

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
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ORGANIZATION



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**AGENDA ITEM NO. 6**

**CX/FL 08/36/9**

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## **JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FOOD LABELLING  
THIRTY-SIXTH SESSION  
OTTAWA, CANADA, APRIL 28 - MAY 2, 2008**

**DRAFT AMENDMENT TO *THE GENERAL STANDARD FOR THE  
LABELLING OF PREPACKAGED FOODS:*  
QUANTITATIVE DECLARATION OF INGREDIENTS  
(CL 2007/34-FL & ALINORM 07/30/22 – APPENDIX V)**

**GOVERNMENT COMMENTS AT STEP 6**

### **COMMENTS FROM:**

**BRAZIL  
COSTA RICA  
KENYA  
MEXICO  
NORWAY  
PERU  
PHILIPPINES  
THAILAND  
WORLD SUGAR RESEARCH ORGANISATION (WSRO)**

**DRAFT AMENDMENT TO THE *GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS*:  
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(CL 2007/34-FL & ALINORM 07/30/22 – APPENDIX V)**

**GOVERNMENT COMMENTS AT STEP 6**

**BRAZIL:**

5. ADDITIONAL MANDATORY REQUIREMENTS

5.1 Quantitative Ingredient Declarations

5.1.1 The ingoing percentage of an ingredient (including compound ingredients or categories of ingredients<sup>1</sup>), by weight or volume as appropriate, at the time of manufacture, shall be disclosed for foods sold as a mixture or combination where the ingredient:

(a) is emphasised as present on the label through words or pictures or graphics; or

**Brazilian position:** To keep the provision.

(b) is not within the name of the food, is essential to characterise the food and is expected to be present in the food by consumers in the country where the food is sold if the omission of the quantitative ingredient declaration would mislead or deceive the consumer.

**Brazilian position:** To keep the provision.

Such disclosure is not required:

(c) where the ingredient is used in small quantities for the purpose of flavouring; or

**Brazilian position:** To keep the provision.

(d) where commodity specific standards of Codex Alimentarius conflict with the requirements described here.

**Brazilian position:** To keep the provision.

With respect to 5.1.1(a):

(e) a reference in the name of the food to an ingredient or category of ingredients shall not of itself require quantitative ingredient declaration if:

- that reference would not mislead or deceive or would not be likely to create an erroneous impression to the consumer regarding the character of the food in the country of marketing because the variation in quantity of the ingredient(s) between products is not necessary to characterise the food or distinguish it from similar foods.

**Brazilian position:** To keep the provision. However, it should be placed right after provision 5.1.1 (a), as it is related to the application of 5.1.1 (a).

5.1.2 The information required in Section 5.1.1 shall be declared on the product label as a numerical percentage.

The ingoing percentage, by weight or volume as appropriate, of each such ingredient shall be given on the label in close proximity to the words or pictures or graphics emphasising the particular ingredient, or beside the name of the food, or adjacent to each appropriate ingredient listed in the ingredient list as a minimum percentage where emphasis is on the presence of the ingredient and a maximum percentage where emphasis is on the low level of the ingredient.

For foodstuffs which have lost moisture following heat or other treatment, the percentage (by weight or by volume) shall correspond to the quantity of the ingredient(s) used, related to the finished product.

**Brazilian position:** Brazil requests explanation about the last paragraph regarding the applicability of QUID calculation for the ingredients that have lost moisture during the treatment.

## **COSTA RICA:**

Costa Rica would like to express its appreciation to the Codex Committee for Food Labelling (CCFL) for the opportunity to submit our comments regarding this issue and congratulates the Government of Canada for its management, as host country, of the CCFL issues.

Costa Rica considers that the creation of the Working Group presided by the United Kingdom has been a very appropriate initiative to advance this draft amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients, and fully approves having presented this proposal based on elements for which the countries support the same criteria and points of view. Costa Rica supports this consensual proposal but, to achieve higher clarity and better understanding of the proposed document, we would like to indicate that it would be pertinent to consider the following general comments which could assist governments, consumers and producers to define a clear scope for its future implementation:

Regarding point 5.1.1 a), we believe it may be a translation error and we recommend therefore that, to improve understanding, this paragraph should read as follows:

- a) Is emphasized **or highlighted** on the label ~~as present on the label~~ through words or pictures or graphics; or

Regarding the explanations related to this indent a), indicated in the next paragraph of the text, there is confusion about what may be interpreted as “*small quantities*” because, if this terminology is not defined in the appropriate Codex documents, it is possible that this inclusion could result in a subjective interpretation by food regulators as well as by food producers and would specifically leave as imprecise the determination of those “*small quantities*”. Therefore, to avoid such confusion, our opinion is that this term can be eliminated from the proposal without affecting its implementation, indicating clearly that the purpose of this indent is that the added ingredient, which does not need to be quantitatively declared, is used for the indicated purposes. Thus, eliminating this term would not affect the purpose of the proposal.

Another observation we consider important to point out refers to the translation of the term “*estén en conflicto*” (“*conflict*”). This is because in Spanish is better to indicate it as “*sean*

*contradictorias*” (“*are contradictory*”), so we suggest that the respective explanations should read as follows [T.N. *These comments appear to refer to the Spanish version only*]:

“Such disclosure is not required:

- (a) Where the ingredient is used ~~in small quantities~~ for the purpose of flavouring or aromatizing; or
- (b) Where commodity specific standards of Codex Alimentarius ~~conflict~~ **are contradictory** with the requirements described here.”

Regarding the explanation of point 5.1.2, and precisely with the purpose of helping to clarify the text, we consider that the term “*ingoing*” could generate some interpretation confusion as it is not mentioned anywhere else in the draft. Furthermore, eliminating it would not affect the explanation of such point, as it is understood that the applied percentage would be based on the weight or the volume of the declared ingredient. We also suggest eliminating the word “*such*”, so our proposal to improve clarity in this paragraph would be to eliminate both terms, to read as follows:

“The ~~ingoing~~ percentage, by weight or volume as appropriate, of each ~~such~~ ingredient shall be given on the label in close proximity to the words or pictures or graphics emphasising the particular ingredient, or beside the name of the food, or adjacent to each appropriate ingredient listed in the ingredient list as a minimum percentage where emphasis is on the presence of the ingredient and a maximum percentage where emphasis is on the low level of the ingredient.”

We believe that the suggested changes do not affect the approach suggested in the CCFL proposal and that it helps instead to understand it.

## **KENYA:**

Kenya supports this and that products should be labelled clearly declaring quantitatively the ingredients used to make it and the WHO Global Strategy for diet, physical activity and health to be implemented.

## **MEXICO:**

### **5. ADDITIONAL MANDATORY REQUIREMENTS**

#### 5.1 Quantitative Ingredient Declarations

5.1.1 The ingoing percentage of an ingredient (including compound ingredients or categories of ingredients<sup>1</sup>), by weight or volume as appropriate, at the time of manufacture, shall be disclosed for foods sold as a mixture or combination where the ingredient:

- (a) ~~is emphasised~~ **Is emphasized** as present ~~on the label~~ through words or pictures or graphics; **or**
- (b) Is not within the name of the food, is essential to ~~characterise the food~~ **characterize it** and is expected to be present ~~on it in the food~~ by consumers in the country where the food is sold if the omission of the quantitative ingredient declaration would mislead or deceive the consumer.

Such ~~disclosure~~ *statements* is not required *where*:

(a) The ingredient is used in small quantities *for the purpose of providing flavor and aroma* ~~flavoring~~; or

(b) ~~The~~ commodity ~~specific~~ standards of Codex Alimentarius related to ~~the~~ **specific** products are in conflict with the requirements described here.

With respect to 5.1.1(a):

(c) a reference in the name of the food to an ingredient or category of ingredients shall not ~~of~~ *by* itself require quantitative ingredient declaration if:

- ~~That reference~~ would not mislead or deceive or would not be likely to ~~create~~ **generate** an erroneous impression to the consumer regarding the character of the food in the country of marketing because the variation *in the quantity of the ingredient* (↔) between products is not necessary to characterize the food or distinguish it from similar foods.

5.1.2 The information required in Section 5.1.1 shall be declared on the product label as a numerical percentage.

The ~~ingoing~~ percentage *of the ingredient*, by weight or volume as appropriate, ~~of each such ingredient~~ shall be ~~given~~ **declared** on the label in close proximity to the words or pictures or graphics emphasizing the particular ingredient, or beside the name of the food, or adjacent to ~~each the appropriate~~ **corresponding** ingredient listed in the ingredient list. ***It will be declared*** as a minimum percentage where emphasis is ***would be*** on the presence of the ingredient and a maximum percentage where emphasis is ***would be*** on the low level of the ingredient.

For foodstuffs which have lost moisture following *some* heat or other treatment, the percentage (by weight or by volume) shall correspond to the quantity of the ingredient (↔) **used**, related to the finished product.

**1 Explanatory Note for Category of Ingredients:** For the purposes of Quantitative Ingredient Declaration, category of ingredients means the generic term which refers to the class name of an ingredient and/or any similar common term(s) which are used in reference to the name of a food.

## NORWAY:

Norway support the advancement on the draft amendment to the General Standard for the Labelling of Prepackaged Foods (Quantitative Declaration of Ingredients), and would like to thank the Working group on QUID for their work.

However, we are still concerned about how to deal with labelling of added sugar. Due to the utmost importance to the public health and development of obesity, Norway would like work on labelling of added sugar to be considered when developing the work plan in relationship with the Draft Action Plan for Implementation of the Global Strategy on Diet, Physical Activity and Health.

## PERU:

Peru would like to express its agreement with the proposal of Norway, in the sense that the provisions should not be discarded, and that they should be examined in more detail by the Committee regarding the implementation of the global strategy; we would like as well to declare our interest in actively participating in the discussion of the issue in regards to proposals that may later be advanced.

## PHILIPPINES:

For comment	Position
The Delegation of Norway expressed concern with the deletion of the provisions for added sugars in view of their importance in the perspective of the WHO Global Strategy for Diet, Physical Activity and Health and proposed that the purpose of these provisions should not be lost and should be considered further by the Committee in relation with the implementation of the Global Strategy.	We support the deletion of the 5.1(e) provision with added sugar in QUID labeling since the concern on health is already covered by appropriate Codex guidelines such as the Codex on Nutrition Labeling (CAC/GL 1-1985 (Rev. 1-1993) and Codex Guidelines for Use of Nutrition and Health claims (CAC/GL 23-1997, Rev.1-2004)

## THAILAND:

Thailand generally supports the content of this draft amendment. However, we would like to comment on the specific issues as follows:

### Section 5.1.1

- As for the term “compound ingredients” [“5.1.1 The ingoing percentage of the ingredient (including **compound ingredients** or categories of ingredients<sup>1</sup>)...”], we understand that the percentage of compound ingredients which shall be labelled is a quantity of compound ingredients itself and not be the quantities of ingredients of compound ingredients. To prevent misunderstanding of this requirement, we suggest adding an explanatory amending this text or adding an explanatory footnote.

Footnote 1

- To clarify the word “class name” in the explanatory note for category of ingredients, we would like to add the sentence at the end of footnote in order to identify the reference of this word as follow. “The class names are available in the General Standard for the Labelling of Prepackaged Foods.”

## WORLD SUGAR RESEARCH ORGANISATION (WSRO):

WSRO fully supports the adoption of the draft amendment as presented in ALINORM 07/30/22 APPENDIX V, as adopted at Step 5. WSRO does not agree with the concerns expressed by the Delegation of Norway for the reasons outlined below.

Proposals for provisions for added sugars in the general standard for the labelling of prepackaged foods are unnecessary. Such claims on sugars are usually nutrition or health claims which are already regulated in the existing *Guidelines on Nutrition Labelling* and the *Guidelines for Use of Nutrition and Health Claims* where the total content of sugars has to be declared and quantified. Therefore in view of the WHO Global Strategy for Diet, Physical Activity and Health, provisions have already been made.

The human body does not distinguish between “added” sugars and those arising from the content of a foodstuff itself. Therefore, information on “added” sugars content would not provide meaningful information to consumers as to the nutritional value or physiological influence of a food. Since there are no analytical methods capable of distinguishing between “added” sugars and those arising from the sugars content of a foodstuff itself, any declaration of “added” sugars would be impossible to verify in a finished product. The consumer may therefore be misled by false declarations.

WSRO consider that since previous discussions concluded to adopt the draft amendment as presented in ALINORM 07/30/22 APPENDIX V, this should now be carried out.