



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

Thirty-ninth Session
Québec City, Québec, Canada, 9 - 13 May 2011

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX
COMMITTEES

A. MATTERS ARISING FROM THE 33rd SESSION OF THE CODEX ALIMENTARIUS COMMISSION

1. Standards and Related Texts adopted by the Commission¹

The Commission adopted/ agreed the following:

- Inclusion of the “Principles and Criteria for Legibility of Nutrition Labelling” in the *Guidelines for nutrition labelling (CAC/GL 23-1997)*
- Deletion of Section 8 and related text from the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (CAC/GL 32-1999)*
- Alignment of the General Standard for the Labelling of Prepackaged Food (CODEX STAN 1-1985) with the Codex International Numbering System in CAC/GL 36-1989
- Editorial amendment to the *Guidelines on Nutrition and Health Claims (CAC/GL 23-1997)* – Table of conditions for nutrient contents.

2. Standards and Related Texts adopted by the Commission at step 5²

- Proposed Draft Revision of the *Guidelines on Nutrition Labelling (CAC/GL 2-1985)* concerning the list of nutrients that are always declared on a voluntary or mandatory basis

3. Elaboration of new standards and related texts³

The Commission approved the elaboration of the following new work by the CCFL:

- Establishment of claims for sugars, salt/sodium and trans-fatty acids
- Definition of nutrient reference values
- Organic aquaculture

NOTE: The Commission endorsed the recommendation of the Executive Committee that the CCFL should request the advice of the Committee on Fish and Fishery Products in the process as necessary.

¹ ALINORM 10/33/REP, paras 18 and 78 and Appendix III

² ALINORM 10/33/REP, paras 18 and 70-73 and Appendix IV

³ ALINORM 09/32/REP, para. 83-87 and Appendix VI

B. MATTERS ARISING FROM OTHER COMMITTEES AND TASK FORCES

1. Executive Committee (CCEXEC)

1.1 Critical review (CCEXEC63)⁴

The Committee recalled that its last session had noted that the deadline set by the CCFL to finalise the Proposed Draft Guidelines for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Genetic Engineering and fully expected that it would complete its work by the 2011 deadline; if it did not, the Executive Committee would recommend corrective action. The Committee agreed to make the same recommendation as regards the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Definitions.

1.2 Critical review (CCEXEC64)⁵

The Committee agreed that new work on organic aquaculture should be developed by the CCFL and that the advice of the CCFPP should be requested in the process as necessary.

1.3 Study on the Speed of the Codex Standard-Setting Process (CCEXEC64)⁶

The Committee noted that the CCFL in addition to work on food labelling texts was responsible for the development of the *Guidelines on the production and marketing of organically produced foods* (CAC/GL 32-1999). For the latter the CCFL currently considered using a structured process for updating lists of substances. The CCFL had not developed specific priority setting criteria.

The Committee noted further that work was progressing with satisfactory speed with the exception of the issue of GM/GE labelling guidelines. In order to attempt to make progress on this issue the Committee will hold a facilitated work session later this year. The amendment to the *General Standard for the Labelling of Pre-packaged Foods* concerning quantitative ingredient labelling had taken longer due to diversity of national legislations and concerns about cost implications.

2. Codex Committee on Nutrition and Foods for Special Dietary Uses

2.1 Draft General Principles for Establishing Nutrient Reference Values of Vitamins and Minerals for the General Population⁷

The Committee recognised that all issues had been solved and that the text was ready for adoption. However, some delegations expressed the view that, as the other Annex under Agenda Item 7 (NRVs-NCDs) was at a different step, it would be preferable to wait until both Annexes were finalised in order to integrate them into a single document. These delegations expressed some concerns that if the Annex on vitamins and minerals was adopted by the Commission, it may not be possible later to merge it with the other Annex on NRVs-NCDs or to modify the annex in the light of proposed NRVs for vitamins and minerals.

The Secretariat recalled that both Annexes were intended to be part of the same document, the *Guidelines on Nutrition Labelling*. Following the adoption of the present Annex on vitamins and minerals, work would proceed on the Annex on NRVs-NCDs, and it would be possible, if the Committee agreed, to merge it with the adopted Annex or to propose other consequential changes to the text of the Guidelines, as required. The Committee noted that the main text of the Guidelines may also need to be amended by the Committee on Food Labelling.

The Committee agreed to advance the Draft Annex on General Principles for Establishing Nutrient Reference Values of Vitamins and Minerals for the General Population to Step 8 for adoption by the 34th Session of the Codex Alimentarius Commission (see Appendix).

2.2 Draft Additional or Revised Nutrient Reference Values for Labelling Purposes in the Codex Guidelines on Nutrition Labelling⁸

The Committee agreed to retain the Proposed Draft Additional or Revised Nutrient Reference Values for Labelling Purposes in the Codex Guidelines on Nutrition Labelling at Step 4, pending consideration of relevant reports from WHO and FAO.

⁴ ALINORM 10/33/3, para 14

⁵ ALINORM 10/33/3A, paras 17-19

⁶ ALINORM 10/33/3A, paras 99-101

⁷ REP11/NFSDU, paras 31-37

⁸ REP11/NFSDU, paras 38-50

2.3 Proposed Draft Annex to the Codex Guidelines on Nutrition Labelling: General Principles for Establishing Nutrient Reference Values for Nutrients Associated with Risk of Non-communicable Diseases for the General Population⁹

The Committee noted that although significant progress had been made on the document, there were still major issues to be solved and it was premature to forward it to the Commission. Therefore, the Committee agreed to return the document, as amended at the session, to Step 3. The Committee further agreed to establish an electronic working group chaired by the United States of America and co-chaired by Chile and Thailand, working in English and Spanish, to prepare a revised document for its next session on the basis of the comments at Step 3, focusing on the issues that had not been addressed (sections 3.1 and 3.4), for further comments if time allowed and consideration at the next session.

The Committee recalled that its work on NRVs-NCD also included consideration of specific NRVs and that priority should be given to the review of the nutrients referred by the Committee on Food Labelling. The Delegation of Malaysia expressed the view that specific nutrients should not be considered as long as the principles were not finalised. Other delegations pointed out that considering specific nutrients would be useful to see how the principles applied in practice, and it was also noted that consideration of NRVs-NCD referred by CCFL was scheduled in the project document. The Committee therefore agreed that in conjunction with ongoing work on the principles, the working group would also make proposals on NRVs for sodium and saturated fatty acids for consideration at the next session.

As a result of developing NRVs for nutrients associated with risk of non-communicable diseases, the Committee recalled that section 3.4.4 in the Guidelines on Nutrition Labelling (CAC/GL 2-1985) should be revised. The Committee therefore agreed to send following referral to CCFL:

“CCNFSDU would like to inform the CCFL that as a part of the work to update the NRVs for vitamins and minerals and develop NRVs for nutrients associated with risk of non-communicable diseases, the text of section 3.4.4 and perhaps other sections of the Guidelines on Nutrition Labelling needs to be revised to reflect the ongoing work of the CCNFSDU relating to the NRVs for vitamins and minerals and NRVs-NCD. It would be useful to know if CCFL has any comments with regard to the revision of the Guidelines for use by CCNFSDU in developing proposed text.”

3. FAO/WHO Coordinating Committee for Europe

3.1 Modified Standardised Names¹⁰

The Committee recalled that the Committee on Food Labelling had considered a discussion paper on modified standardised names and had agreed that commodity and coordinating committees should be invited to provide advice. The Committee agreed that the issue of modified standardised names should be addressed on a case-by-case basis by specific labelling provisions in commodity standards and that there was currently no need for CCFL to develop horizontal guidance.

3.2 Proposed Draft Recommendations for the Labelling of Foods and Food Ingredients Obtained through Certain Techniques of GM/GE¹¹

The Committee agreed that Codex should provide recommendations on the labelling of GM foods, which would be of particular importance for developing countries and therefore encouraged CCEURO members to participate in the facilitated session hosted by EU, chaired by Ghana and facilitated by the Chair of the Committee on Food Labelling.

⁹ REP11/NFSDU, paras 91-114

¹⁰ REP11/EURO, paras 35-36

¹¹ REP11/EURO, para 110

4. FAO/WHO Coordinating Committee for Asia¹²

Modified Standardized Common Names

The Coordinating Committee had no specific advice on this matter.

5. Committee on Processed Fruits and Vegetables

Use of Modified Standardized Common Names for the Purpose of Nutrition Claims in the Contexts of CCPFV's Work¹³

The Committee was informed that the Committee on Food Labelling was currently considering, in line with the Global Strategy on Diet, Physical Activity and Health, whether to amend the General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985) so as to allow the standardized names established in a standard to be used in conjunction with either a comparative claim or a nutrient claim and had invited commodity committees to provide advice, in particular concerning the relevance and implications to their work of horizontal guidance or related texts from the CCFL on modified standardized common names for the purpose of nutrition claims.

Some delegations, while supporting the need to promote innovative, healthy and nutritious foods, were of the view that manipulation of food names could be potentially misleading to consumers who have come to expect certain essential characteristics and quality of a product with a standardized name. These delegations noted that horizontal guidance on the use of modified standardized names was not an appropriate solution and that it could be more effectively dealt with in commodity committees on a case by case basis. Other delegations expressed the view that such work should proceed in CCFL, that there were already common products with different names on the market and that work on modified standardized common names would provide guidance that can be followed when naming products.

The Committee could not reach agreement on the type of advice to provide to CCFL as there was a diversity of views on the issue of modified standardized common names and the work under discussion in CCFL.

6. Committee on Fats and Oils

Modified Standardised Names¹⁴

The Committee agreed that it had no need for horizontal guidance or related texts on modified standardised common names for the purpose of nutrition claims and that the CCFO should continue to consider the names of fatty acid modified vegetable oils on a case-by-case basis. The Committee agreed to inform the Committee on Food Labelling of the above decision.

¹² REP11/ASIA, para 39

¹³ REP11/PFV, paras 19-21

¹⁴ REP11/FO, paras 19-24

APPENDIX

REP11/NFSDU, APPENDIX II: DRAFT ANNEX TO THE CODEX GUIDELINES ON NUTRITION LABELLING: GENERAL PRINCIPLES FOR ESTABLISHING NUTRIENT REFERENCE VALUES OF VITAMINS AND MINERALS FOR THE GENERAL POPULATION

(at Step 8)

1. PREAMBLE

These principles apply to the establishment of Codex Nutrient Reference Values for labelling purposes (NRVs) for vitamins and minerals for the general population identified as individuals older than 36 months. These values may be used for helping consumers 1) estimate the relative contribution of individual products to overall healthful dietary intake and 2) as one way to compare the nutrient content between products.

Governments are encouraged to use the NRVs, or alternatively, consider the suitability of the general principles below and additional factors specific to a country or region in establishing their own nutrient reference values for labelling purposes. For example, at the national level, population-weighted values for the general population may be established by weighting science-based reference values for daily intakes for age-sex groups using census data for a country and proportions of each age-sex group. In addition, governments may establish nutrient reference values for food labelling that take into account country or region specific factors that affect nutrient absorption, or utilization, or requirements. Governments may also consider whether to establish separate food labelling reference values for specific segments of the general population such as pregnant and lactating women.

2. DEFINITIONS

2.1. *Individual Nutrient Level 98 (INL₉₈)*¹⁵ is the daily nutrient intake value that is estimated to meet the nutrient requirement of 98 percent of the apparently healthy individuals in a specific life stage and sex group.

2.2. *Upper level of intake (UL)*¹⁶ is the maximum level of habitual intake from all sources of a nutrient judged to be unlikely to lead to adverse health effects in humans.

3. GENERAL PRINCIPLES FOR ESTABLISHING VITAMIN AND MINERAL NRVs**3.1 Selection of suitable data sources to establish NRVs**

3.1.1 Relevant and recent daily nutrient intake values provided by FAO/WHO should be taken into consideration as primary sources in establishing NRVs.

3.1.2 Relevant and recent values that reflect independent review of the science, from recognized authoritative scientific bodies other than FAO/WHO could also be taken into consideration. Higher priority should be given, as appropriate, to values in which the evidence has been evaluated through a systematic review.

3.2 Selection of the appropriate basis

3.2.1 The NRVs should be based on Individual Nutrient Level 98 (INL₉₈). In cases where there is an absence of an established INL₉₈ for a nutrient for a specific sub-group(s), it may be appropriate to consider the use of other reference values or ranges that have been established by recognized authoritative scientific bodies. The derivation of these values should be reviewed on a case-by-case basis.

3.2.2 The general population NRVs should be determined by calculating the mean values for a chosen reference population group older than 36 months. Nutrient Reference Values derived by the CCFSDU are based on the widest applicable age range for each of adult males and adult females.

3.2.3 For the purpose of establishing these NRVs, the values for pregnant and lactating women should be excluded.

3.3 Consideration of upper level of intake

The establishment of general population NRVs should also take into account upper level of intake established by recognized authoritative scientific bodies.

¹⁵⁾ Different countries may use other terms for this concept, for example, Recommended Dietary Allowance (RDA), Recommended Daily Allowance (RDA), Reference Nutrient Intake (RNI), or Population Reference Intake (PRI).

¹⁶⁾ Different countries may use other terms for this concept, for example, Tolerable Upper Nutrient Intake Level (UL), or upper end of safe intake range.