provolone (C-15)**
13. **Proposed draft revised for Coulommiers (C-18)**
14. **Proposed draft revised for Camembert (C-33)**
15. **Proposed draft revised for Brie (C-34)**

## 7. LABELLING

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) and the General Standard for the Use of Dairy Terms (CODEX STAN 206-1999), the following specific provisions apply:

### 7.1 Name of the food

The name Cheddar may be applied in accordance with section 4.1 of the Codex General Standard for the Labelling of Prepackaged Foods, provided that the product is in conformity with this Standard. Where customary in the country of retail sale, alternative spelling may be used.

The use of the name is an option that may be chosen only if the cheese complies with this standard. Where the name is not used for a cheese that complies with this standard, the naming provisions of the General Standard for Cheese (CODEX STAN A-6-1978, Rev. 1-1999) apply.

The designation of products in which the fat content is below or above the reference range but above the absolute minimum specified in section 3.3 of this Standard shall be accompanied by an appropriate qualification describing the modification made or the fat content (expressed as fat in dry matter or as percentage by mass, whichever is acceptable in the country of retail sale), either as part of the name or in a prominent position in the same field of vision. Suitable qualifiers are the appropriate characterizing terms specified in Section 7.2 of the General Standard for Cheese (CODEX STAN A-6-1978, Rev. 1-1999) or a nutritional claim in accordance with the Guidelines for the Use of Nutritional Claims (CAC/GL 23-1997, Rev. 2-2004)<sup>3</sup>

The designation may also be used for cut, sliced, shredded or grated products made from cheese which cheese is in conformity with this Standard.

### 7.2 Country of Origin

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<sup>2</sup> The provisions for individual cheeses are identical except for the name of the cheese and the percentage of fat indicated in the note to Section 7.1.

<sup>3</sup> For the purpose of comparative nutritional claims, the minimum fat content of 48% fat in dry matter constitutes the reference.

The country of origin (which means the country of manufacture, not the country in which the name originated) shall be declared. When the product undergoes substantial transformation<sup>4</sup> in a second country, the country in which the transformation is performed shall be considered to be the country of origin for the purpose of labelling.

### **7.3 Declaration of Milkfat content**

The milk fat content shall be declared in a manner found acceptable in the country of retail sale either (i) as a percentage by mass, (ii) as a percentage of fat in dry matter, or (iii) in grams per serving as quantified in the label, provided that the number of servings is stated.

### **7.4 Date marking**

Notwithstanding the provisions of Section 4.7.1 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991), the date of manufacture may be declared instead of the minimum durability information, provided that the product is not intended to be purchased as such by the final consumer

### **7.5 Labelling of Non retail containers**

Information specified in Section 7 of this Standard and Sections 4.1 to 4.8 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) and, if necessary, storage instructions, shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name of the manufacturer or packer shall appear on the container, and in the absence of such a container, on the product itself. However, lot identification and the name and address may be replaced by an identification mark, provided that such mark is clearly identifiable with the accompanying documents.

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In addition to the above labelling provisions specific provisions are included in the following standards for individual cheeses:

#### **16. Proposed Draft Rrevised Standard for Havarti (C-6)**

7.1 (...) Havarti with a fat in dry matter content of minimum 60% may alternatively be designated Cream Havarti.

#### **17. Proposed Draft Revised Standard for Cottage Cheese (C-16)**

7.1 (...) In addition the appropriate characterizing terms describing the nature or style of the product may accompany the name of the food. Such terms include “dry curd” or “creamed”

#### **18. Proposed Draft Standard for Mozzarella**

7.1 (...) The designation of Mozzarella with a high moisture content shall be accompanied by a qualifying term describing the true nature of the product.

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### **Consideration of the section on Country of Origin in the Proposed Draft and Draft Standards for Individual Cheeses (ALINORM 06/29/11 para. 56 to 61)**

#### **Section 7.2 “Country of Origin”**

56. With regard to the request of the 33<sup>rd</sup> Session of CCFL to reconsider Section 7.2 “Country of Origin” and to clarify the mandatory country of origin labelling provisions, some countries were of the view that the provisions were not supportable for food safety reasons, increased compliance costs and did not provide benefits to consumers, and proposed to delete the provision. The Committee however agreed to retain the current wording of the Section in all individual cheese standards and to provide the following explanation for this decision to CCFL.

57. The C-Standards which were developed in the early 1960’s prior to the adoption of the Codex General Standard for the Labelling of Prepackaged Food<sup>5</sup> (GSLPF) used the term “country of origin” as meaning the country in which the name first originated. The former approach used also included the principle that the “country of manufacture” (i.e. country of origin as described in the GSLPF) was to be declared in the case

<sup>4</sup> For instance, repackaging, cutting, slicing, shredding and grating is not regarded as substantial transformation

<sup>5</sup> CODEX STAN 1-1985 (Rev.1 – 1991).

that the varietal cheese was manufactured in a country other than the country in which the name historically originated. Continuation of such usage now would be in conflict with the GSLPF, where “country of origin” means the country in which the product has been manufactured.

58. On the other hand, the individual standards currently under revision concern cheese varieties that are manufactured all over the world under the generic names specified by the respective standards (resulting from the evaluation of the 3<sup>rd</sup> CCMMP with regard to significance in trade). Section 4.5.1 of the GSLPF will not resolve disputes if the generic nature of these cheeses is disputed. Thus the CCMMP has proposed mandatory Country of Origin labelling independent of the geographical origin of the cheese varieties.

59. This was agreed upon in order to:

- ensure that henceforth the understanding of the term “country of origin” (i.e. country of manufacture) is consistent with the use in Section 4.5 of the GSLPF,
- ensure that henceforth the same labelling provisions apply to all manufacturers worldwide by abandoning the earlier approach which differentiated between countries in which the name was considered to have historically originated and any other country, and
- ensure that the maximum amount of information is provided since omission of country of origin information, in the case of these specific C-Standards, would mislead or deceive the consumer.

60. To conform with Section 8.1.2 of the GSLPF it is sufficient that the country of origin (i.e. country of manufacture) information is presented somewhere in the labelling and not necessarily in close proximity to the name of the food. As an example, a cheese could be described as being “produced in country X” or simply by mention of the name of the manufacturer, provided that any such mention of manufacturer also includes mention of the country of origin (i.e. country of manufacture).

61. The Delegation of New Zealand was of the opinion that this provision should not be applied horizontally to all individual cheese standards, but should be decided on a standard by standard basis. The Delegations of New Zealand and Australia expressed their reservations with the decision to retain mandatory country of origin labelling.

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## **19. Draft Revised Standard for Whey Cheeses**

### **7. LABELLING**

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) and the General Standard for the Use of Dairy Terms (CODEX STAN 206-1999), the following specific provisions apply:

#### **7.1 NAME OF THE FOOD**

The name of the food shall be **whey cheese**. Where it is considered necessary for consumer information in the country of sale, a description of the nature of the product may be required. The words “whey cheese” may be omitted in the designation of an individual whey cheese variety reserved by a Codex standard for individual cheeses, and, in the absence thereof, a variety name specified in the national legislation of the country in which the product is sold, provided that the omission does not create an erroneous impression regarding the character of the food.

In case a whey cheese obtained through the co-agulation of whey is not designated by a variety name, but with the designation “whey cheese”, the designation may be accompanied by a descriptive term such as provided for in Section 7.1.1 of the Codex General Standard for Cheese (CODEX STAN A-6, Rev. 1-1999).

Unripened whey cheese obtained through the concentration of whey may be designated according to the fat content as provided in Section 7.2.

#### **7.2 DECLARATION OF MILK FAT CONTENT**

The milk fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass, (ii) as a percentage of fat in dry matter, or (iii) in grams per serving as quantified in the label provided that the number of servings is stated.

For cheeses obtained from the concentration of whey, the declaration of milk fat content may be combined with an indication of the fat content as follows:

**Fat on the dry basis<sup>6</sup>**

Creamed whey cheese	minimum 33%
Whey cheese	minimum 10% and less than 33%
Skimmed whey cheese	less than 10%

**7.3 LABELLING OF NON-RETAIL CONTAINERS**

Information required in Section 7 of this Standard and Sections 4.1 to 4.8 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991), and, if necessary, storage instructions, shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer shall appear on the container. However, lot identification, and the name and address of the manufacturer or packer may be replaced by an identification mark, provided that such a mark is clearly identifiable with the accompanying documents.

**20. Proposed Draft Revised Standard for Cream Cheese (C-31)**

**7. LABELLING**

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) and the General Standard for the Use of Dairy Terms (CODEX STAN 206-1999), the following specific provisions apply:

**7.1 Name of the food**

The name Cream Cheese may be applied in accordance with section 4.1 of the Codex General Standard for the Labelling of Prepackaged Foods, provided that the product is in conformity with this Standard. Where customary in the country of retail sale, alternative spelling may be used. The name may be translated into other languages so that the consumer in the country of retail sale will not be misled

The use of the name is an option that may be chosen only if the cheese complies with this standard. Where the name is not used for a cheese that complies with this standard, the naming provisions of the General Standard for Cheese (CODEX STAN A-6-1978, Rev. 1-1999) apply.

The designation of products in which the fat content is below or above the reference range but equal to or above 40% fat in dry matter as specified in section 3.3 of this Standard shall be accompanied by an appropriate qualification describing the modification made or the fat content (expressed as fat in dry matter or as percentage by mass whichever is acceptable in the country of retail sale), either as part of the name or in a prominent position in the same field of vision. The designation of products in which the fat content is below 40% fat in dry matter but above the absolute minimum specified in section 3.3 of this Standard shall either be accompanied by an appropriate qualifier describing the modification made or the fat content (expressed as fat in dry matter or as percentage by mass), either as part of the name or in a prominent position in the same field of vision, or alternatively the name specified in the national legislation of the country in which the product is manufactured and/or sold or with a name existing by common usage, in either case provided that the designation used does not create an erroneous impression the retail sale regarding the character and identity of the cheese.

Suitable qualifiers are the appropriate characterizing terms specified in Section 7.3 of the General Standard for Cheese (CODEX STAN A-6-1978, Rev. 1-1999) or a nutritional claim in accordance with the Guidelines for the Use of Nutritional Claims (CAC/GL 023-1997)<sup>7</sup>.

**7.2 Country of Origin**

The country of origin (which means the country of manufacture, not the country in which the name originated) shall be declared. When the product undergoes substantial transformation<sup>8</sup> in a second country,

<sup>6</sup> The dry matter content of whey cheese includes water of crystallization of the lactose.

<sup>7</sup> For the purpose of comparative nutritional claims, the minimum fat content of 60 % fat in dry matter constitutes the reference.

<sup>8</sup> For instance, repackaging, cutting, slicing, shredding and grating is not regarded as substantial transformation

the country in which the transformation is performed shall be considered to be the country of origin for the purpose of labelling.

### **7.3 Declaration of Milkfat content**

The milk fat content shall be declared in a manner found acceptable in the country of retail sale, either (i) as a percentage by mass, (ii) as a percentage of fat in dry matter, or (iii) in grams per serving as quantified in the label, provided that the number of servings is stated.

### **7.4 Labelling of Non-retail containers**

Information specified in Section 7 of this Standard and Sections 4.1 to 4.8 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev.1-1991) and, if necessary, storage instructions, shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name of the manufacturer or packer shall appear on the container, and in the absence of such a container, on the product itself. However, lot identification and the name and address may be replaced by an identification mark, provided that such mark is clearly identifiable with the accompanying documents.

## **21. Proposed Draft Revised Standard for Dairy Fat Spreads**

### **7. LABELLING**

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991) and the Codex General Standard for the Use of Dairy Terms (CODEX STAN 206-1999), the following specific provisions apply:

#### **7.1 NAME OF THE FOOD**

**7.1.1** The name of the food shall be "Dairy Fat Spread" Other names may be used if allowed by national legislation in the country of retail sale.

**7.1.2** Dairy fat spreads with reduced fat content may be labelled as "reduced fat" in line with the Codex Guidelines for the Use of Nutrition and Health Claims<sup>9</sup>.

**7.1.3** The designations and any qualifying terms should be translated into other languages in a non-misleading way and not necessarily word for word and should be acceptable in the country of retail sale.

**7.1.4** Dairy fat spread may be labelled to indicate whether it is salted or unsalted according to national legislation.

**7.1.5** Dairy fat spreads that have been sweetened shall be labelled to indicate that they have been sweetened.

#### **7.2 DECLARATION OF FAT CONTENT**

The milk fat content shall be declared in a manner found acceptable in the country of retail sale, either (i) as a percentage by mass, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated.

#### **7.3 LABELLING OF NON-RETAIL CONTAINERS**

Information required in Section 7 of this Standard and Sections 4.1 to 4.8 of the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991) and, if necessary, storage instructions, shall be given either on the container or in accompanying documents, except that the name of the product, lot identification and the name and address of the manufacturer or packer shall appear on the container. However, lot identification and the name and address of the manufacturer or packer may be replaced by an identification mark, provided that such a mark is clearly identifiable on the accompanying documents.

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<sup>9</sup> CAC-GL 23-1997