

CODEX ALIMENTARIUS COMMISSION



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

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AGENDA ITEM NO. 8

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

Forty-first Session

Charlottetown, Prince-Edward-Island, Canada, May 14 - 17, 2013

Other Business, Future Work and Date and Place of the Next Session

Replies of the CL 2012/39-FL

COMMENTS FROM:

INDIA

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Developing General Standard for the Labelling of Wholesale Packages of food

1. Purpose and Scope

The purpose and Scope of the work is to develop the General Standard for the Labelling of Wholesale Packages of food.

International food trade has existed for thousands of years but until not too long ago food was mainly produced, sold and consumed locally. Over the last century the amount of food traded internationally has grown exponentially, and quantity and variety of food never before possible travels the globe today. There has been a steady annual growth of 5.1% in food trade during 1980-2009¹. On one hand there has been accelerated growth in non-traditional high value agri-food products by developing economies leading to a structural shift in composition away from traditional exports like coffee, tea, sugar etc. to higher-value non-traditional products like fresh/processed fruits and vegetables, meat and fish products, nuts, spices and horticultural products. On the other hand, there is also an increase in direction of trade from the developed to the developing economies in the areas of food additives, enzymes, processing aids and various intermediate raw materials/ingredients that are used in the production of final food product.

The food products are transported in labeled packages, which can either be pre-packaged, which go directly to the consumer or wholesale which goes to an intermediary for further processing. Currently, there are Codex General Standards for the Labelling of Pre-packaged Foods, Labelling of and Claims for Pre-packaged Foods for Special dietary use and Food Additives when sold as such. However, there is no General Standard for labelling of wholesale packages of food. The general standard for labelling of pre-packaged food and wholesale package of food ought to be different since the pre-packaged food is supplied directly to the consumer whereas wholesale packages are first supplied to an intermediary to sell, distribute or deliver such commodity of food to the consumer in smaller quantities or further supply to food industry for further processing.

The purpose of this new work proposal is to develop General Standard for labelling of wholesale packages of food which is different from the labeling requirement of pre-packaged food. This General Standard will not only help smoothen the process of trade for the manufacturers and traders of various intermediary food items but will also help in ensuring consumer protection as the safety and quality of intermediate raw material will also be checked and monitored.

2. Relevance and timelines

Incorrect labelling consistently ranks as the leading cause of food recalls and import denials. The food labelling requirements designed to protect economic expectations cover both prohibitive and affirmative regulation. The prohibitive requirements protect against fraud and deception. On the other hand, the affirmative requirements mandate the food manufacturers provide information on their labels that they otherwise might not include². Thus, the development of General Standard for Labelling of Wholesale Packages of food is relevant with the growing increase in trade among countries globally. The Codex General Standards for the Labelling of Pre-packaged Foods and Food Additives when sold as such, currently given by Codex are not addressing this segment of

¹ Stefan Tangermann (2010), Agricultural Trade 1980 vs. 2010: Some Progress, But Still So Far to Go, World Bank Institute.

² Neal D. Fortin: Food Regulation: *Law, Science, Policy and Practice*, Wiley (2009)

food continuum. The wholesale packages of food are traded among B2B and not to the retail market directly.

Thus, with the increase in food trade, it is important to have separate set of mandatory labelling requirements for wholesale packages as well, since all the commodities are not pre-packaged.

3. The main aspects to be covered:

The General Standard for Labelling of Wholesale Package of foods would provide the Guidelines defining the general mandatory requirements and additional requirements for wholesale packages along with the optional labelling requirements. The guidelines will provide a clear cut definition for wholesale packages as a package containing —

(a) a number of retail packages, where such first mentioned package is intended for sale, distribution or delivery to an intermediary and is not intended for sale direct to a single consumer; or

(b) a commodity of food sold to an intermediary in bulk to enable such intermediary to sell, distribute or deliver such commodity of food to the consumer in smaller quantities.

The guidelines will also lay out the procedure for presentation of mandatory information on the wholesale package of food.

4. Assessment against the Criteria for the Establishment of Work Priorities:

4.2 Assessment with respect to criteria applicable to general subjects:

Diversification of national legislations and apparent resultant or potential impediment to international trade

Food products are traded in bulk wholesale packages which are sent to an intermediary for further processing and not meant for direct consumption by the consumers. The imported item is then either reprocessed or sold as it is to the consumer in smaller quantities. However, currently there is no Codex Standard for the labelling requirements for wholesale packages of food. It is cumbersome for the manufacturers to specify all the details on wholesale packages as it is to be specified for pre-packages of food. Hence, development of General Standard for labelling of wholesale packages of food will ease the process for manufacturers, traders and facilitate trade.

The development of General Standard for Labelling of Wholesale Packages of foods is intended to address the issues of the manufacturers/traders and is in no way an impediment to the international trade.

4.3 Consideration of the global magnitude of the problem or issue

As already indicated incorrect labelling is one of the leading cause for import denials, hence, the General Standard for Labelling of Wholesale Packages of foods will address this issue.

5. Relevance to Codex Strategic Objectives:

The Codex Alimentarius Commission envisages a world with the highest attainable levels of consumer protection, including food safety and quality. To this end, the Commission will develop internationally agreed standards and related texts for use in domestic regulation and international trade in food that are based on scientific principles and fulfil the objectives of consumer health protection and fair practices in food trade. To fulfil the objective of fair practices in food trade, it is

essential to distinguish between pre-packaged and wholesale foods.

The proposed work directly relates to the following Codex Strategic Goals/Activities from the Codex Strategic Plan 2008-2013:

Goal 1.1: Promoting sound regulatory frameworks

The development of General Standard for Labelling of Wholesale Packages of foods is consistent with the direction elaborated under Goal 1, i.e., CAC will develop international standards, guidance and recommendations based on scientific principles for the reduction of health risks along the entire food chain.

Goal 5: Maximum and effective participation of members

The development of General Standard for Labelling of Wholesale Packages of foods should generate interest in participation from all countries. We anticipate conducting this work through an electronic working group to foster increased participation.

6. Information on the relation between the proposal and other Codex documents

This work will be developed keeping in mind the Codex “General Standard for the Labelling of Pre-packaged Foods” (Codex Stan 1-1985), “General Standard for the Labelling of and Claims for Pre-packaged Foods for Special Dietary Uses (CODEX STAN 146-1985) and “General Standards for the labelling of food additives as such” (CODEX STAN 104-1981).

7. Identification of any requirement for and availability of expert scientific advice.

No expert scientific advised is envisaged at this stage.

8. Identification of any need for technical input to the standard from external bodies so that this can be planned for

No expert scientific advised is envisaged at this stage.

9. Proposed timeline for completion of the new work including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should normally not exceed five years.

Proposed timeline-

- Consideration of new work by the 41st Session of Codex Committee on Food Labelling (CCFL) to be held in Charlottetown, PEI, Canada from 14th – 17th May, 2013.
- Consideration of new work by CAC, 2014.
- Consideration of development of Labelling Guidelines for Wholesale Packages at Step 3 at the next Session of CCFL, 2015.
- Consideration at Step 5 (or 5/8) at the next Session of CCFL, 2016.
- Consideration for Adoption at Step 8 by CAC at the 2017 Session.