

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations

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World Health  
Organization

REP24/FL

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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

*Forty-Seventh Session*

*CICG, Geneva, Switzerland*

*25-30 November 2024*

## REPORT OF THE FORTY-EIGHTH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING

Quebec City, Canada

27 October - 1 November 2024

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## SUMMARY AND STATUS OF WORK

Responsible Party	Purpose	Text/Topic	Job No.	Step	Para.
CCEXEC87 CAC47	Critical review / adoption	Revision to the <i>General standard for the labelling of pre-packaged foods</i> (CXS 1-1985): Provisions relevant to allergen labelling	N10-2019	8	52 (i) App II
		Guidelines on the provision of food information for pre-packaged foods to be offered via e-commerce	N09-2019	8	104 App IV
		Guidelines on the use of technology to provide food information in food labelling	N07-2021	8	144 App V
CCEXEC87 CAC47	Critical review / adoption	Annex to <i>General standard for the labelling of pre-packaged foods</i> (CXS 1-1985): Guidelines on the use of precautionary allergen labelling	N10-2019	5	92 (i), (viii) App III
EWG/PWG (Australia, UK, USA) Members CCFL49	Drafting/ comments/ discussion			6/7	92 (vii)
EWG/PWG (Colombia, Canada, India, Jamaica) Members CCFL49	Drafting/ comments/ discussion	Amendments to the <i>General standard for the labelling of pre-packaged foods</i> (CXS 1-1985): Provisions relevant to joint presentation and multipack formats	N06-2023	2/3	155
CCEXEC87 CAC47 EWG/PWG (USA) CCFL49	Critical review/ approval	Application of food labelling provisions in emergencies	-	1/2/3	180 (i) – (iv) App. VI
	Drafting/ comments/ discussion				
CCFICS28	Information	Non consensus on section 8.3.2 of the Standard for dried floral parts – dried saffron	-	-	180 (v)
CCEXEC87 CAC47	Information / action				
All relevant committees	Information	Avoiding the redundancy of the provisions for any future labelling provisions			34
CCLAC24 CCFO29 CCSCH8	Information	Endorsement decisions/recommendation			35
CCFH55	Information / action	Update on:  Revision to the <i>General standard for the labelling of pre-packaged foods</i> (CXS 1-1985): Provisions relevant to allergen labelling Guidelines on the use of precautionary allergen labelling Scientific advice request to FAO/WHO			52 (ii), 92 (iii), (iv)
CCMAS44	Request for advice / action	Food allergen labelling: analytical methods			92 (ii)
FAO/WHO	Request	Guidance for qualitative risk assessment			92 (v)

<b>Responsible Party</b>	<b>Purpose</b>	<b>Text/Topic</b>	<b>Job No.</b>	<b>Step</b>	<b>Para.</b>
		Scientific advice on the level of reference doses or concentrations for cereals containing gluten or gluten; and Capacity building activities to countries on the PAL and risk assessment.			
Kenya CCFL49	Drafting / discussion	Future work and direction of CCFL (discussion paper - update)		223	
Codex Secretariat	Publication	Information document: Criteria for the evaluation and prioritization of work of CCFL:			228 (iii), App VII

## LIST OF ABBREVIATIONS

AL	Action level
CAC	Codex Alimentarius Commission
CCEXEC	Executive Committee of the Codex Alimentarius Commission
CCFH	Codex Committee on Food Hygiene
CCFICS	Codex Committee on Food Import and Export Inspection
CCFL	Codex Committee on Food Labelling
CCFO	Codex Committee on Fats and Oils
CCLAC	FAO/WHO Coordinating Committee for Latin America and the Caribbean
CCMAS	Codex Committee on Methods of Analysis and Sampling
CCNFSDU	Codex Committee on Nutrition and Foods for Special Dietary Uses
CCSCH	Codex Committee on Spices and Culinary Herbs
CL	Circular Letter
CRD	Conference Room Document
CXC	Codex Code of Practice
CXG	Codex Guideline
CXS	Codex Standard
ED	Eliciting Dose
ELISA	Enzyme Linked Immunosorbent Assay
EU	European Union
EWG	Electronic Working Group
FAO	Food and Agriculture Organization of the United Nations
FAOSTAT	Food and Agriculture Organization Corporate Statistical Database
FBO	Food Business Operator
IAEA	International Atomic Energy Agency
ICGA	International Chewing Gum Association
IgE	Immunoglobulin E
ISO	International Organization for Standardization
ISSLG	International Social Science Liaison Group
LOQ	Limit of quantification
MS	Mass Spectrometry
NCD	Non-communicable disease
NIV	Nutrient intake values
NPM	Nutrient Profile Model
OIML	International Organization of Legal Metrology
OIV	International Organisation of Vine and Wine
PAL	Precautionary allergen labelling
PHO	Partially Hydrogenated Oils
PWG	Physical Working Group
RfD	Reference Dose

TBT	Technical Barriers to Trade
TFA	Trans-Fatty Acids
UAP	Unintended allergen presence
UN	United Nations
UNICEF	The United Nations Children's Fund
WG	Working Group
VWG	Virtual Working Group
WHA	World Health Assembly
WHO	World Health Organization
WTO	World Trade Organization

**LIST OF CONFERENCE ROOM DOCUMENTS (CRDS)**

No.	Agenda Item	Submitted by
1		European Union (Division of Competence between EU and its Member States)
2	5	EWG chairs on food allergen (Report of the Virtual Working Group on food allergen labelling)
3	6	EWG chairs on e-commerce (Report of the Virtual Working Group on e-commerce)
4	7	EWG chairs on use of technology (Proposed amendments in response to comments from CL 2024/55-FL)
5	8	EWG chairs on multipack formats (Proposed amendments in response to comments from CL 2024/56-FL)
6	5.1	Kenya, Republic of Korea, United Republic of Tanzania
7	5.2	Kenya, Republic of Korea, United Republic of Tanzania
8	6	Kenya, Republic of Korea, Senegal, United Republic of Tanzania
9	7	Kenya, Senegal, United Republic of Tanzania, International Association of Consumer Food Organizations (IACFO)
10	8	Kenya, Republic of Korea, Senegal, United Republic of Tanzania
11	9	European Union, Eurocare, Kenya, Madagascar, United Republic of Tanzania, Organisation internationale de la vigne et du vin (OIV)
12	10	European Union, Kenya, United Republic of Tanzania
13	12	Brazil, European Union, Kenya, United Republic of Tanzania
14	13	European Union, Kenya, Madagascar, Republic of Korea, United Republic of Tanzania
15	15	European Union, United Republic of Tanzania
16	2	Iran, Kenya
17	4	Canada, Kenya, Madagascar, United Republic of Tanzania
18	11	Kenya, United Republic of Tanzania
19	12	United States of America
20	14	International Chewing Gum Association (ICGA)
21	2, 5, 6, 7, 8, 10, 13	Indonesia
22	4, 5.1, 12, 14	Thailand
23	4, 5.1, 9, 10, 13	India
24	5.1	Japan
25	5.2, 6, 7	Russian Federation
26	5.1, 6, 7	Nigeria
27	6	Food Industry Asia (FIA)
28	6, 10, 12, 13	International Baby Food Action Network (IBFAN)
29	5, 9, 11, 13, 14	Mexico
30	5, 6, 7, 8, 9, 10, 13	Uganda
31	12	EWG Chair on sustainability (Revision to the new work proposal on Sustainability Labelling Claims)
32	7, 9	El Salvador

<b>No.</b>	<b>Agenda Item</b>	<b>Submitted by</b>
33	5, 6, 7, 9, 11, 13	Ghana
34	3	Kenya
35	5, 6, 7	ICGA
36	5, 6, 7, 13, 14	International Special Dietary Foods Industries (ISDI)
37	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15	Panama
38	8	Codex Secretariat (Proposed amendments to the GSLPF (highlighted the changes in comparison to the GSLPF))
39	9	Jamaica
40	5	Comments from Association of European Coeliac Societies (AOECS)
41	4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15	Burundi
42	5.1, 5.2	International Union of Food Science and Technology (IUFoST)
43	12	Brazil, Argentina, Chile, Paraguay and Uruguay
44	5, 6, 7, 8, 9, 10, 11, 12, 13	East Africa Community
45	9	Fédération internationale des vins et spiritueux (FIVS)
46	8	Cabo Verde
47	4, 5.1, 6, 7, 8, 9, 10, 13	Ecuador
48	14	United Republic of Tanzania
49	13	Costa Rica (Revised project document for sugar labelling)

**INTRODUCTION**

1. The Codex Committee on Food Labelling (CCFL) held its Forty-eighth Session in Québec City, Canada from 27 October - 1 November 2024, at the kind invitation of the Government of Canada. The Session was chaired by Dr. Parthi Muthukumarasamy, Executive Director, International Programs Directorate, Canadian Food Inspection Agency (CFIA). The Session was attended by delegates from 44 Member countries, one Member Organisation and 26 Observer Organisations. A list of participants is contained in Appendix I.

**OPENING**

2. Mr. Greg Orenszak, Deputy Minister of Health Canada, opened the session and highlighted the role of the CCFL in food safety, public health and consumer protection, which has been a long-standing commitment since the first CCFL session was held in 1965. The Committee's efforts, particularly in completing work on allergen labelling and adapting to digital advances, were also highlighted, with the aim of empowering consumers worldwide to make informed, safe food choices.
3. The Chairperson of the Codex Alimentarius Commission (CAC), Mr. Steve Wearne (United Kingdom) and the Codex Secretary, Dr Sarah Cahill also addressed the meeting.

**Division of competence<sup>1</sup>**

4. CCFL48 noted the division of competence between the European Union (EU) and its Member States, according to paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission.

**ADOPTION OF THE AGENDA (Agenda item 1)<sup>2</sup>**

5. CCFL48 adopted the Provisional Agenda as the Agenda of the Session.

**MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND/OR ITS SUBSIDIARY BODIES (Agenda item 2)<sup>3</sup>**

6. CCFL48:
  - (i) noted the matters for information; and
  - (ii) agreed to discuss the labelling provisions for country of origin and country of harvest in the Standard for dried floral parts – dried saffron, taking into account the responses from CCSCH7 under Agenda item 4.

**MATTERS OF INTEREST FROM FAO AND WHO (Agenda Item 3)<sup>4</sup>**

7. The Representative of Food and Agriculture Organization of the United Nations (FAO) informed CCFL48 that FAO and World Health Organization (WHO) have published a series of reports on the FAO/WHO Expert Consultations on food allergens, including priority lists, reference doses (RfD), precautionary allergen labelling, and exemptions. To support these reports, FAO and WHO have prepared brochures on these topics for ease of use, which are available in English on the FAO and WHO websites and would be published in other United Nations (UN) languages by the end of 2024.
8. The Representative of FAO reported on the following Joint FAO/WHO scientific advice activities:
  - (a) The work to update nutrient intake values (NIVs) for infants and young children from birth through three years of age is now complete for calcium, vitamin D and zinc. A guidance document covering the three nutrients will be launched for public consultation in early 2025, with the final publication scheduled for later in 2025.
  - (b) The Joint FAO/WHO Statement on the Principles of a Healthy Diet was recently published.
  - (c) The Joint International Atomic Energy Agency (IAEA)/FAO/WHO meeting to review Human Energy Requirements held in June 2024.
  - (d) The Joint FAO/The United Nations Children's Fund (UNICEF)/WHO Healthy Diets Monitoring Initiative, which released its guidance in June 2024.

<sup>1</sup> Division of competence between the European Union and its Member States (CRD01).

<sup>2</sup> CX/FL 24/48/1

<sup>3</sup> CX/FL 24/48/2

<sup>4</sup> CX/FL 24/48/3

9. The Representative of FAO also highlighted key updates from the FAO activities on:

- (a) Nutrition labelling, including case studies to examine the front of pack nutrition labelling policy implementation particularly in small sized food processing enterprises and discussions with the Food Forum Global Youth Action on education and awareness on better nutrition and food labelling.
- (b) Ongoing work to improve the quality, availability and use of food composition data which are needed for setting international food policies, food security programs and national dietary assessments.
- (c) The launch of a new “Food and Diet” domain on Food and Agriculture Organization Corporate Statistical Database (FAOSTAT), which is the corporate statistical database for food and agriculture.

10. The Representative of WHO highlighted key updates from recent initiatives, guidelines, and policy efforts aimed at promoting global health guidelines and standards as follows.

Alcohol labelling:

11. Alcohol was attributed to 2.6 million deaths globally per year in 2019. Fifty-five (55) countries reported having at least one requirement for a warning label on alcoholic beverage containers. Thirty (30) countries had received WHO technical assistance or training on alcohol labelling.

Nutrient Profile Models (NPMs):

12. WHO was finalizing a global NPM to set thresholds for nutrients of concern (total fats, saturated fats, trans fats, free sugars, and sodium), expected by end of 2024. Region-specific models were available for all WHO regions and were being used as a tool to support implementation of food policies.

New WHO Guidelines:

13. Two recent guidelines on food marketing and fiscal policies were published, with upcoming guidelines on nutrition labelling and school food and nutrition policies.

14. New guidelines on diet and health published since CCFL47 cover total fat, saturated fat, trans fat, carbohydrate intake, and non-sugar sweeteners.

15. Additional guidelines, under development, include lower-sodium salt substitutes, polyunsaturated fats, tropical oil consumption, and guidelines on animal source foods and ultra-processed food intake.

Best buys and other recommended interventions to prevent non-communicable disease (NCD):

16. World Health Assembly (WHA)-endorsed policy options and cost-effective interventions for NCDs were presented, including: 1) reformulation policies; 2) front of pack labelling as part of comprehensive labelling policies; 3) public food procurement and service policies; 4) behavioural change communication and mass media campaigns; 5) marketing restriction policies; 6) breastfeeding policies; and 7) taxation on sugar sweetened beverages as part of comprehensive fiscal policies. In this context, the Representative also reported on WHO’s global efforts to reduce sodium and salt intake and eliminate industrially produced trans fats.

Infant and Child Nutrition:

17. New guidelines on complementary feeding of infants and children (6-23 months) were published in October 2023. WHO provides technical support for implementing the International Code, including guidance on regulatory measures to restrict digital marketing of breastmilk substitutes.

Conclusion

18. CCFL48:

- (i) expressed appreciation to FAO and WHO for the information provided, and
- (ii) noted that some of the information would be considered under relevant agenda items.

**CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS (ENDORSEMENT) (Agenda item 4)<sup>5</sup>**

19. The Chairperson introduced the item recalling sections of the Procedural Manual that state that general provisions should only be incorporated into commodity standards by reference unless there is a need for doing otherwise, and that provisions which are exemptions from, additions to, or which are necessary for the interpretation of the general standards in respect of the product concerned, provided that these can be justified fully.

<sup>5</sup> CX/FL 24/48/4

20. CCFL48 considered the labelling provisions in four standards submitted by the Codex Committee on Fats and Oils (CCFO), the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC) and the Committee on Spices and Culinary Herbs (CCSCH) and made the following decisions:

**Codex Committee on Fats and Oils (CCFO)**

21. Endorsed the amendment to the labelling provisions in the revised/amended *Standard for fish oils* (CXS 329-2017).

**FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC)**

22. Endorsed the labelling provisions in the draft Regional Standard for Castilla lulo (naranjilla).

23. CCFL48 noted comments that some of the provisions were redundant or not consistent with the general standards, in particular the *General standard for the labelling of non-retail containers of foods* (CXS 346 – 2001) and agreed to remind Codex commodity committees of the provisions in CXS 1-1985 and CXS 346-2001 to avoid inconsistencies and redundancies.

**Codex Committee on Spices and Culinary Herbs (CCSCH)**

Draft Standard for dried or dehydrated roots, rhizomes and bulbs - turmeric

24. Endorsed the labelling provisions in the draft Standard for dried or dehydrated roots, rhizomes and bulbs – turmeric.

25. A Member expressed concern about the provision for trade name in Section 2.1 (Product definition) which is linked to Section 8.2.3 under the labelling provisions of the draft standard. The provision lists only one trade name “turmeric”. Although the declaration of trade name is voluntary, the Member requested clarity on whether other trade names could be declared on the label. .

26. The Codex Secretariat noted that this was a technical issue outside the requirements for endorsement and it should be discussed at CCSCH and recommended the Member could propose amendments to the provision by responding to the Circular Letter (CL) requesting proposal for new work including amendments to standards (Ref. CL 2024/40-SCH).

Standard for dried floral parts – dried saffron

27. CCFL48 recalled that CAC45 had adopted the Standard for dried floral parts – dried saffron pending endorsement of the labelling provisions by CCFL. CCFL47 had endorsed all the labelling provisions except the provisions on country of origin (8.3.1) and country of harvest (8.3.2) which had been referred back to CCSCH7 to clarify the distinction between country of origin and country of harvest, provide rationale why the provision for country of harvest should be mandatory and how such a declaration would be beneficial for fraud prevention.

28. CCFL48 considered whether both the country of origin (8.3.1) and country of harvest (8.3.2) should be declared mandatory in the standard for dried floral parts – dried saffron, based on the replies from CCSCH7<sup>6</sup>, and unanimously supported the endorsement of Section 8.3.1 Country of origin as mandatory noting that the provision was consistent with the requirements of CXS 1-1985 and with other CCSCH standards. With respect to Section 8.3.2 country of harvest, differing views were expressed.

29. Those delegations who expressed their support for the mandatory declaration of country of harvest expressed the following views:

- (a) Saffron is a high value spice with limited production which makes it more susceptible to fraud.
- (b) The place of cultivation is a critical element for the characteristics and quality of saffron.
- (c) Mandatory declaration of the country of harvest would ensure transparency, integrity of the product and help in fraud prevention as well as ensuring product authenticity and empowering consumers to make informed decisions.
- (d) Even though the country of origin and the country of harvest are the same for many spices and culinary herbs, it could be different for certain spices including some types of saffron products.
- (e) Countries producing saffron were generally in favour of the mandatory indication of the country of harvest.

30. Those delegations who did not support the declaration of the provision as mandatory stated that CCSCH had not provided full justification for deviating from the existing provisions in CXS 1-1985 as required by the Procedural Manual. They asserted that the economic value and potential fraud concerns cannot justify having the mandatory provisions for the country of harvest and this could unintentionally create trade barriers, add burden to food business operators, and complicate fraud prevention. It was further pointed out that there was no internationally agreed

<sup>6</sup> Appendix II of CX/FL 24/48/4

definition of country of harvest or scientific basis for verifying "country of harvest," and such a provision cannot be reliably certified. Moreover the response from CCSCH indicated that country of origin and country of harvest are often the same, particularly for dried saffron and that therefore the proposed labelling stems from an implementation and enforcement issue rather than a gap in labelling requirements. Therefore, the provision should rather be voluntary as it is in the other CCSCH standards previously endorsed by CCFL.

31. In the absence of consensus to endorse 8.3.2, the Chairperson proposed the following three options for consideration by CCFL:

Option 1: Not endorsing Section 8.3.2. and recommend the publication of the standard without the labelling provision of the country of the harvest.

Option 2: Endorsing Section 8.3.2 as a voluntary provision, in line with other CCSCH standards, noting that this is the most pragmatic way forward, and would avoid further delays of the publication of the standard.

Option 3: Referring Section 8.3.2 back to CCSCH noting that this approach would further delay the publication of the standard.

32. Although some Members showed their support for option 2 or 3, other Members suggested that the matter needed further consideration for the reasons explained in paragraph 29 and proposed the matter be referred to CCESEC87 and CAC47 for further consideration.

### **Conclusion**

33. CCFL48:

- (i) agreed to endorse Section 8.3.1Country of origin shall be declared; and
- (ii) noted that the Committee could not reach an agreement on the mandatory declaration of Country of harvest and thus was unable to endorse the provision.

### **General Conclusion**

34. CCFL48 agreed to inform all committees to take note of the *General standard for the labelling of pre-packaged foods* (CXS 1-1985) and the *General standard for the labelling of non-retail containers of foods* (CXS 346-2021) and strive to follow the format, the terminology and the flow to avoid the redundancy for any future labelling provisions.

35. CCFL48 agreed to endorse the labelling provisions in the following standards and to inform the respective committees (CCFO, CCLAC and CCSCH) and CAC47 of the endorsement.

- (i) *Standard for fish oils* (CXS 329-2017)
- (ii) draft Regional Standard for Castilla lulo (naranjilla)
- (iii) draft Standard for dried or dehydrated roots, rhizomes and bulbs – turmeric
- (iv) Section 8.3.1 of the Standard for dried floral parts – dried saffron.

36. CCFL48 could not reach consensus to endorse Section 8.3.2 of the Standard for dried floral parts – dried saffron and thus referred the matter to CCESEC87 and CAC47 for consideration.

### **FOOD ALLERGEN LABELLING (Agenda item 5)**

#### **REVISION TO THE GENERAL STANDARD FOR THE LABELLING OF PRE-PACKAGED FOODS (CXS 1-1985): PROVISIONS RELEVANT TO ALLERGEN LABELLING (Step 7) (Agenda item 5.1)<sup>7</sup>**

37. Australia, Chair of the Electronic Working Group (EWG), speaking also on behalf of the co-Chairs, the United Kingdom and the United States of America, introduced the reports of the EWG and the virtual working group (VWG) that met virtually prior to the Session and summarized the key points of discussion and decisions in the working groups (WGs).

38. The WG Chair informed CCFL48 that the EWG had taken into account all the scientific advice provided by FAO/WHO, in particular, Part 1: Review and validation of Codex priority allergen list through risk assessment and

<sup>7</sup> CX/FL 24/48/5 (Part A); CX/FL 24/48/5 Add.1 (Part A) (Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Egypt, European Union, Guatemala, Honduras, India, Indonesia, Jamaica, Japan, New Zealand, Paraguay, Saudi Arabia, South Africa, Thailand, Uganda, United Kingdom, Uruguay, USA and Alianza Latinoamericana de Asociaciones de la Industria de Alimentos y Bebidas (ALAIAB), Association Of European Coeliac Societies Codex and Regulatory Affairs, European Federation of Allergy and Airways Diseases Patients' Associations, FIVS, Food Industry Asia, FoodDrinkEurope, ICBA, ICGA, ICGMA, ICUMSA, IDF/FIL, International Association of Consumer Food Organizations, International Confectionery Association, International Special Dietary Food Industries, The European Federation of the Associations of Dietitians (EFAD)

Part 4: Review and establish exemptions for the food allergens, as well as the literature review of the International Social Science Liaison Group (ISSLG).

39. The WG Chair further informed CCFL48 about discussions in the VWG and its recommendations and pointed out that:

- The VWG Report had been published as CRD02 and proposed that CCFL48 consider:
  - the revised draft revision to CXS 1-1985; and
  - whether to provide advice to the Codex Committee on Food Hygiene (CCFH) to ensure consistency with the *Code of practice on allergen management for food business operators* (CXC 80-2020).
- The WG Chair and co-Chairs had prepared proposals for the appropriate placement of the terms “food allergen” and “allergenic food” in the proposed text.

## **Discussion**

40. CCFL48 considered the proposals of the VWG (CRD02) and in addition to agreement on some of the proposals, made amendments for purposes of clarity and made comments or decisions as follows:

### Definitions

41. CCFL48 agreed with the definitions and noted a comment by an Observer that the definitions provided additional clarity and would be useful for implementation.

### Section 4.2.1.4

42. CCFL48 agreed to amend this section to indicate that the provision applied to the declaration on the labels for foods or ingredients when intentionally present in the foods as opposed to the unintentional allergen presence (UAP) through cross-contact which would be addressed through precautionary allergen labelling (PAL).

43. CCFL48 agreed to add a footnote to the entry in the table on cereals containing gluten, wheat, barley and rye to indicate that in addition to the specified name, the word gluten may also be used to provide accurate information to people with coeliac disease. This would help to clarify that coeliac disease and immunoglobulin E (IgE)-mediated food allergies are two different conditions which need different requirements regarding labelling. One Member suggested that gluten can be declared in brackets next to wheat/rye/barley as the case may be to provide clarity for compliance and testing purposes. CCFL48 agreed not to prescribe how gluten would be declared and therefore did not make this change in the text.

44. CCFL48 had considerable discussion on a proposal that the specified name “fish” be changed to “fish or the name of the fish”, and the specified name “crustacea” be changed to “crustacea or the name of crustacea”. A Member, referring to their comments in CRD24, explained that crustacea or fish as a whole, were not considered allergenic foods within their country, but rather species such as shrimp in the case of crustacea or mackerel in the case of fish. Use of the more generic terms “crustacea” or “fish” would not necessarily be recognised by consumers, leading to fewer food choices for allergenic consumers. This approach also considered chapter 6 of Part 2, Section 6.4 of the joint FAO/WHO expert consultation report which stated that “the data support the view that some fish allergic individuals may tolerate fish from taxonomically distinct orders while reacting to selected species”. Some Members were supportive of this proposal.

45. CCFL48 did not agree with this proposal and noted the intent of the specified name was not to replace what is on the ingredient list and that the chapeau to this section clearly provided for the specified name to be used in addition to or as part of the ingredient name and the associated footnote further addressed this point.

46. CCFL48 did not agree with a proposal to add scientific names for allergenic food or ingredients from plant sources, such as sesame (4.2.1.4), mustard, and lupin (in 4.2.1.5) as there was not sufficient information available before CCFL48 on the species associated with allergic reactions.

### Section 4.2.1.5

47. CCFL48 agreed to refer to the collective *Macadamia spp.* rather than a select number of species noting that more species were marketed globally than those listed which could cause allergic reactions and reference to *Macadamia spp.* would be in line with other Codex texts.

### Section 4.2.1.6

48. CCFL48 agreed to add language to the text in this section to clarify that exemptions shall be subject to risk assessment to establish the safety of the allergenic food derivative.

49. CCFL48 considered a proposal to replace regional or national authorities with competent authority. Noting that generally the term competent authority is used in Codex texts, but that under 4.2.1.6 it was more appropriate to refer to regional or national authorities because this section addressed regional or national exemptions for specific allergens based on regional or national populations. CCFL48 agreed to refer to regional and national competent authorities.

Section 4.2.1.7

50. CCFL48 agreed to edit the footnote to remove the duplicative language regarding the total sulphur dioxide concentration.

Section 8.3.3.2

51. CCFL48 agreed to add a new section to clarify that if a separate statement is used on the label, the specified name for each of the foods and ingredients in Sections 4.2.1.4, 4.2.1.5 and 4.2.1.7 must be declared in the statement even if that name is in the list of ingredients.

**General Conclusion**

52. CCFL48 agreed to:

- (i) forward the draft revision to the *General standard for the labelling of pre-packaged foods* (CXS 1-1985): provisions relevant to allergen labelling to CAC47 for adoption at Step 8 (Appendix II); and
- (ii) inform CCFH of the completion of the revisions in particular the definitions and the new list of foods or ingredients that should be declared on a label to ensure consistency with the *Code of practice on allergen management for food business operators* (CXC 80-2020).

**GUIDELINES ON THE USE OF PRECAUTIONARY ALLERGEN LABELLING (Step 4) (Agenda item 5.2)<sup>8</sup>**

53. Australia, Chair of the EWG, speaking also on behalf of the co-Chairs, the United Kingdom and the United States of America, introduced the reports of the EWG and the VWG that met prior to the Session and summarized the key points of discussion and decisions in the WGs.

54. The EWG Chair:

- (a) highlighted the progress of the work on the guidelines on the use of precautionary allergen labelling (PAL);
- (b) informed that the EWG had taken into account all the reports of the FAO/WHO Expert Consultations relevant to this work, in particular: Parts 2 (Review and establish threshold levels in foods of the priority allergens, 3 (Review and establish precautionary labelling in foods of the priority allergens) and 5 (Review and establish threshold levels for specific tree nuts (Brazil nut, macadamia nut or Queensland nut, pine nut), soy, celery, lupin, mustard, buckwheat and oats), as well as the ISSLG literature review;
- (c) recalled that CCFL47 had requested advice from the Codex Committee on Methods of Analysis and Sampling (CCMAS) on methods of analysis, and that this work was ongoing in CCMAS; and
- (d) recalled that CAC had requested that CCFL work closely with CCFH to ensure that there was coherence with the work in CCFL and that of CXC 80-2020 developed by CCFH. Referring to the report of the VWG (CRD02, Part B), the WG Chair informed CCFL that the VWG had amended the general principles, 4.1, 4.2 and 4.3 and the footnote 3, but was not able to discuss 4.3.2 and Section 5, nor the question about advice to CCFH regarding consistency with the CXC 80-2020.

55. The WG Chair proposed that CCFL48 consider the proposed guideline in CRD02, Appendix 2 with the aim of advancing it to Step 5 and to:

- (a) agree to the purpose, scope, definitions and general principles including footnote 3, as well as the edits with regard to including the terms 'food allergen' and 'allergenic food';
- (b) consider a placeholder for RfD for cereals containing gluten and consider requesting scientific advice from FAO/WHO on a RfD or equivalent for cereals containing gluten;

<sup>8</sup> CX/FL 24/48/5 (Part B); CX/FL 24/48/5 Add.1 (Part B) (Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Egypt, European Union, Guatemala, Honduras, India, Indonesia, Japan, New Zealand, Paraguay, Saudi Arabia, South Africa, Thailand, Uganda, United Kingdom, Uruguay, USA and Alianza Latinoamericana de Asociaciones de la Industria de Alimentos y Bebidas (ALAIAB), Association Of European Coeliac Societies Codex and Regulatory Affairs, European Federation of Allergy and Airways Diseases Patients' Associations, Food Industry Asia, FoodDrinkEurope, ICBA, ICGA, ICGMA, ICUMSA, IDF/FIL, International Association of Consumer Food Organizations, International Confectionery Association, International Special Dietary Food Industries, The European Federation of the Associations of Dietitians (EFAD))

- (c) discuss principle 4.3.2, Section 5 and any other outstanding issues; and
- (d) consider whether to request CCFH to consider providing guidance on UAP risk assessment in CXC 80-2020.

## Discussion

### Purpose, Scope and definitions

56. CCFL48 agreed with these sections.

### General principles

57. Several concerns were raised on this section:

- (a) Lack of analytical methods in relation to allergens and RfDs.
- (b) Burden to small food business operators (FBOs) to conduct risk assessments and lack of guidance on qualitative risk assessment.
- (c) Eliciting Dose (ED)05 and ED01 in relation to RfDs and action levels (ALs). Concerns were raised with respect to the level of protection for the most vulnerable consumers and whether the available data provided the necessary assurances that the proposed thresholds provided an equivalent or better level of protection
- (d) Including a RfD/concentration for cereals containing gluten/gluten.
- (e) Limiting PAL when RfDs are exceeded noting views that PAL could be used even if RfDs are not exceeded.

58. CCFL48 agreed to address these concerns first before proceeding with a discussion on 4.3 and the rest of the Guideline text.

### **Analytical methods**

59. The Representative of FAO highlighted the RfD recommended by the FAO/WHO Expert Consultation were based on the data from Enzyme Linked Immunosorbent Assay (ELISA) and mass spectrometry (MS) methods. The experts had assessed them and confirmed that the RfD could be implemented and monitored with current analytical capabilities, to reach the limit of quantification (LOQ). The Representative further drew attention to three tables in Report 2: Review and establish thresholds levels in foods for the priority allergens, which should be read carefully to help understand the relationship between analytical methods and ALs. The aforementioned tables are: 11. ALs for priority allergens based on recommended RfDs and calculated for predefined intake categories; 13. LOQ required for analytical methods to meet calculated ALs taking into account method performance; and 15. Assessment of test method performance for selected allergenic foods.

60. CCFL48 further noted that CCMAS was also in the process of reviewing methods of analysis as requested by CCFL47 and it was expected that CCMAS would provide a list of recommended methods that meet the recently published AOAC validation guidelines and CEN 17.855 method performance requirements prior to CCFL48.

61. To a question on whether CCMAS would also provide advice on sampling plans as requested by CCFL47, the Codex Secretariat clarified that CCMAS had agreed to focus on the provision of methods of analysis as there was already sufficient guidance available on sampling plans following the adoption of the revised *General guidelines on sampling* (CXG 52-2004) (revised and adopted in 2023).

### Burden to smaller FBOs to conduct risk assessments and lack of guidance on qualitative risk assessments

62. The Chairperson proposed that to address this concern, FAO/WHO could be requested to provide guidance on qualitative risk assessments and in terms of the burden to small FBOs, to request FAO/WHO to conduct capacity building activities on PAL.

63. CCFL48 agreed to the proposal of the Chairperson.

64. The Representatives of FAO and WHO expressed their willingness to address the two requests from CCFL.

65. The Representative of FAO explained that risk assessment on UAP was indicated and discussed by the Expert Consultation Report 3. However, it would be good to clarify and simplify the risk assessment into a qualitative one that Members could use more easily. The Representative further noted that FAO/WHO had also made available brochures and booklets on the topic which could be of assistance.

66. In relation to capacity building the Representatives confirmed that FAO and WHO would be willing to support countries for capacity building on risk assessment of food allergens.

67. Brazil, Nigeria, Jordan, Barbados, India, Ghana, Thailand, Switzerland, Singapore, Japan, Tanzania, Malaysia, Haiti and IUFOST expressed interest in participating in capacity building activities. Other interested parties were invited to contact FAO and WHO directly to express their interest.
68. CCFL48 also noted that the request to FAO/WHO could be of interest to CCFH given that CXC 80-2020 provided guidance for food industries to mitigate the risk of UAP. CCFL48 agreed to inform CCFH of the request to FAO/WHO which could be useful for providing guidance on risk assessments to FBOs in CXC 80-2020.

ED05 / ED01 in relation to the RfDs and ALs

69. The Chairperson recalled that there was concern in relation to the RfD based on ED05 versus ED01 or other levels of protection that some Members wanted to explore and called on FAO to clarify about the work of the Expert Consultation and how they arrived at the RfD at ED05.
70. The Representative of FAO explained that experts from the FAO/WHO Expert Consultation reviewed both the ED01 and ED05. Based on the available evidence, the characteristics of objective reactions were no different at ED01 and ED05. The expected very low rate of allergic reaction would not be expected to differ between ED01 and ED05, and ED05 was conservative enough.
71. The Expert Consultations also found that a more stringent RfD, such as ED01 would potentially introduce considerable limitations for monitoring UAP and for the application of PAL or other risk management strategies. Difficulty in establishing a clear AL based on analytical methods could result in a situation like the present situation, where food businesses do not make risk-based decisions and default to using PAL for any potential UAP. This would result in a great increase in the use of PAL statements, since food businesses and regulators would not be able to verify allergen presence at or below ED01 for many allergens. This could lead to consumers changing their foods, having fewer options for foods, or ignoring the PAL and increasing the risk.
72. Furthermore, the Representative introduced the views of the Expert Consultation that people may argue that ED01 might still be unacceptable in principle, since 1 percent of the allergic population would still be expected to react with an objective allergic reaction. As zero risk did not exist, there was a need to have a risk-based, reasonable and unambiguous cut-off line for the RfD, so ED05 was the expert consultation recommendation.
73. Some Members and Observers expressed support for ED05 noting that it would provide a level of protection for allergic consumers while giving opportunity to have food choices.
74. One Member expressed the view that the decision to use ED05 or ED01 or any other safety values as a reference should be left to competent authorities as there were many factors that should be taken into consideration from a risk management perspective, e.g. local factors that could influence decisions, i.e. protection of children and the local availability of analytical methods. The Member proposed to reference the FAO/WHO Expert Consultation report instead of placing the RfD in the guidelines.
75. CCFL48 noted the clarification by the Chairperson and Australia and USA, WG Chair and co-Chair as follows:
  - (a) Guidelines were not mandatory but voluntary and that individual Members could have their own national legislation requirements that are more risk-based and adaptable to their country or region. This was also consistent with World Trade Organization (WTO) agreements.
  - (b) The ED05 was based on work done by the FAO/WHO Expert Consultation and based on science.
  - (c) Maintaining the RfD in the Guideline could be useful to countries that are unable to do their own risk assessment.
  - (d) The intent of the work was for purposes of harmonization and to provide consistency to benefit consumers and that providing too much flexibility could render the Guidelines not particularly helpful.
  - (e) There was some flexibility in how to translate the RfD to appropriate ALs to take into account different consumption levels in different countries. Within trade agreements, countries or regions can be more conservative than Codex and should have risk assessments to justify that.

RfDs for cereals containing gluten

76. To address this matter, CCFL48 agreed to request FAO/WHO to provide advice on RfD or concentrations for cereals containing gluten or gluten. FAO and WHO agreed to this request.
77. Noting that the identified concerns had been responded to, CCFL48 agreed with the principles contained in Sections 4.1 and 4.2.

78. CCFL48 noted a comment by an Observer with reference to the wording in this section, that allergenic foods might not be the only source of cross-contact as it was theoretically possible that food contact materials, such as bioplastics, could contain or release allergens to foods. The WG co-Chair clarified that the Guidelines restricted cross-contact to allergenic foods and no other sources.

#### Section 4.3

79. The Chairperson recalled that there were several concepts in 4.3 and the table, i.e.

- When PAL should be used – only when the AL is exceeded or even if the AL is not exceeded.
- The level of protection for vulnerable populations based on ED05 versus ED01.
- The mandatory or voluntary nature of PAL.

80. CCFL48 proceeded to consider an alternative text provided by the WG Chair and co-Chairs to clarify that when the UAP cannot be mitigated at or below the AL, then PAL should be used.

81. Diverse views were expressed on the alternative proposal. Some Members and Observers expressed support for the original proposed text "*PAL [shall / should] [only] be used when it is demonstrated that unintended food allergen presence cannot be mitigated to a level at or below the action level.....*".noting that the alternative proposal seemed to change the intent of guidelines, which is to prevent proliferation or overuse of PAL.

82. Other Members and some Observers expressed support for the proposed alternative text and that as a compromise could agree to change "should" to "shall" as (i) this would strengthen the purpose that the information was to indicate the risk of the presence of allergens to consumers, and in doing so, meet the primary goal of PAL, i.e. to protect the health of consumers; and (ii) the text helps to strike a balance to ensure that PAL appears when needed, but helps to reduce the overuse or unnecessary use of PAL. These Members also pointed out that this section should be read in conjunction with 4.1 and 4.2 and when read together it addressed many of the concerns with the overuse of PAL.

83. A Member noted that the text was silent if PAL could be used below the AL and proposed that this could be left to competent authorities to decide.

84. Noting that there was no consensus on this section CCFL48 agreed to retain 4.3 in square brackets for further consideration.

#### Section 4.3.1

85. CCFL48 agreed to have a placeholder for RfD for cereals containing gluten after the table containing the RfDs pending scientific advice from FAO/WHO.

86. An Observer advised that FAO/WHO should consult experts on coeliac disease and gluten, such as the Prolamin Working Group as well as patients' organizations. The Observer explained that coeliac disease and wheat allergy were two different conditions with two distinct immunological pathways. The aim of the work was to protect consumers while also giving choice to consumers, therefore it was recommended to treat wheat as such and the gluten in cereals containing gluten as different allergens with respect to PAL. It was further explained that for decades a concentration as a safe threshold had been used, and not a RfD, which was defined in the *Standard for foods for special dietary use for persons intolerant to gluten* (CXS 118-1997) by explaining that in coeliac disease, the symptoms were caused by accumulating doses of gluten and not necessarily the amount ingested during one meal.

87. A Member Organization cautioned about restricting the content of the placeholder since gluten has some specificities and proposed to indicate in the text more appropriate provisions for gluten without specifying which form it could include.

88. In view of the interventions made, CCFL48 agreed that the placeholder would be on "concentration or RfD for cereals containing gluten or gluten" and confirmed that the request for scientific advice from FAO/WHO would be for concentrations or RfD for cereals containing gluten or gluten.

#### Section 4.4

89. There was agreement with the principle of providing consumer education and information programs. CCFL48 further noted the following comments:

- The education information and programs should not be provided through the label.
- Consumer education and information programs should be done in collaboration with competent authorities.

#### Section 5

90. There was support for the intent of this section.

91. CCFL48 also noted:

- that Section 5.2.2 would be aligned with wording in the corresponding section of CXS 1-1985 (item 5.1) agreed at the Session; and
- the proposal to introduce the idea of considering comprehensive allergen statements where all relevant information is included, i.e. in one place.

### **General Conclusion**

92. CCFL48 agreed to:

- forward the Guidelines on the use of precautionary allergen labelling to CAC47 for adoption at Step 5 (Appendix III).
- inform CCMAS of progress on the Guidelines and encourage CCMAS to provide advice on suitable methods of analysis before CCFL49.
- inform CCFH of
  - the progress on the Guidelines on PAL; and
  - the request made to FAO/WHO to provide guidance on qualitative risk assessment.
- that once work on PAL is completed by CCFL, CCFL will request CCFH to consider in the CXC 80-2020 including information on conducting risk assessment in relation to PAL.
- request FAO/WHO to provide:
  - guidance for qualitative risk assessment;
  - scientific advice on the level of RfDs or concentrations for cereals containing gluten or gluten; and
  - capacity building activities to countries on the PAL and risk assessment.
- request CCEXC87 to extend the deadline for completion of work to 2026.
- re-establish the EWG chaired by the United States of America and co-chaired by Australia and the United Kingdom, working in English, to continue drafting the guidelines taking into account the discussions and decisions above, written comments submitted at the session and advice from CCMAS, for circulation for comments at Step 6 and consideration by CCFL49.
- leave open the possibility to hold a Physical Working Group (PWG) or VWG prior to the next session.

93. The report of the EWG should be submitted to the Codex Secretariat at least three months prior to CCFL49.

### **GUIDELINES ON THE PROVISION OF FOOD INFORMATION FOR PRE-PACKAGED FOODS TO BE OFFERED VIA E-COMMERCE (Step 7) (Agenda item 6)<sup>9</sup>**

94. The United Kingdom, Chair of the EWG, speaking also on behalf of the co-Chairs, Chile, China, India, and Japan, introduced both the report of the EWG, and VWG and summarized the broad outcome of the discussions from the VWG as contained in CRD03, noting that in the VWG the discussions focused on only the outstanding issues from CCFL47 i.e. Section 5.1 -The 'Indication of Durability' Clause and 'Durability' Definition; Section 5.3 - Small Unit Exemption; and Section 5.4 - Costs to the Consumer. It was noted that Section 1 – Purpose was not discussed in the VWG.

95. The Chairperson proposed that the Committee base its discussions on CRD03 and consider the draft guidelines section by section, but with a special focus on the identified outstanding issues.

96. CCFL48 agreed to the Chairperson's proposal, endorsed all the sections and its corresponding provisions with minor editorial changes, and further made the following decisions.

#### **Section 1 Purpose**

97. CCFL48 noted the text in square brackets did not provide additional clarity and agreed to delete it.

<sup>9</sup> CX/FL 24/48/6; CX/FL 24/48/6 Add.1 (Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Egypt, European Union, Guatemala, Honduras, India, Indonesia, Madagascar, New Zealand, Paraguay, Saudi Arabia, South Africa and Alianza Latinoamericana de Asociaciones de la Industria de Alimentos y Bebidas (ALAIAB), Council for Responsible Nutrition, European Federation of Allergy and Airways Diseases Patients' Associations, Food Industry Asia, FoodDrinkEurope, ICBA, ICGMA, ICGMA, ICUMSA, IDF/FIL, International Association of Consumer Food Organizations, International Special Dietary Food Industries)

### Section 5: Food Information Principles

98. CCFL48 noted that this provision had been extensively discussed in the VWG and took the following decisions on the relevant principles and provisions:

#### Principle 5.1

- Agreed to the recommendation of the VWG to transfer the provisions related to the “indication of durability and durability definition” to Section 6, noting that these aspects were related to providing information prior to shipping of food at the point of e-commerce sale.

#### Principle 5.2

- Agreed to this principle as proposed.

#### Principle 5.3

- Supported the principle with further amendment to clarify that the exemptions for small units can be allowed by competent authorities in specific circumstances.

#### Principle 5.4

- Amended the principle by replacing the term “fee” with “a charge” with a view to ensure clarity.

### **Section 6: Optional information prior to the point of e-commerce sale**

99. CCFL48 acknowledged that the proposed provision in Section 6 provided optional information related to the shipping of food and not food information and endorsed the recommendation to amend the title of the section to delete the word “food”.

100. CCFL48 considered the proposed provision 6.2 that describes how the product information related to date marking/before, before quality before, use-by or expiration date should be provided. One Member requested that this provision be removed as this information cannot be provided accurately. However, this was not agreed and it was proposed to revise the provision as follows:

- To delete the term “seller policy” as this term was not clear to whom it referred, and that the provision should instead describe a relationship between the “shipping date” or “delivery date” and other dates related to the food at the point of delivery.
- Delete the term “date marking” as there was no definition for it in CXS 1-1985.

101. Based on the above considerations, the provision was amended as follows:

“6.2 A statement may be provided on the product information e-page prior to the point of e-commerce sale to inform the consumer about the relation between the best before, best quality before, use-by, or expiration date and the product shipping date or at the point of delivery.”

102. An Observer noted that the food information on pre-packaged foods, intended for infants and young children, that is offered via e-commerce, should also comply with the International Code of Marketing of Breast-Milk Substitutes and the subsequent WHA resolutions as well as the Code of *ethics for international trade in food including concessional and food aid transactions* (CXC 20-1979) and proposed that these texts be also included in the text. Another Observer proposed that the guidelines should include provisions on mandatory information relevant to food safety and health, especially allergen labelling.

103. In response to the two proposals from the Observers, the Chairperson explained that there were many Codex texts that would be applied during e-commerce, and it would not be possible to include all the texts in these guidelines. In the case of the proposal to include a provision for allergen labelling, it was pointed out that this aspect could be considered after the work on allergen labelling.

### Conclusion

104. CCFL48 agreed to forward the draft guidelines on the provision of food information for pre-packaged foods to be offered via e-commerce to CAC47 for adoption at Step 8 (Appendix IV).

**GUIDELINES ON THE USE OF TECHNOLOGY TO PROVIDE FOOD INFORMATION IN FOOD LABELLING (Step 7) (Agenda item 7)<sup>10</sup>**

105. Canada, as Chair of the EWG, speaking also on behalf of the co-Chairs India and New Zealand, introduced the item and provided an overview of the guidelines and background of this work. The EWG Chair also provided a summary of the key points of discussion in the EWG, and comments submitted in reply to CL 2024/55-FL, including recommendations for consideration by the Committee. The EWG Chair noted that CRD04 contained the guidelines, as revised by the EWG Chair and Co-Chairs, based on written comments submitted to this Session.
106. CCFL48 agreed to consider the revised guidelines presented in CRD04. In addition to editorial amendments to ensure consistency with terminology used in the document and Codex texts, the Committee made the following comments and revisions to ensure the clarity and accuracy of the provisions.

**General Comments**

107. CCFL48 noted that there were no general comments on the revised guidelines.

**Specific Comments**

Section 3 – Use

108. CCFL48 noted an Observer's request to provide information provided by technology relevant to foods for infants and young children and whether it would be appropriate to include a reference to the WHO International Code of Marketing of Breast-milk Substitutes and related WHA Resolutions.
109. Members noted the following about this request:
  - (a) The guidelines do not refer to specific labelling provisions, whether mandatory or voluntary, but rather general guidance on labelling provisions and their potential ability to be provided using technology; hence, referencing specific texts would not be appropriate.
  - (b) The guidelines refer to food information covered by CXS 1-1985 and any other Codex texts that could be provided using technology; therefore, this work should not be extended to reference external texts outside of the scope of this document.
  - (c) If further work is needed to address the information on foods for infants and young children using technology, this could be addressed in specific Codex texts for infants and young children developed by the relevant Codex committee. These texts may include aspects related to marketing, e-commerce, etc.
  - (d) The guidelines should remain generic and applicable to all foods. While recognizing different risk levels for individual commodities, defining specific foods would hinder the ability to address all commodities broadly. Specialized committees can, therefore, adapt the general guidelines as necessary.

**Conclusion**

110. CCFL48 agreed to leave the section unchanged.

Section 5 – Considerations for deciding if information required on a pre-packaged food's label or labelling could instead be provided to consumers using technology

Section 5.1(b)

111. A Member Organization provided a revised text as it was of prime importance that all specific subsets of the population, such as elderly people (i.e. not only specific subsets for whom the food information is intended), had not only a "widespread" and "adequate" but also "easy" access to the technology and had "widely" adopted its use when mandatory food information was no longer given on the label/labelling of a prepackaged food but only described or presented using that technology.
112. CCFL48 exchanged views on whether to retain all or some of the qualifiers proposed to ensure or facilitate access and adoption of the technology, considering the general population, specific subsets (e.g. the elderly), and geographic regions. In considering different options, the Committee noted that this section addressed two interlinked concepts: accessing and adopting technology. It was noted that if the general population, including subsets, had

<sup>10</sup> CX/FL 24/48/7; CX/FL 24/48/7 Add.1 (Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Egypt, European Union, Indonesia, Japan, New Zealand, Paraguay, Peru, Saudi Arabia, Thailand, United Kingdom, Uruguay, USA and BEUC, European Federation of Allergy and Airways Diseases Patients' Associations, Food Industry Asia, FoodDrinkEurope, Guatemala, ICBA, ICGMA, IDF/FIL, IFT, International Confectionery Association, International Special Dietary Food Industries); CX/FL 24/48/7 Add.2 (Comments by ALAIAB, FIVS, the International Association of Consumer Food Organizations (IACFO)

adequate, easy, and widespread access to technology, regardless of the technology, this would suffice to adopt it. It was also noted that even if technology were “adequate,” “widespread,” “easily” accessible, as well as “widely” accepted and available, this would not necessarily guarantee its “wide” adoption. Consequently, the term “widely” would not be necessary to qualify the adoption of the technology. It was further noted that retaining “easy” access to technology was key, particularly for subsets of populations such as the elderly.

### **Conclusion**

113. CCFL48 agreed to revise the section to refer to specific subsets of the population, in addition to the general population; that access to technology should be, besides adequate and widespread, easy. CCFL48 further agreed not to use the term “widely” and to simply refer to the “adoption of technology”.

### **Section 5.1(c)**

114. A Member Organization noted that this section also needed to cover the consumer's understanding of the information described or presented using technology. To this end, the Member proposed introducing additional text to ensure that, in applying this provision, there was evidence of similar consumer understanding of the food information when such information was not given on the label but by technology.
115. It was noted that this addition may change the intent of the provision and that this concern might already have found accommodation in the revised Section 5.1(b).

### **Conclusion**

116. CCFL48 agreed to leave the section unchanged.

### **Section 5.2**

117. A Member Organization noted that not only the name of the food and food information concerning health and safety should always be provided on the label/labelling of the food but also other mandatory food information necessary for the consumer at the time of sale, e.g. net weight or other mandatory information as determined by the competent authority may also be included so that consumers can make an informed purchasing decision. The Member noted that this proposal still retained the generic nature of the provision. Another Member and an Observer supported this proposal and its rationale.
118. Other Members, supported by an Observer, did not support the revision of Section 5.2. One Member pointed out that the proposed text was too broad, as any mandatory information might be necessary for some consumers to make an informed choice. Also, it was indicated that Section 5.3 addressed when food information should not only be provided using technology. They stressed that Sections 5.2 and 5.3 were complementary and should be read together when proposing amendments to either section.
119. A Member noted that the terms “health” and “safety” needed to be clarified to facilitate the application of mandatory labelling by competent authorities and their understanding by FBOs. The Member further noted that it was unclear whether the term “health” would account for issues impacting health but unrelated to food safety yet remaining within the Codex’s mandate, such as nutrition labelling vis-a-vis non-communicable diseases, food allergens, etc. An Observer supported this comment and further noted that while food safety should undoubtedly be prioritized, the term “health” was unclear and too broad in this specific context and, therefore, this term should either be removed or be defined or replaced by another clearer term.
120. CCFL48 considered removing the term “health” and keeping only “food information concerning safety” for clarity and alignment with the Codex’s mandate.
121. The Representative of WHO raised concerns regarding a proposal to remove the reference to information concerning “health” from the information that should not be provided exclusively using technology. The Representative explained that even when people have access to technology, the inability to use it would introduce an obstacle for consumers, including children, to access and use information essential to help protect their health if the reference to information concerning health could be provided exclusively using technology. The Representative added that the proposal to remove the reference to information concerning health was inconsistent with CXS 1-1985 and other Codex texts, which include provisions for the presentation of information on labels.
122. Members in support of retaining the concept of “health” noted that health information covered nutrient declaration, front-of-pack labelling, etc. This is important information for consumers to protect their health and make informed purchasing choices, which was in line with Codex’s mandate. An Observer added that this would also prevent such information from being exclusively provided by technology, which could undermine Codex’s work on mandatory nutrition labelling and contradict other relevant Codex standards. Another Observer supported the retention of the term “health” as indicated by the Representative of WHO.

123. CCFL48 noted general support for the concept of “health” but agreed to use the term “nutrition” instead. This change aimed to clarify the distinction between “food safety” and “nutrition” ensuring the latter aligned with the Codex’s mandate. The Committee also noted support for the addition of “and any other mandatory food information as determined by the competent authority” proposed in paragraph 117 as a solution.

### **Conclusion**

124. CCFL48 agreed with the revised Section 5.2 with additional changes per the discussion above.

### **Section 5.3**

125. CCFL48 noted this section had a different purpose from the previous section. Section 5.3 addressed foods for which each product might have different labelling information, e.g. lot code or date marking, that should not be provided exclusively by using technology if doing so compromised the ability to relate the food information to the individual product. As such, it did not cover the situation in Section 5.2 related to other food labelling information necessary for the consumer that should not be provided exclusively by using technology.

### **Conclusion**

126. CCFL48 agreed to leave the section unchanged.

### **Section 7.3**

127. CCFL48 noted general support for removing the term “solely,” as regardless of whether mandatory food information is provided exclusively via technology or additionally on the label, it should still meet the specific requirements laid down in this section.

128. CCFL48 further noted support for retaining the concept that mandatory food information should be presented together in one place, whether on the label or in the digital space, to ensure it is readily identifiable and easily distinguishable. To clarify the provision, it was agreed that the information should be “presented together” instead of “grouped together.”

### **Conclusion**

129. CCFL48 agreed with the revised Section 7.3 with additional changes per the discussion above.

### **Section 7.5**

130. CCFL48 considered removing the term “solely” from this section for consistency with the decision made in Section 7.3. It was clarified that the term “solely” in this context was linked to long shelf-life foods that could be available for a long time on the market, particularly if other formulations of the same food were on the market, consumers would always have access to this information when such information is available only through technology and not on the label, and be kept for the period of time indicated in the provision. Therefore, the term “solely” in Section 7.3 was about how this information is presented, while the same term in this section was about the period of time that the same information will be available when presented exclusively using technology. Based on this explanation, CCFL48 agreed to retain this term in the section.

131. CCFL48 also considered a proposal to delete the last sentence of the section as redundant. It was explained that there was extensive discussion regarding the use of “best-before date” (indicating quality) versus “expiration date” (indicating safety) for labelling by which foods may remain suitable after the best-before date but must adhere strictly to the use-by date for safety. The additional sentence in the text, while potentially unnecessary, was included to clarify this distinction, specifying that for items with an expiration or use-by date, the product remained safe at least up to that date. Therefore, the last sentence was intended to reinforce the previous sentence by clarifying how long pre-packaged food information should be accessible for consumer safety to ensure the food is safe and suitable for human consumption. Based on this explanation, the Committee agreed to retain the last sentence in the section.

132. CCFL48 noted that the “mandatory food information” in Sections 5.2 and 7.5 covered different situations, although they were interlinked. It was clarified that mandatory food information in Section 5.2 referred to information that cannot be provided exclusively by technology, while mandatory food information in Section 7.5 referred to how long the mandatory food information other than those in Section 5.2, when available solely through technology, should be kept on the online platform to ensure the product remains safe and suitable for human consumption. To improve clarity, the Committee agreed to add at the beginning of Section 7.5 that, subject to Section 5, provisions related to Section 7.5 would apply as described.

133. A Member organisation proposed that for prepackaged foods that are labelled with a use by or expiration date, consideration should be given to the fact that some of these foods are often frozen by consumers to be consumed at a later stage.

**Conclusion**

134. CCFL48 agreed with the revised Section 7.5 without further changes.

**Section 7.6**

135. A Member Organization requested additional language to address broader rules covering not only “information that may be used to identify an individual”, as regulations on data protection may vary depending on countries/regions.

136. The Representative of WHO noted that digital environments have become a predominant source of exposure to promotion of unhealthy foods and of breastmilk substitutes globally, and referenced new guidance developed in response to WHO member state requests on regulatory measures aimed at restricting digital marketing of breastmilk substitutes. The Representative expressed concern that consumer information collected when accessing food information via technology is likely to lead to increased digital marketing of products and proposed text in 7.6. to ensure protection of consumers’ information. Observers supporting this view expressed concern about consumer data collection.

137. CCFL48 agreed to the following “Food information described or presented using technology shall be readily accessible without consumers having to provide or disclose any information.”. This text would accommodate concerns expressed by other Members that Codex texts should not refer to data protection rules but should be left to countries to implement in their national legislation.

**Conclusion**

138. CCFL48 agreed with the revised Section 7.6 with the additional change per the discussion above

**Section 7.7**

139. A Member Organization requested additional language to ensure that when food information is provided by technology, consumers have a clear and easily accessible link between the product and the food information, as this did not depend only on the amount of information but also on how the information was presented. CCFL48 concurred with this proposal.

**Conclusion**

140. CCFL48 agreed with the revised Section 7.7 with the additional change per the discussion above.

**Section 7.10**

141. It was explained by the EWG Chair that the use of the term ‘audible’ had received broad support in the EWG and also from the written comments submitted to this Session, provided that it would not replace written, legible information provided on the physical label. CCFL48 agreed to the following “Food information described or presented using technology shall be clear, prominent and readily legible, and, if applicable, audible, to the consumer under normal settings and conditions of use of the technological platform.”

**Conclusion**

142. CCFL48 agreed with the revised Section 7.10 with the additional change per the discussion above.

**Section 7.12**

143. CCFL48 agreed with the revision that aligns with the section 5.4 of the e-commerce guideline (see agenda item 6).

**General Conclusion**

144. CCFL48 agreed to forward the Guidelines on the use of technology to provide food information in food labelling to CAC47 for adoption at Step 8 (Appendix V).

**AMENDMENTS TO THE GENERAL STANDARD FOR THE LABELLING OF PRE-PACKAGED FOODS (CXS 1-1985): PROVISIONS RELEVANT TO JOINT PRESENTATION AND MULTIPACK FORMATS (Step 4) (Agenda item 8)<sup>11</sup>**

145. The Codex Secretariat introduced the item, as Colombia the Chair of the EWG was unable to physically attend the session and provided a brief background to the work noting that preliminary discussions on the topic started at CCFL44 (2017) and that CCFL47 agreed to start new work on the labelling of pre-packaged foods in joint presentation and multipack formats through an EWG led by Colombia and Jamaica. Based on the comments

<sup>11</sup> CX/FL 24/48/8; CX/FL 24/48/8 Add.1 (Comments by Argentina, Australia, Brazil, Canada, Chile, Colombia, Ecuador, Egypt, European Union, Guatemala, Honduras, India, Indonesia, Iran, Jamaica, New Zealand, Paraguay, Saudi Arabia, South Africa, Thailand, Uruguay, USA and Food Industry Asia, FoodDrinkEurope, ICBA, ICGA, International Confectionery Association)

received in reply to CL 2024/56-FL, an updated version of the draft provisions was prepared as presented in CRD05 and CRD38.

146. The Chairperson proposed to hold broad discussions based on CRD38 and drew the attention of the Committee to the proposed revisions to CXS 1-1985 in Sections 2 (Definition of terms); Section 4 (Mandatory labelling of pre-packaged foods); and Section 8. (Presentation of mandatory information).

### **Discussion**

#### Section 2: Definition of terms

147. CCFL48 exchanged views on how the two terms i.e. "joint presentation" and "multipack" could be best incorporated into Section 2 on Definition of terms. During the discussions, the following three options on the mechanism for defining and integrating the terms into the CXS 1-1985 were proposed:

#### Option 1 – Revision to the draft definition

148. CCFL48 noted that CRD05 had proposed amending the existing definition of the term "Container" and the Committee agreed to the deletion of the reference to the word "consumer". It was also proposed that the sentence on examples could be further simplified i.e.

**"Container"** means any packaging of food for delivery to the consumer as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer. [Example: several units or types of packages of the same or different nature to be consumed together (joint presentation) or separately (multipack)].

#### Option 2 – Include stand-alone definitions for "joint presentation" and "multipack"

149. Alternatively, it was proposed that stand-alone definitions for the terms "joint presentation" and "multipack" be established, and the following preliminary definitions were put forward for further consideration:

- **Multipack** means a pre-packaged food containing more than one inner package of the [same, similar or different] foods [where the inner packs of the foods are intended to be consumed separately]. For example, small packages of crisps of different flavours in a larger package.
- **Joint presentation** means a pre-packaged food containing more than one type of food [intended to be eaten together]. For example, yogurt and cereal.

150. For this option, some parts were kept in square brackets as Members raised concern on whether intention of consumption should be indicated as it was difficult to define.

#### Option 3 – Retain the original definition of the term "Container" and insert the examples

151. It was pointed out that the definition for the term "Container" in CX 1-1985 was a wide-reaching definition that is used in a number of Codex texts and extensive revision to this definition could potentially change the meaning of other Codex texts, e.g. *General Standard for the labelling of non-retail containers of foods* (CXS 346-2021), where a similar term is also used. However, consideration could be given to a simpler approach where two new terms i.e. "joint presentation" and "multipack" are included as examples at the end of the definition in a more simplified way and that this would not change the meaning of container i.e.:

**Container** means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers. A container may enclose several units or types of packages when such is offered to the consumer in joint presentation or multipack.

152. This option may also consider including this standalone definition for joint presentation and multipack formats in addition to the revisions above.

153. Some Members proposed that before the definitions for the two new terms are established, an analysis of CXS 1-1985 should be undertaken to determine; the need for such definitions and the provisions in the standard that would need modification and/or revision to address labelling of foods in "multipack" and joint presentation" formats. It was noted the need to ensure that, in case of joint presentation and multipack formats, the mandatory information is accessible(visible) through the outer wrapper or the outer wrapper carries the mandatory information.

154. The Chairperson noted that there was mixed support for the different options and proposed that CCFL48 consider re-establishing the EWG to undertake further work on this topic taking account the above identified options.

## **Conclusion**

155. CCFL48 agreed:

- (i) to return the draft amendments to the *General standard for the labelling of pre-packaged foods* (CXS 1- 1985): Provisions relevant to joint presentation and multipack formats to Step 2/3 for further consideration by the EWG.
- (ii) to re-establish an EWG chaired by the Colombia and co-chaired by Canada, India and Jamaica, working in English and Spanish, to continue drafting the guidelines taking into account the discussions above and written comments submitted at the session for circulation for comments at Step 3 and consideration by CCFL49.
- (iii) the EWG report shall be made available to the Codex Secretariat at least three months in advance of CCFL49.

## **LABELLING OF ALCOHOLIC BEVERAGES (Agenda Item 9)<sup>12</sup>**

156. The Representative of WHO introduced the discussion paper and highlighted that the paper was developed based on the outcome of a questionnaire issued through a CL that sought views on two main elements: i) the need to develop specific provisions on mandatory labelling requirements for alcoholic beverages (including health and nutrition related information, restrictions and exemptions); and ii) the possible scenarios that could be implemented for the development of mandatory requirements.

157. The Representative of WHO indicated that the majority of responses to the CL expressed that CCFL should consider developing mandatory labelling requirements on:

- (a) health-related information tailored to alcoholic beverages that are currently not covered by Codex texts, and those included alcohol volume, drinking guidelines, risks during pregnancy, risks of drinking and driving, and legal age limits.
- (b) some of the nutrition-related information such as energy value, allergens, additives, gluten, and other ingredients causing allergies or intolerance.
- (c) restrictions on health and nutrition claims.

158. The Representative of WHO indicated that there were split views in the responses to the CL on:

- (a) developing mandatory labelling requirements on other nutrition-related information such as carbohydrates, total sugars, sodium, proteins or fats.
- (b) whether there should be labelling exemptions for alcoholic beverages.
- (c) revising the definition for food that is included in existing Codex standards to cover alcohol or developing new definitions for drinks and non-alcoholic drinks.

159. Based on the analysis of the responses from CL, the WHO recommended that CCFL considers amending/revising existing Codex standards to include specific provisions for alcoholic beverages; revising the standard definition of "food" to explicitly include alcoholic beverages; developing new definitions related to alcoholic beverages; and developing mandatory requirements for alcoholic beverage labels.

160. The Chairperson thanked WHO for presenting an elaborate background work, noted that no project document had been prepared, however interested Members were welcome to lead the work and called for comments on the proposals in the paper.

## **Discussion**

161. CCFL48 held a general discussion on the necessity for new work. There was broad recognition that alcoholic beverages were covered under the Codex definition for food, and that they could be addressed within the mandate of Codex. It was also highlighted that CXS 1-1985 and the *Guidelines for use of nutrition and health claims* (CXG 23-1997) provided a good foundation for the labelling of alcoholic beverages.

162. Members who supported undertaking new work on labelling of alcoholic beverages pointed out that such work would be useful in supporting the WHO recommendations on alcohol. The following views and proposals were expressed in support for new work:

- (a) Globally, countries and regional economic communities have undertaken or are undertaking steps to establish regulations for the control of alcohol which include mandatory labelling; declaration of the actual

percentage of alcohol by volume; and restrictions on health and nutrition claims. Any new work undertaken by Codex in this area would support regional and global harmonisation of technical requirements on labelling.

- (b) In case CCFL decides to undertake new work in the area, such work should be limited to the revision or amendments to the relevant Codex texts to clarify and address the existing gaps around the application of such texts to alcoholic beverages and incorporate other specific information that would apply only to these types of beverages. For example, CXG 23-1997 could be revised to: clarify the type of claims that should be allowed on alcoholic beverages and the restriction on nutrition and health claims; while the CXS 1-1985 could be reviewed to provide for: indication of the alcohol content on alcohol beverages in percentage by volume of alcohol; health warnings, nutritional topics, among others. This approach would avoid a fragmentation of the standards and make it possible to effectively standardize the labelling in this sector.
- (c) Consumers should be provided with information that seeks to ensure that alcoholic beverage labelling is truthful, accurate and substantiated and Codex standards should aim to achieve this aspect.

163. Delegations that did not support undertaking work on mandatory labelling of alcoholic beverages pointed out that:

- (a) existing texts on food labelling (i.e. CXS 1-1985 and CXG 23-1997) were already providing sufficient comprehensive guidance to national and regional authorities to develop mandatory labelling requirements including listing of ingredients, nutritional information, food additives, allergens like sulphites, energy values, country of origin etc. and there was no need and that it would be an inappropriate use of limited resources to undertake new work in this area.
- (b) because alcoholic beverages were captured in the Codex definition for food, CCFL labelling standards and guidelines already applied to alcoholic beverages.
- (c) as all the CCFL labelling guidance can be applied to alcoholic beverages, the WHO could consider working with its Members to assist them in developing national policies to implement the existing texts on food labelling

164. The International Organisation of Vine and Wine (OIV) drew the attention of the Committee to OIV existing standards on labelling of wines and spirituous beverages of viticultural origin noting that these standards are based on CXS 1-1985, as well as relevant standards from the other international intergovernmental organisations like the International Organisation of Legal Metrology (OIML). The OIV standard specifies mandatory information that must appear on labels including health related information, product definition, alcoholic strength, country of origin, allergen labelling and several other specifications. Other optional information such as variety, name, vintage, type of wine according to the sugar content, the list of ingredients and the nutritional information is also included. In their opinion, there would appear to be little benefit to developing a new Codex standard dedicated to alcoholic beverages in duplicating the existing work on this subject, but that the OIV was ready to assist if the CCFL decided otherwise.

165. Observers drew the Committee's attention to consumers being unaware of the risks of alcohol consumptions, including the link with cancers. The Observers highlighted that alcohol falls within the definition of food and are discussed in several texts noting that these texts do not address the unique health harming properties of alcohol. The Observer also highlighted that internationally agreed standards do not exist on health information warnings on alcoholic beverages. Observers also provided a reference to a recent systematic review that outlined the growing evidence that health warning labelling interventions can support reduction in alcohol use and alcohol sales.

166. The Chairperson summarized the discussion noting that there were some delegations who expressed support for undertaking new work in relation to alcohol labelling, while other delegations were not in favour as they believed that the current labelling provisions, in CXS 1-1985 and CXG 23-1997 adequately covered the mandatory labelling provisions in relation to alcohol since alcohol falls under the definition of food. It was also proposed that some gaps in the existing Codex texts could be addressed through amendments or revisions to the existing Codex texts. In the absence of a clear project document and scope of what the work would cover, and a Member coming forward to lead the next steps, it was not possible for CCFL to decide whether to proceed with new work or not.

167. A proposal was made to hold a side-event on alcohol labelling and regulation at the next session, to increase knowledge and exchange experience of countries in this area.

168. The Chairperson noted that the Members may contact the Codex Secretariat in advance of CCFL49 and subject to time and cost considerations, a side event may be organized.

### **Conclusion**

169. CCFL48 agreed to keep the work on the inventory of future work, and that Members could submit a project document in reply to the CL requesting proposals for new work.

## APPLICATION OF FOOD LABELLING PROVISIONS IN EMERGENCIES (Agenda Item 10)<sup>13</sup>

170. The United States of America, as Chair of the EWG, introduced the item and summarized the background of the work, the work process followed by the EWG, and the key outcomes of the discussions of the EWG.

171. The EWG Chair indicated that current and past emergencies had led many countries to consider how food labelling provisions could be applied in emergency situations to ensure a safe and adequate food supply. This work aimed to provide guidance to facilitate governments' consideration of food labelling measures in emergencies while ensuring the safety of the food supply and fair practices in the food trade. Codex labelling texts did not provide guidance on whether and how countries may consider the application of food labelling provisions in emergency situations; hence, there is a crucial need for CCFL to develop guidance in this regard. An outline of the guidelines was provided in CX/CF 24/48/10 for information and could be used as the basis for discussion in the EWG following CAC's approval of new work.

172. The EWG Chair explained that the primary goal was to develop high-level criteria and principles. These would guide governments' tailored application of food labelling provisions in specific emergencies, ensuring a safe and adequate food supply, fair trade practices, and abuse prevention.

173. CCFL48 noted general support for developing the guidelines, which could assist competent authorities and contribute to emergency preparedness.

### Discussion

174. CCFL48 noted two areas of concern that should be captured in the project document.

#### Food labelling exemptions for emergencies

175. Members commented as follows:

- From a domestic perspective, a country may exempt certain products from labelling requirements during a domestic emergency. However, if these exempt products are exported, they must meet the labelling requirements of the importing country. The guidelines should not permit competent authorities to unilaterally bypass mandatory labelling requirements of the importing country without the agreement of the competent authorities of the importing country. Mutual consent was needed in labelling exemptions, particularly for exports, to maintain transparency and uphold food safety and quality standards. The scope therefore should be limited to foods marketed within the domestic (internal) market and to foods exported only if the importing country consents to any modifications or exemptions in labelling. This would prevent countries from using the guidelines to remove mandatory labelling from exported products.
- From an import perspective, the importance of aligning food emergency aid with Codex food quality and safety standards to prevent the distribution of substandard products during crises was emphasized. The need to prevent/ protect against substandard food "dumping" during emergencies, particularly in areas vulnerable to natural disasters, was also stressed.

#### Risk to vulnerable populations arising from the use of food labelling exemptions in emergency situations

176. An Observer expressed concerns that relaxed labelling standards during emergencies could risk Codex principles by undermining decades of work on labelling standards. Reduced labelling could lead to commercial exploitation, creating markets for unnecessary or inappropriate products. Declaring an emergency was politically sensitive, and emergency provisions should be safeguarded from commercial influence. Therefore, there was a need for political independence in emergency labelling declarations.

177. The Observer suggested focusing on vulnerable populations, like infants and young children, and emphasized the importance of clear, essential labelling, especially for infant and young child food products, as these groups face high risks in emergency situations. The Observer emphasized that foods for infants and young children provided in emergencies must comply with the provisions of the International Code of Marketing Breast-Milk Substitutes and subsequent WHA resolutions and operational guidance on infant feeding in emergencies. Another Observer supported this view.

### Revision of the project document

178. CCFL48 reviewed the project document and noted that further work on principles and criteria would be undertaken in the EWG. Key revisions revolved around the purpose and scope and the main aspects to be covered by the proposal for new work to capture comments made by Members and Observers, e.g. labelling flexibilities would apply only when accepted by both domestic and import authorities; the need for risk and vulnerable population when

<sup>13</sup> CX/FL 24/48/10

considering labelling flexibilities, so that any exemptions should prioritize the safety of information on pre-packaged foods; the need for labelling flexibilities should be paired with clear communication strategies that would ensure critical information about ingredients remains accessible to protect consumers' health even as food demand rises and supply may be limited; refer to general criteria to maintain high-level, non-technical guidance; delete examples to align with Codex's general policy to avoid examples in standards and related texts; refer to relevant Codex texts developed by the Codex Committee on Food Import and Export Inspection (CCFICS); etc.

179. The Representative of WHO highlighted that it was important to recognize that, particularly during emergencies that last for long periods of time and can aggravate health conditions and the risk of severe illness and death, safeguarding food safety and adequacy would be insufficient to protect populations' health. The Representative also indicated that the terms safety and adequacy, in the different Codex official languages, did not encompass other health-related issues, such as nutrition, and suggested other safeguards concerning populations' health, such as nutrition, should be included under the purpose and scope of this new work proposal.

### **Conclusion**

180. CCFL48 agreed to:

- (i) start new work on the application of food labelling provisions in emergencies and submit the project document for approval by CAC47 (Appendix VI).
- (ii) establish an EWG, chaired by the United States of America, working in English, to prepare proposed guidelines for circulation and comments at Step 3 and consideration by CCFL49.
- (iii) request the EWG to consider the discussion in the Committee and all the written comments submitted for consideration by CCFL48.
- (iv) leave open the possibility of a PWG or VWG, chaired by the United States of America, meeting before CCFL49 to prepare a revised proposal for consideration by CCFL49; and
- (v) inform CCFICS of the new work.

181. The EWG report must be made available to the Codex Secretariat at least three months before CCFL49.

### **TRANS FATTY ACIDS (TFAs) (Agenda Item 11)<sup>14</sup>**

182. Canada introduced the item, provided a brief background on the discussion on TFAs in CCFL and recalled the decision of CCFL47 to defer discussion to CCFL48 so that Canada could prepare a discussion paper taking into account discussions at CCFO28. Noting that CCFO28 had agreed to start new work to revise three Codex standards on fats and oils to include a prohibition on partially hydrogenated oils (PHO) and/or limits on industrially produced TFAs (iTFA),<sup>15</sup> and that this work would influence the direction of the CCFL discussion paper, it was suggested CCFL48 retain the topic in the inventory table under the agenda item on future work until CCFO completes their work.

### **Conclusion**

183. CCFL48 agreed to retain TFAs in the inventory table under the agenda item on future work, and to consider returning to it once the CCFO work on TFAs is completed.

### **SUSTAINABILITY LABELLING CLAIMS (Agenda item 12)<sup>16</sup>**

184. New Zealand, as Chair of the EWG, introduced the Item on behalf of the co-Chairs, Costa Rica, European Union, and United States of America, and provided a summary of the outcome of the work of the EWG noting that:

- (a) 25 unique guidance documents were identified of which nine (9) were International Organization for Standardization (ISO) documents and could only be accessed by payment. Most of the identified documents were not specific to food, but on sustainability or environmental sustainability more broadly.
- (b) The *General guidelines on claims* (CXG 1-1979) do not provide adequate guidance to ensure sustainability claims are meaningful and not misleading. Some sustainability labelling claims found on food labels could not be captured by the definition of a claim in CXG 1-1979.
- (c) The identified three pillars to sustainability include environmental, economic and social pillars.

<sup>14</sup> CX/FL 24/48/11

<sup>15</sup> REP24/FO, paragraph 124

<sup>16</sup> CX/FL 24/48/12

(d) According to the analysis of the results of the CCFL47 stock take, most of the sustainability related labels on food were found to be based on or included environmental aspects

185. The EWG chair explained that the proposed new work was within the context of the CCFL terms of reference i.e. to address claims being meaningful and not misleading. As more and more environmental claims appear on food packages, CCFL could play a useful role in providing the necessary assurances to consumers.

186. The EWG chair further explained that the initial proposal for new work had included claims not about the food but about the packaging or a commitment by the company producing the food, and as this did not fit with the current definition in CXG 1-1979, the new work proposal had been revised to focus only on what would fit with the current definition of a labelling claim (CRD31).

### Discussion

187. The Chairperson called for comments in support for the proposal in CRD31 or if there were any objections related to the new work proposals going forward.

188. CCFL48 noted the following comments in support for CCFL to undertake new work on environmental claims and the aspects that should be taken into consideration when undertaking the work:

- (a) The information collected during the preparation of the proposal provided evidence that there was a proliferation of sustainability claims, and the majority of these claims related to environmental aspects thus demonstrating the need to undertake work in this area so as to establish clear guidelines on sustainability labelling, in relation to food.
- (b) Environmental claims were currently being applied to food, and this application is anticipated increase in the future, it is timely to undertake work in this area, it would help avoid greenwashing, and such work should be within the mandate of CCFL.
- (c) The scope of work should focus on claims about the food and should exclude aspects on packaging; and claims related to infant formulas and baby foods. Similarly, the scope should not be limited only to the amendment of CXG 1-1979, consideration also need to be given to any other approaches such as establishing a guidance or information document to ensure that sustainability claim requirements are practical and achievable, to avoid discouraging progress towards sustainability in the food sector.
- (d) The work should ensure that the environmental claims on food are not deceptive and should respect established principles and provide stability for labelling and thus minimise confusion. inventory table under the agenda item on future work
- (e) Sustainability labelling will be a good incentive for producers to adopt responsible practices and to foster clear and transparent trade in the international market. The work will also promote the harmonisation of labelling practices, increase consumer awareness and reduce trade barriers.
- (f) In the development of the new guidelines, it would be important to take into account existing sustainability guidelines, developed by governments and any organisation such as the United Nations guidelines for providing product sustainability information, and that the sustainability labelling claim should be made when there is a third-party verification on the compliance of the sustainability standard or guidelines of the food production.

189. Delegations not in support of undertaking work on sustainability environmental claims expressed the following views:

- (a) The existing Codex claims framework covers environmental claims as explained by the Codex Secretariat at CCFL47 and is sufficient to support the ability of members to determine if claims are truthful and not misleading and are substantiated. The provisions in CXG 1-1979, especially paragraphs 1.2, 1.3 and 3.3, are enough to ensure claims in general, including sustainability or environmental claims are substantiated and not misleading.
- (b) The concept of “meaningfulness”, as used in the draft project document, was of concern. It was not clear and CCFL had never addressed it in the past, and countries do not have technical expertise to judge or assess the term. It was unclear how environmental claims on food sustainability differ from other types of claims, since environmental claims are fully captured in the definition of a claim in CXG 1-1979.
- (c) The stocktake undertaken showed that most of the standards concerning environmental claims on food are voluntary standards, and there are limited governmental regulations. It is not clear whether there are actual problems in trade.
- (d) This work, if undertaken, may undermine the work of international agencies that are actively working on establishing technical criteria around the meaningfulness of environmental claims and assessing their

environmental impact, and would add complexity to the existing guidelines that support countries to manage the risk of greenwashing.

(e) Discussions on sustainability and environmental aspects related to the food production chain should have gone to appropriate international technical forums with clear mandate and expertise on this subject. Environmental claims are inherently complex and must be supported by robust comparable sustainability system systems and standards. Without such frameworks establishing general principles, risks being inefficient potentially create confusion rather than clarity.

190. The EWG Chair clarified that the intent of the work was to provide examples within CXG 1-1979 to help, show how the existing provisions these guidelines relate to environmental claims and that the work would focus sections on potentially misleading claims and conditional claims as they relate to environmental claims.

191. Concerning the question related to the mandate of Codex about sustainability and environment, the Codex Secretary explained that environmental issues in the context of food safety and quality issues, for which Codex has developed standards, guidelines and codes of practice, was not new. The Secretary explained that the forthcoming CAC would be considering several draft texts that had been developed due to various environmental challenges. While not inappropriate to refer to environmental issues, the context in which such a reference or consideration is made was important, such as to ensure that it is relevant to the statutory purpose of Codex, to protect the health of consumers and facilitate fair practices in food trade. Similarly, among the terms of reference of CCFL, is to study problems associated with the advertisement of food, and with particular reference to claims and misleading descriptions. The proposal as presented in CRD31 referred to environmental claims in the context of potentially misleading claims, which would fit with the aforementioned term of reference for CCFL, and in particular the aspect relating to misleading descriptions.

192. Following a general discussion CCFL48 considered further revisions to the updated project document as contained in CRD31 and noted that those who expressed concerns did not consider the further revisions addressed their concerns. Support for the revisions was not sought, noting that consensus could not be reached.

193. The Chairperson noted that there were concerns expressed from some Members coming from different geographical regions on the new work and proposed to return the new work to the agenda item on future work and direction for CCFL and that it was open for discussion, should a new proposal be elaborated.

### **Conclusion**

194. While there was support from a number of Members for this work, CCFL48 noted the lack of consensus and agreed not to start new work on sustainability labelling claims and to return the proposed topic to inventory table of previous work identified by the Committee (no decision to undertake new work) noting that the topic was still open for discussion, should a new proposal be elaborated.

### **SUGAR LABELLING - DEFINITION FOR 'ADDED SUGARS' (Agenda item 13)<sup>17</sup>**

195. Costa Rica introduced the discussion paper highlighting that broad support among Codex Members and Observers on the need to establish a clear and harmonized definition of "added sugars" was received in reply to CL 2023/94-FL.

196. Costa Rica underscored that the definition should be based on sound scientific evidence, be practical for industry and understandable for consumers. It was noted that there is no clear analytical method to quantify and differentiate "added sugars" from naturally occurring sugars, but this should not preclude the development of a definition. A harmonized definition would support efforts for global harmonization, facilitating trade, ensuring transparency and improving consistency in food labelling.

197. Costa Rica further stressed that it would be important to consider involving the Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) and CCMAS in case of undertaking this work.

198. Costa Rica, drawing attention to CRD49, explained that the scope of the new work proposal had been revised to limit the work to developing a definition for "added sugars" and reviewing the claims for "no addition of sugars" in CXG 23-1997 in order to determine the need for subsequent amendments to ensure consistency with the definition; and that the work would not address nutrient declarations at this time, given comments received in response to the CL 2023/94-FL.

### **Discussion**

199. Diverse views were expressed on the proposal.

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<sup>17</sup> CX/FL 24/48/13

200. Members and Observers supporting the narrowed scope of the new work proposal expressed the following views:

- (a) A harmonised definition could reduce trade barriers noting that different definitions have been adopted by many national authorities; and this term was already used in existing Codex texts, such as CXG 23-1997.
- (b) A single harmonized definition used for labels and labelling could be useful for countries that do not have a definition.
- (c) The definition was fundamental for facilitating consumer understanding so that they can make informed decisions about their consumption. Differentiation between total sugars and “added sugars” was essential to provide consumer protection. This would allow consumers to identify clearly the content of “added sugars” in products, to therefore avoid misleading information and allow them to make more responsible and informed purchase decisions.
- (d) The definition of “added sugars” needed to be included in both the *Guidelines on nutrition labelling* (CXG 2-1985) and in CXG 23-1997 considering that both texts are related to the definition of “added sugars”. The provision on non-addition of sugar claims would need to be reviewed to be in line with the definition of “added sugars” that will be drafted.

201. A Member, while stating that they could support limiting the scope at this time, felt that CCFL should agree in principle on how the definition would be used in future otherwise there would be no clear vision of how the definition would be used once developed. A question was also raised whether it would not be more appropriate for CCNFSDU to develop the definition while CCFL could consider the application of the claim.

202. Those Members not supporting the proposal expressed the following views:

- (a) There was no need for a definition as CXG 23-1997 already covered claims for the non-addition of sugars; and that flexibility was necessary because “added sugars” regulations for food labelling are different depending on the situation of “added sugars” intake in each country or region and the issue of “added sugars” should be rather be considered within CXG 2-1985. These guidelines addressed nutrients considered relevant for maintaining a good nutritional status as required by national legislation or national dietary guidelines.
- (b) There were no analytical methods to differentiate between “added sugars” and naturally occurring sugars which would make such a definition unenforceable.
- (c) The aim of the work was to improve consumer health and available scientific opinions were clear on the fact that mono and disaccharides, as well as sugars naturally present in honey, syrups, concentrated fruit juices, and fruit juices have the same health effects. Thus, “added sugars” and free sugars had the same health effects. They therefore considered that any new work in this area should first consider all sugars, where there was scientific evidence of health risks, meaning both “added sugars” and free sugars.

203. Observers made the following observations:

- (a) Lactose should be excluded from the definition of “added sugars”, as it is naturally present in dairy products. Lactose is excluded from classification as free sugars in accordance with WHO guideline on sugars intake for adults and children published in 2015.
- (b) A wide range of mono and disaccharides and other sweeteners were added to foods, and all should be identified as “added sugars” to distinguish them from intrinsic sugars that are naturally found in foods that are otherwise nutritious. The inclusion of “added sugars” should be mandatory. Consumers had a right to full information about the quantity of “added sugars”, expressed as a percentage of “added sugars” by weight in the ingredient list, and as a subtotal of total sugars in the nutrition declaration panel. This work would support WHO’s call for a ban on “added sugars” and sweeteners in food products for babies and children under the age of three. In addition, it was proposed that there should be a comprehensive definition in the sense that the impact and limitation of non-sugar sweeteners should also be considered in the scope.
- (c) If work were to proceed, it would be essential to adopt a more nuanced and science-based approach, particularly for 100% fruit and vegetable juices which contain no “added sugars”, only the naturally occurring sugars present in the fruits themselves.
- (d) The recently revised Standard for follow-up formula for older infants and product for young children (CXS 156-1987), – Part B has set maximum limits for carbohydrates and limited the use of mono-and disaccharides. Moreover, CCNFSDU will start revising the standards on baby foods and will also address the appropriate levels of carbohydrates and sugars.

204. On the point of lack of available analytical methods, a Member clarified that there were other ways to enforce the definition.
205. The Chairperson, in addressing the concern about consultation with CCNFSDU, emphasized that CCNFSDU would be consulted, and their concurrence would be requested before proceeding with any further work on CXG 23-1997; as would CCMAS on the issue of methods of analysis.
206. CCFL48 noted a proposal that ISSLG should also be consulted to ensure that any definition could adequately inform consumers as intended.
207. The Representative of WHO noted that several Member States' normative work on defining "added sugars" as well as conditions to provide consumers with information concerning this concept have benefited from the WHO guideline on sugars intake, which provides a definition on free sugars. The Representative further noted that the development of a definition for "added sugars" in order to be protective of health of consumers would require to consider the concept of free sugars, to prevent misleading consumers to believe that products with free sugars that contain no "added sugars" are not harmful to diets and health. The Representative reiterated that if CCFL decided this new work is judged appropriate at this point, they would continue to support Member States and CCFL in establishing a definition that is able to protect consumers health.
208. Noting support from a number of Members to develop a new definition for "added sugars", but that there was need for clarity on where the definition would be used and what the scope of the definition would be, and to be clear that the work was not related to CXG 2-1985, the Chairperson proposed to consider if the scope and purpose of the work could be further refined.
209. However, no consensus could be reached after attempts to refine the scope and purpose. The Chairperson proposed to discontinue discussion at this time and to keep the topic on the inventory list for future work.

### **General Conclusion**

210. CCFL48 agreed to keep the topic on the inventory of future work, and that Members could bring forward a project document in reply to the CL requesting proposals for new work in the future.

### **FUTURE WORK AND EMERGING ISSUES (Agenda Item 14)<sup>18</sup>**

211. Italy introduced the item and summarized key findings based on the updated discussion paper, considering the replies received in response to CL2024/24-FL. The Delegation explained that the paper presented areas of potential work for CCFL, emerging issues of relevance to CCFL, proposals regarding work areas previously considered by CCFL and an inventory of potential CCFL future work. The Delegation informed CCFL that five Members and one Observer had replied to the CL and one new work proposal was submitted for consideration by CCFL48. A second new work proposal was submitted by an Observer as CRD20.

#### Revision to the *Guidelines for the use of nutrition and health claims* (CXG 23-1997) to include "high-in" claims

212. CCFL48 noted a proposal from Canada to develop guidelines for the use of "high-in" claims for nutrients that raise public health concerns due to excessive intake, particularly for sodium, saturated fats, and sugar.
213. Canada explained that the new work was related to the revision of the *Guidelines for the use of nutrition and health claims* (CXG 23-1997), specifically to develop guidance on "high-in" claims for nutrients of public health concern related to excessive intake. This proposal follows the CCNFSDU's decision not to pursue nutrient profiling work and the CCFL completion of the guidelines for front-of-pack nutrition labelling. The Delegation indicated that the proposal targeted nutrients linked to health risks when consumed excessively, specifically sodium (salt), saturated fats, and sugars. The goal was to add specific conditions for "high-in" claims on these nutrients to the table of conditions for nutrient content claims within the existing CXG 23-1997. The guidance was intended to help national authorities design interventions like front-of-pack labelling that align with national or regional health and nutrition policies. "High-in" claims could, thus, support policy interventions that highlight nutrients associated with negative health outcomes, distinguishing them from typical positive nutrition claims.
214. Canada further explained that the proposal was about setting out a framework for "high-in" claims within CXG 23-1997, including conditions to qualify for the claims, and then, based on this framework, to articulate a request to CCNFSDU to determine the levels of nutrient present in a food as part of the conditions to qualify for the claims. The Delegation concluded that this proposal aimed to establish clear, consistent criteria for "high-in" claims, helping to inform consumers and support health initiatives by spotlighting nutrients that pose health risks when consumed in excess.

**Discussion**

215. CCFL48 noted questions and concerns from Members concerning this new work proposal, which revolved around the following areas:

- (a) Fit Within Current Codex Guidelines: Members questioned whether "high-in" claims are compatible with the current CXG 23-1997, which typically support voluntary, positive claims. High-in claims carry more of a negative aspect and might need to be mandatory to ensure effectiveness, which may not fit within the framing of the current guidelines
- (b) Unclear Roles of CCFL and CCNFSDU: Members sought clarity on the responsibilities of CCFL and CCNFSDU, especially regarding the establishment of Nutrient Reference Values (NRVs) for nutrients associated with NCDs. They noted that NRVs for sodium and saturated fat already exist. They expressed uncertainty about the role of CCNFSDU in establishing conditions for "high-in" claims and how scientific evidence would be applied.
- (c) Potential Overlap with the Guidelines on Front-of-Pack Nutrition Labelling: Members raised concerns about how the "high-in" claims would relate to existing guidance on front-of-pack nutrition labelling, recalling past challenges in reaching consensus on this issue and indicating a reluctance to revisit it at this time.

216. Members who shared these questions and concerns noted that further investigation into the identified areas of concern was needed to fully assess the impact and viability of this proposal.

217. The Representative of WHO reminded CCFL that CCNFSDU43 had decided not to start new work on nutrient profiling, which also refers to definitions of high-in levels for nutrients of public health concern, as WHO guidance on the matter was sufficient. The Representative indicated that the WHO global nutrient profile model, which proposes thresholds for high levels of nutrients of concern, including total fats, saturated fats, trans fats, free sugars, and sodium, will be available by the end of 2024.

**Conclusion**

218. CCFL48 agreed to return this item to the inventory table under the agenda item on future work and direction for CCFL as there was no support from Members. Should there be interest in the future, the project document could be accompanied by a discussion paper to provide further clarity.

**Uniform definition for "small packs"**

219. CCFL48 noted a proposal from the Observer of the International Chewing Gum Association (ICGA) to review the criteria for small units and packages, including in relation to front-of-pack nutrition labelling, to ensure appropriate and feasible implementation for smaller products.

220. The Observer from ICGA referring to CRD20 further indicated that the proposal for new work would consist of two steps: a review of the implementation of the current definitions for foods pre-packaged in 'small units' (as defined in the CXS 1-1985) and foods pre-packaged in 'small packages' (as defined in CXG 2-1985), followed by a discussion of possible identified gaps and formulation of future recommendations based on the review.

**Conclusion**

221. CCFL48 noted that no Member indicated support or volunteered to lead on this work. Thus, the Committee agreed to keep this item into the inventory table under the agenda item on future work and direction for CCFL for possible consideration in the future.

**General Conclusion**

222. CCFL48 agreed to return the "high-in" claim and add the "small packs" to the inventory table under the agenda item on future work.

223. CCFL48 reaffirmed the decision to keep up to date the inventory of future work and emerging issues and further agreed that:

- (i) the Codex Secretariat would issue a CL requesting Members and Observers to provide new work topics or emerging issues for inclusion in the paper.
- (ii) Kenya would update the paper for CCFL49 and would be responsible to:
  - (a) update the CCFL future work inventory table (found in Appendix II of CX/FL 24/48/14), including input from the CL and removing items approved as new work; and
  - (b) prepare an updated discussion paper on future work and emerging issues for consideration by CCFL49.

(iii) the updated discussion paper must be made available to the Codex Secretariat at least 3 months before CCFL49.

#### **APPROACH AND CRITERIA FOR EVALUATION AND PRIORITIZATION OF THE WORK OF CCFL (Agenda Item 15)<sup>19</sup>**

224. The CCFL Host Secretariat introduced the item recalling that the development of a prioritization approach for managing CCFL's work was started based on the recommendation by CCEXEC70 and an initial draft was created and refined through three CLs.<sup>20</sup>

225. It was highlighted that the approach was designed to be simple and flexible by avoiding numerical ratings with the possibility for future adjustments based on practical experience.

226. It was recommended that CCFL48 approve the approach for use on a trial basis as needed, and to keep this document as an information document on the Codex website.

227. An Observer highlighted their strong support for the concept of the document as an effective process for the committee to understand whether proposals consider public health impacts.

#### **Conclusion**

228. CCFL48 agreed that:

- (i) the draft approach was ready for use on a trial basis, should the need arise.
- (ii) any refinement to the draft approach, if needed, could be considered following experience gained with its use; and
- (iii) "the approach and criteria for evaluation and prioritization of the work of CCFL" (Appendix VII) would remain as an information document for CCFL on the Codex website.

#### **OTHER BUSINESS (Agenda item 16)**

229. WHO announced that WHO would organize a side event at CAC47 in Geneva, Switzerland, during lunchtime on 29 November 2024, focusing on effective nutrition labelling within the context of Codex guidance and the WTO Agreement on Technical Barriers to Trade (TBT). During this event, WHO will present details of the forthcoming guidelines on nutrition labelling policies and provide an update on the WHO information brief on classifying foods for food environment policies.

230. CCFL48 noted that there was no other business to discuss.

#### **DATE AND PLACE OF THE NEXT SESSION (Agenda item 17)**

231. CCFL48 was informed that its 49th Session was tentatively scheduled to take place in 18 months-time, with the location to be confirmed. The final arrangements being subject to confirmation by the Host Country and the Codex Secretariat.

<sup>19</sup> CL 2024/29-FL; CX/FL 24/48/15

<sup>20</sup> CL 2020/09/OCS-FL, CL 2022/73/OCS-FL and CL 2024/29-FL

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**APPENDIX II****REVISION TO THE GENERAL STANDARD FOR THE LABELLING OF PRE-PACKAGED FOODS (CXS 1-1985): PROVISIONS RELEVANT TO ALLERGEN LABELLING****(for adoption at Step 8)**

(New text to the *General Standard for the labelling of pre-packaged foods (CXS 1-1985)* is presented in **bolded and underlined** and deleted text in ~~strikethrough~~)

**2. DEFINITION OF TERMS**

**"Allergenic Food"** means a food (including ingredients, food additives and processing aids) that can elicit immunoglobulin class E (IgE)-mediated or other specific immune-mediated reactions in susceptible individuals.

**"Coeliac disease"** means a chronic immune-mediated intestinal disease in genetically predisposed individuals induced by exposure to dietary gluten proteins that come from wheat, rye, barley and triticale (a cross between wheat and rye).

**"Food allergen"** means the substance in an allergenic food, usually a protein or protein derivative that can elicit IgE-mediated or other specific immune-mediated reactions in susceptible individuals.

**"Food allergy"** means a reproducible adverse health effect arising from an IgE antibody or non-IgE antibody immune-mediated response following oral exposure to a food.

**4. MANDATORY LABELLING OF PRE-PACKAGED FOODS**

**4.2.1.3** Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared, as such, in the list of ingredients, provided that it is immediately accompanied by a list, in brackets, of its ingredients in descending order of proportion (m/m). Where a compound ingredient (for which a name has been established in a Codex standard or in national legislation) constitutes less than 5% of the food, the ingredients, ~~either than~~ need not be declared, except for the foods and ingredients listed in section 4.2.1.4, 4.2.1.7 and where applicable section 4.2.1.5 and food additives which serve a technological function in the finished product, ~~need not be declared~~.

**4.2.1.4** The following foods and ingredients are known to cause hypersensitivity trigger food allergy or coeliac disease and shall always be declared as allergenic foods using the specified name in addition to or as part of the ingredient name<sup>1</sup> when intentionally present in the food<sup>3</sup>:

- Cereals containing gluten; i.e., wheat, rye, barley, oats, spelt or their hybridized strains and products of these;
- Crustacea and products of these;
- Eggs and egg products;
- Fish and fish products;
- Peanuts, soybeans and products of these;
- Milk and milk products (lactose included);
- Tree nuts and nut products; and
- Sulphite in concentrations of 10 mg/kg or more.

<sup>1</sup> In accordance with Section 4.1.1 of the *General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985)*, the ingredient declaration should specify the true nature of the food and be specific and not generic.

<sup>3</sup> Future additions to and/or deletions from this list will be considered by the Codex Committee on Food Labelling taking into account the advice provided by the Joint FAO/WHO Expert Committee on Food Additives (JECFA).

FOODS AND INGREDIENTS	SPECIFIED NAME
<u>Cereals containing gluten</u> <sup>2</sup>	
– <u>wheat and other <i>Triticum</i> species</u>	<u>'wheat'</u>
– <u>rye and other <i>Secale</i> species</u>	<u>'rye'</u>
– <u>barley and other <i>Hordeum</i> species</u>	<u>'barley'</u>
<u>and products thereof</u> <sup>3</sup>	
<u>Crustacea and products thereof</u>	<u>'crustacea'</u>
<u>Eggs and products thereof</u>	<u>'egg'</u>
<u>Fish and products thereof</u>	<u>'fish'</u>
<u>Peanuts and products thereof</u>	<u>'peanut'</u>
<u>Milk and products thereof</u>	<u>'milk'</u>
<u>Sesame and products thereof</u>	<u>'sesame'</u>
<u>Specific tree nuts</u>	
– <u>Almond (<i>Prunus amygdalus</i>)</u>	<u>'almond'</u>
– <u>Cashew (<i>Anacardium occidentale</i>)</u>	<u>'cashew'</u>
– <u>Hazelnut (<i>Corylus spp.</i>)</u>	<u>'hazelnut'</u>
– <u>Pecan (<i>Carya illinoinensis</i>)</u>	<u>'pecan'</u>
– <u>Pistachio (<i>Pistacia vera</i>)</u>	<u>'pistachio'</u>
– <u>Walnut (<i>Juglans spp.</i>)</u>	<u>'walnut'</u>
<u>and products thereof</u>	

**4.2.1.5** In addition to the foods and ingredients listed in section 4.2.1.4, the declaration of any other foods and ingredients as allergenic foods, including those listed below may also be required<sup>4</sup> using a specified name in addition to or as part of the ingredient name<sup>5</sup>. This shall be based on available risk assessment data for the respective population(s)<sup>6</sup> taking into account risk management considerations.

FOODS AND INGREDIENTS	SPECIFIED NAME
<u>Buckwheat and products thereof</u>	<u>'buckwheat'</u>
<u>Celery and products thereof</u>	<u>'celery'</u>
<u>Oats and other <i>Avena</i> species (and their hybridized strains) and products thereof</u> <sup>7</sup>	<u>'oats'</u>
<u>Lupin and products thereof</u>	<u>'lupin'</u>
<u>Mustard and products thereof</u>	<u>'mustard'</u>
<u>Soybean and products thereof</u>	<u>'soy'</u>
<u>Specific tree nuts</u>	

<sup>2</sup> Includes spelt, Khorasan, and other specific cereals containing gluten that are species or hybridized strains under the genus names of *Triticum*, *Secale* and *Hordeum*. Specified names are to be used according to the associated genus. Hybridized strains are to use specified names in conjunction from all of the parent genera (e.g. 'wheat' and 'rye' for triticale).

<sup>3</sup> In addition to the specified name of 'wheat', 'rye', and 'barley', the word 'gluten' may be used.

<sup>4</sup> These foods and ingredients are not included in 4.2.1.4 but have been recommended to be considered for risk management at the regional or national level (see FAO and WHO Risk assessment of food allergens: Part 1: Review and validation of Codex Alimentarius priority allergen list through risk assessment <https://doi.org/10.4060/cb9070en>).

<sup>5</sup> In accordance with Section 4.1.1, the ingredient declaration should specify the true nature of the food and be specific and not generic.

<sup>6</sup> The assessment of risk in the respective population(s) to be based on the evidence criteria of prevalence, potency and severity of immune mediated adverse reactions to the food or ingredient as established by FAO and WHO Risk assessment of food allergens: Part 1: Review and validation of Codex Alimentarius priority allergen list through risk assessment. <https://doi.org/10.4060/cb9070en>

<sup>7</sup> Oats can be tolerated by most but not all people who are intolerant to gluten. Therefore, the allowance of oats that are not contaminated with wheat, rye or barley in foods covered by this standard may be determined at the national level.

<ul style="list-style-type: none"> <li><u>– Brazil nut (<i>Bertholletia excelsa</i>)</u></li> <li><u>– Macadamia (<i>Macadamia spp.</i>)</u></li> <li><u>– pine nut (<i>Pinus spp.</i>)</u></li> </ul> <p><u>and products thereof</u></p>	<p><u>‘Brazil nut’</u></p> <p><u>‘macadamia’</u></p> <p><u>‘pine nut’</u></p>
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**4.2.1.6** Regional or national competent authorities may exempt ingredients derived from foods listed in section 4.2.1.4, and where applicable section 4.2.1.5, from being declared as allergenic foods. Such exemptions shall be subject to a risk assessment<sup>8</sup> to establish the safety of the allergenic food derivative.

**4.2.1.7** Sulphite when present in concentrations of 10 mg/kg or more<sup>9</sup> in a food shall always be declared using the specified name ‘sulphite’ or ‘sulfite’ in addition to or as part of the ingredient name.

**4.2.1.58** Added water shall be declared in the list of ingredients except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food and declared as such in the list of ingredients. Water or other volatile ingredients evaporated in the course of manufacture need not be declared.

**4.2.1.69** As an alternative to the general provisions of this section, dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredients may be listed in order of proportion (m/m) in the reconstituted product provided that a statement such as “ingredients of the product when prepared in accordance with the directions on the label” is included.

**4.2.2** The presence in any food or food ingredients obtained through biotechnology of an a food allergen transferred from any of the products foods and ingredients listed in Section 4.2.1.4 and where applicable 4.2.1.5 shall be declared.

When it is not possible to provide adequate information on the presence of an these food allergens through labelling, the food containing the food allergen should not be marketed.

**4.2.3** A Foods and ingredients as listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 must be declared using the specified name in addition to or as part of the ingredient name. All ingredients shall be used for ingredients in the list of ingredients shall be declared in accordance with the provisions set out in Section 4.1 (Name of the Food) except that:

**4.2.3.1** Except for those ingredients listed in section 4.2.1.4, and u Unless a general class name would be more informative, the following class names may be used. When a class name is used, for the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5, the specified name shall be declared in addition to or as part of the class name.

<sup>8</sup> For example, FAO and WHO (2024). Risk assessment of food allergens: Part 4: Establishing exemptions from mandatory declaration for priority food allergens <https://doi.org/10.4060/cc9554en>

<sup>9</sup> Sulphite measured on a sulphur dioxide (SO<sub>2</sub>) equivalents basis.

NAME OF CLASSES	CLASS NAMES
Refined oils other than olive	'Oil' together with either the term 'vegetable' or 'animal', qualified by the term 'hydrogenated' or 'partially-hydrogenated', as appropriate
Refined fats	'Fat' together with either, the term 'vegetable' or 'animal', as appropriate
Starches, other than chemically modified starches	'Starch'
All species of fish where the fish constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific species of fish	'Fish'
All types of poultry meat where such meat constitutes an ingredient of another food and provided that the labelling and presentation of such a food does not refer to a specific type of poultry meat	'Poultry meat'
All types of cheese where the cheese or mixture of cheeses constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific type of cheese	'Cheese'
All spices and spice extracts not exceeding 2% by weight either singly or in combination in the food	'Spice', 'spices', or 'mixed spices', as appropriate
All herbs or parts of herbs not exceeding 2% by weight either singly or in combination in the food	'Herbs' or 'mixed herbs', as appropriate
All types of gum preparations used in the manufacture of gum base for chewing gum	'Gum base'
All types of sucrose	'Sugar'
Anhydrous dextrose and dextrose monohydrate	'Dextrose' or 'glucose'
All types of caseinates	'Caseinates'
Milk products containing a minimum of 50% of milk protein (m/m) in dry matter *	'Milk Protein'
Press, expeller or refined cocoa butter	'Cocoa butter'
All crystallized fruit not exceeding 10% of the weight of the food	'Crystallized fruit'

\*Calculation of milk protein content: Kjeldahl nitrogen  $\times$  6.38

**4.2.4.2** A food additive carried over into foods at a level less than that required to achieve a technological function, and processing aids, are exempted from declaration in the list of ingredients. The exemption does not apply to food additives and processing aids that contain the foods and ingredients listed in sections **4.2.1.4, and where applicable 4.2.1.5. and subject to section 4.2.1.6.**

## 6. EXEMPTIONS FROM MANDATORY LABELLING REQUIREMENTS

With the exception of spices and herbs, small units, where the largest surface area is less than 10 cm<sup>2</sup>, may be exempted from the requirements of paragraphs 4.2 and 4.6 to 4.8. This exemption does not apply to the declaration of foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5.

## 8. PRESENTATION OF MANDATORY INFORMATION

### 8.3 Declaration of certain foods and ingredients

**8.3.1** The specified name for the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared in a clear and distinct manner such as through the use of font type, style or colour that contrasts from the surrounding text.

**8.3.2** The specified name for the foods and ingredients in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared in the list of ingredients or in a separate statement or in both as determined by the competent authority.

**8.3.2.1** If used the separate statement shall commence with the word 'Contains' (or equivalent word) and be placed directly under or in close proximity to the list of ingredients when present.

**8.3.2.2** If a separate statement is used on the label, the specified name for each of the foods and ingredients in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 must be declared in the statement even if that specified name is already shown in the list of ingredients.

**8.3.3** Where a food is exempt from declaring a list of ingredients, and no list of ingredients is present, the specified names of the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 shall be declared, in a separate statement made in accordance with section 8.3.2.1.

**8.3.4** For single ingredient foods, section 8.3.3 does not apply where the specified names of the foods and ingredients listed in sections 4.2.1.4, 4.2.1.7 and where applicable 4.2.1.5 are declared as part of, or in conjunction with, the name of the food.

**APPENDIX III****ANNEX TO THE GENERAL STANDARD FOR THE LABELLING OF PRE-PACKAGED FOODS (CXS 1-1985): GUIDELINES ON THE USE OF PRECAUTIONARY ALLERGEN LABELLING****(for adoption at Step 5)****1. PURPOSE**

To facilitate a consistent and harmonized approach to the effective use of precautionary allergen labelling (PAL) for communicating to consumers with food allergy or coeliac disease about the risk from the unintended presence of food allergens due to cross-contact with allergenic food.

**2. SCOPE**

These guidelines apply to PAL when used in the labelling of pre-packaged foods to indicate the risk from the unintended presence of a food allergen(s) caused by cross-contact<sup>1</sup> with allergenic food.

**3. DEFINITIONS**

For the purpose of these guidelines, the following definition shall be used in conjunction with the definitions in Section 2 of the *General Standard for the labelling of pre-packaged Foods* (CXS 1-1985):

**“Precautionary allergen labelling”** is a statement made in the labelling of pre-packaged foods to indicate a risk from the unintended presence of a food allergen(s) due to cross-contact with an allergenic food that has been identified by a risk assessment.

**4. GENERAL PRINCIPLES**

**4.1** Effective food allergen management practices including controls to prevent or minimize the unintended presence of food allergens caused by cross-contact with allergenic foods shall be implemented in accordance with the *Code of practice on allergen management for food business operators* (CXC 80-2020). The use of PAL shall be restricted to those situations in which the unintended presence of a food allergen(s) cannot be prevented or controlled using these allergen management practices.

**4.2** The decision to use PAL should be based on the findings of a risk assessment<sup>2</sup>, which can include but is not limited to a quantitative risk assessment, of unintended food allergen presence.

**[4.3]** PAL [shall / should] [only] be used when it is demonstrated that unintended food allergen presence cannot be mitigated to a level at or below the action level<sup>3</sup> for a food allergen based on the reference doses in the table at 4.3.1.

**4.3. Alt [Only]** When it is demonstrated that unintended food allergen presence cannot be mitigated to a level at or below the action level<sup>3</sup> for a food allergen based on the reference doses in the table at 4.3.1, PAL should be used.

<sup>1</sup> Allergen cross-contact as defined in *Code of practice on allergen management for food business operators* (CXC 80-2020).

<sup>2</sup> FAO and WHO (2023). *Risk assessment of food allergens – Part 3: Review and establish precautionary labelling in foods of the priority allergens* (Sections 3.3.1 to 3.3.6 provide guidance for the risk assessment of unintended food allergen presence). <https://doi.org/10.4060/cc6081en>

<sup>3</sup> Action level (mg total protein from the allergen / kg food) = Reference dose (mg total protein from the allergen) / Amount of the food (kg). The amount of food should be established based on the quantity that can reasonably be expected to be consumed on a single eating occasion preferably using the 50th percentile.

#### 4.3.1 References doses

	Reference dose (RfD) (mg total protein from the allergen)
Almond	1.0
Brazil nut	1.0
Cashew (and Pistachio)	1.0
Macadamia	1.0
Pine nut	1.0
Walnut (and Pecan)	1.0
Celery	1.0
Mustard	1.0
Peanut	2.0
Egg	2.0
Milk	2.0
Sesame	2.0
Hazelnut	3.0
Wheat	5.0
Fish	5.0
Buckwheat	10
Lupin	10
Soy	10
Crustacea	200

[Placeholder on concentration or RfD for cereals containing gluten or gluten.]

4.3.2 Where a reference dose is not established for a particular food allergen in the table to 4.3.1 above, regional or national authorities can establish a reference dose consistent with recognized principles<sup>4</sup> for the purposes of determining an action level.]

4.4 PAL shall be accompanied by education/information programs to ensure understanding and appropriate use of PAL by consumers, health care providers and food business operators.

#### 5. PRESENTATION OF PAL

5.1 Section 8.1.1, 8.1.2 and 8.1.3 and 8.2 of the *General Standard for the labelling of pre-packaged foods* (CXS 1-1985) apply to PAL labelling.

5.2 PAL should appear as a separate statement directly under or in close proximity to the ingredient list (when present).

5.2.1 A PAL statement shall commence with the words 'May contain' (or equivalent words) and include the identified allergenic food(s) using the specified names for the foods and ingredients as listed in sections 4.2.1.4 and where applicable 4.2.1.5 of the *General Standard for the labelling of pre-packaged foods* (CXS 1-1985).

5.2.2 A PAL statement shall contrast distinctly from surrounding text such as through the same font type, style or colour used for declarations in accordance with section 8.3.1 of the *General Standard for the labelling of pre-packaged foods* (CXS 1-1985).

<sup>4</sup> FAO and WHO (2022). Ad hoc Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens: Part 2: Review and establish threshold levels in foods of the priority allergens. <https://doi.org/10.4060/cc2946en>.

**APPENDIX IV****GUIDELINES ON THE PROVISION OF FOOD INFORMATION FOR PRE-PACKAGED FOODS TO BE OFFERED VIA E-COMMERCE  
(for adoption at Step 8)****1. PURPOSE**

The purpose of these guidelines is to ensure consumers buying pre-packaged foods via e-commerce have the information needed to make informed choices, similar to the information they would find on the physical label of the food.

**2. SCOPE**

**2.1** These guidelines apply to the food information required, or provided voluntarily, that is displayed on the product information e-page for pre-packaged foods offered for sale via e-commerce, and to certain aspects relating to the presentation thereof.

**2.2** They do not apply to information that is required on the label of pre-packaged foods at the point of delivery as set out in the *General standard for labelling of pre-packaged foods* (CXS 1-1985).

**3. DEFINITIONS**

The following terms shall be used in conjunction with Section 2 of the *General standard for labelling of pre-packaged foods* (CXS 1-1985) for the purposes of this guideline.

**“At the point of delivery”** means the moment when consumers receive pre-packaged food.

**“E-commerce”** means the production, distribution, marketing, sale or delivery of goods and services by electronic means as applicable to foods.”

**“Food information”** means the information that is the subject of a Codex text about a pre-packaged food.

**“Prior to the point of e-commerce sale”** means provided before consumers commit to ordering and purchasing the food.

**“Product information e-page”** means the virtual space on any consumer-facing transactional electronic platform, which is intended to facilitate informed e-commerce sale.

**4. GENERAL PRINCIPLES**

The general principles in Section 3 of the *General standard for the labelling of pre-packaged foods* (CXS 1-1985) are applicable to food information shown on the product information e-page of the pre-packaged food that is being offered for sale.

**5. FOOD INFORMATION PRINCIPLES**

**5.1** The food information required to be provided on the label of a pre-packaged food or in associated labelling, shall be provided on the product information e-page of the pre-packaged food prior to the point of e-commerce sale, except to the extent otherwise expressly provided in these guidelines, or any other Codex text. This includes the following food information indicated in:

- Section 4 and Section 5 of the *General standard for the labelling of pre-packaged foods* (CXS 1-1985) except information required by 4.6 and 4.7.1.
- Section 3 of the *Guidelines on nutrition labelling* (CXG 2-1985).
- Any other relevant Codex text.

**5.2** A statement shall appear on the product information e-page prior to the point of e-commerce sale to direct the consumer to check the food information on the physical label before consumption.

**5.3** The labelling exemption of small units as outlined in Section 6 of the *General standard for labelling of pre-packaged foods* (CXS 1-1985) does not apply unless allowed in specific circumstances by competent authorities.

**5.4** The food information about the pre-packaged foods offered for sale in e-commerce shall be provided to the consumer without a charge to access the information.

**6. OPTIONAL INFORMATION PRIOR TO THE POINT OF E-COMMERCE SALE**

**6.1** Section 7 of the *General standard for labelling of pre-packaged foods* (CXS 1-1985) is applicable to food information shown to consumers on the product information e-page for the pre-packaged food that is being offered for sale.

**6.2** A statement may be provided on the product information e-page prior to the point of e-commerce sale to inform the consumer about the relation between the best before, best quality before, use-by, or expiration date and the product shipping date or at the point of delivery.

## **7. PRESENTATION OF MANDATORY FOOD INFORMATION**

**7.1** Food information required by these guidelines shall be clear, prominent, and readily legible by the consumer under normal settings and conditions of use for a product information e-page.

**7.2** The language or languages on a product information e-page shall be suitable to the consumer in the country in which the food is marketed and to which it may be delivered.

**APPENDIX V****GUIDELINES ON THE USE OF TECHNOLOGY TO PROVIDE FOOD INFORMATION IN FOOD LABELLING****(for adoption at Step 8)****1. PURPOSE**

Provide guidance on the use of technology to provide food information to consumers<sup>1</sup> about pre-packaged foods<sup>1</sup>.

**2. SCOPE**

These guidelines apply to food information that is accessed by consumers using technology via a reference on a pre-packaged food's label<sup>1</sup> or labelling<sup>1</sup>.

**3. USE**

These guidelines should be read in conjunction with Codex texts related to labelling of pre-packaged foods, including but not limited to *General standard for the labelling of pre-packaged foods* (CXS 1-1985).

**4. DEFINITIONS**

For the purpose of these guidelines:

**“Food information”** means the information that is the subject of a Codex text about a pre-packaged food.

**“Technology”** refers to any electronic or digital means, including but not limited to websites, online platforms and mobile applications.

**5. CONSIDERATIONS FOR DECIDING IF INFORMATION REQUIRED ON A PRE-PACKAGED FOOD'S LABEL OR LABELLING COULD INSTEAD BE PROVIDED TO CONSUMERS USING TECHNOLOGY**

**5.1** The food information should be readily accessible to consumers during normal and customary circumstances of purchase and use, which means:

- a) there should be sufficient technological infrastructure to support providing food information using that technology within the geographic area or country where the food is sold, such as in regards to prevalence and reliability of service,
- b) the general population, including specific sub-sets thereof, should have widespread, adequate and easy access to the technology in that geographic area or country, and have adopted its use, and
- c) it is reasonable for the consumer to use technology to access the food information during the normal and customary circumstances of purchase and use.

**5.2** The name of the food, food information concerning safety and nutrition, and any other mandatory food information as determined by the competent authority, should not be provided exclusively using technology.

**5.3** Food information that relates to an individual physical product (e.g. lot code, date marking) should not be provided only using technology if doing so would compromise the ability to relate the information to that individual product.

**6. USE OF TECHNOLOGY TO PROVIDE CONSUMERS ACCESS TO FOOD INFORMATION THAT IS NOT ACCESSIBLE ON THE LABEL**

In cases where food labelling information is not accessible to consumers, due to conditions of sale or to exemptions from having to be provided on the label or labelling, consideration should be given to the use of technology to provide consumers with access to that information.

**7. PRINCIPLES THAT ARE APPLICABLE WHEN FOOD INFORMATION IS PROVIDED TO CONSUMERS USING TECHNOLOGY**

Food information that is accessed by consumers using technology via a reference on the pre-packaged food's label or labelling shall be based on the following principles, whether the food information is required on a mandatory basis or provided voluntarily:

**7.1** The general principles in Section 3 of the *General standard for the labelling of pre-packaged foods* (CXS 1-1985) are applicable to food information that is described or presented using technology.

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<sup>1</sup> As defined in the *General standard for the labelling of pre-packaged foods* (CXS 1-1985)

- 7.2** Food information described or presented using technology shall not conflict with information provided on the label or labelling of the pre-packaged food, including when shown in different languages.
- 7.3** Where mandatory food information is provided using technology, the reference on the label or labelling shall link directly to this information, and the mandatory food information shall be presented together, readily identifiable and easily distinguishable from other information.
- 7.4** Where food information is provided using technology, the food information shall be in accordance with applicable Codex texts.
- 7.5** Subject to section 5, where mandatory food information is solely provided using technology, the food information shall be available for at least the period, established under intended conditions of distribution, storage, retail and use, that the food would remain safe and suitable for sale, consumption or use. For pre-packaged food that is labelled with a use-by date or expiration date, this means for at least the period up to and including this date.
- 7.6** Food information described or presented using technology shall be readily accessible without consumers having to provide or disclose any information.
- 7.7** When the label or labelling of a pre-packaged food references food information to be accessed using technology, the information presented on the platform shall be sufficient and presented in such a way as to enable consumers to ascertain that the food information pertains to that pre-packaged food.
- 7.8** If the purpose of the reference on the label or labelling of the pre-packaged food is not self-explanatory to consumers, it shall be accompanied by an explanation of how to use it or the type of food information that will be found when used (e.g. "scan here for more information on ingredients").
- 7.9** The reference and any explanatory statement shown on the label or labelling that links to food information to be accessed using technology shall adhere to sections 8.1.2 and 8.1.3 of the *General standard for the labelling of pre-packaged foods* (CXS 1-1985).
- 7.10** Food information described or presented using technology shall be clear, prominent and readily legible, and, if applicable, audible to the consumer under normal settings and conditions of use of the technological platform.
- 7.11** The language or languages of food information described or presented using technology shall be suitable to the consumer in the country in which the food is marketed.
- 7.12** Where food information is provided using technology, it shall be provided to the consumer without a charge to access the information.

**APPENDIX VI****PROJECT DOCUMENT:****PROPOSAL FOR NEW WORK ON THE APPLICATION OF FOOD LABELLING PROVISIONS IN  
EMERGENCIES**  
**(for approval)****1. PURPOSE AND SCOPE OF THE NEW WORK**

The purpose and scope of the proposed work is to provide high-level guidance (*i.e.* principles and criteria) to assist governments in considering development and application of food labelling measures in emergencies, including any flexibilities that might support a safe and adequate food supply in such emergencies. The scope of the proposed work covers flexibilities provided by the competent authorities on foods offered for sale domestically, and on foods exported to other countries where acceptance from the importing country is confirmed by the competent authority.

**2. RELEVANCE AND TIMELINESS**

Supply chain disruptions caused by recent emergencies have caused many countries to consider implementing certain temporary food labelling measures to ensure a safe and adequate food supply. Current CCFL texts do not provide guidance on whether and how countries may consider such emergency measures, when deemed necessary. A high-level framework to facilitate decision-making regarding such labelling measures would help ensure both consumer protection and fair trade. There is currently no global guidance for governments to facilitate decision-making on food labelling measures in times of emergency and, given continued and potential supply chain disruptions due to emergencies, this proposed work would be timely. This proposed work would also support Goal One of the Codex

Codex Strategic Plan for 2020-2025, by addressing current, emerging and critical issues in a timely manner. High-level guidance in this area would be beneficial to countries' decision-making, given the number of countries that have considered or implemented emergency food labelling measures in times of emergency in recent years.

**3. MAIN ASPECTS TO BE COVERED**

It is recommended that the following aspects be considered for inclusion in the proposed guidance:

- Purpose
- Scope
- Principles and/or general criteria

**4. ASSESSMENT AGAINST THE CRITERIA FOR ESTABLISHMENT OF NEW WORK PRIORITIES****General criterion**

***Consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries***

Global decision-making principles and criteria would assist governments in considering such measures in a manner that mitigates the risk of consumers being misled and lacking the ability to make informed choices when purchasing food products. Furthermore, such guidance would aim to increase harmonization and facilitate fair trade in an area where no global guidance exists despite significant divergence in approach and practice among countries in emergencies. Such guidance could also help to mitigate the implementation of non-risk-based measures in emergencies.

**Criteria applicable to general matters****a) *Diversification of national legislations and apparent resultant or potential impediments to international trade***

The need for guidance on food labelling measures in emergencies to ensure a safe and adequate food supply has been identified, as there is no global guidance or any other framework to facilitate risk-based decision-making in this area. As a result, multiple approaches have been taken by countries to evaluate, identify, and implement food labelling measures in emergencies, impacting both domestic and international trade.

**b) *Scope of work and establishment of priorities between the various sections of the work.***

It is recommended that guidance provide principles and high-level decision-making criteria for considering food labelling measures in emergencies to assist governments in such situations.

**Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies)**

The first consultation paper identified several indirectly related documents from international organizations, though none directly addressed the intended goals and needs of this proposed work in CCFL. As such, there is no known work already undertaken by other international organizations in this area or suggested by other international intergovernmental bodies. Work undertaken in this area should consider the wide range of scenarios that may cause disruption to the international, regional, or domestic supply chain, necessitating consideration of food labelling measures by government authorities to help ensure a safe and adequate food supply. The work should also keep in view the efforts of other international organizations and countries' efforts to prepare for, address, and respond to emergencies more broadly. As part of the work, it is proposed to coordinate with any relevant activities being undertaken by other international organizations, including relevant international organizations.

**c) Amenability of the subject of the proposal to standardization**

High-level rather than more technical guidance will be more amenable to standardization and will balance the need for flexibility among countries given the range of emergencies that may arise. More detailed or technical standards are not recommended as these would provide less flexibility and offer less opportunity for standardization in Codex.

**d) Consideration of the global magnitude of the problem or issue.**

It is reasonable to expect that emergencies disrupting supply chains will occur in the future, such as human pandemics, climate change, animal disease outbreaks, natural disasters, disruption of critical infrastructure networks, war, or famine. Such emergencies disrupting supply chains may occur in combination with one another and may be experienced globally or regionally, though even local or regional emergencies can have far-reaching global effects.

Considering the plausibility of future emergencies, it is likely that governments will again experience a need to make timely, risk-based decisions on food labelling exemptions to ensure safe and adequate food supply, with consideration be given to vulnerable populations as well as to facilitate fair trade in such scenarios. Emergencies typically are not specifically predicted, involving critical time constraints and pressure on decision-makers. Therefore, it would be useful to have high-level global guidance and criteria in place to facilitate decision-making.

## **5. RELEVANCE TO CODEX STRATEGIC OBJECTIVES**

The proposed work is aligned with the Commission's mandate for the development of international standards, guidelines and other recommendations for protecting the health of consumers and ensuring fair practices in food trade. In addition, the proposed work will support advancement of Codex Strategic Goals 1, 2, 3:

**Strategic Goal 1: Address current, emerging and critical issues in a timely manner**

The proposed work will address a gap in Codex texts by responding to emerging and critical issues related to supply chain disruptions and other emergency-related consequences that risk compromising a safe and adequate food supply in emergencies.

**Strategic Goal 2: Develop standards based on science and Codex risk-analysis principles:**

The proposed work will provide principles and general criteria for considering food labelling measures in emergencies, emphasizing the need for science-based decision making, conducted using risk analysis principles and with adequate stakeholder input. This proposed work is also intended to mitigate the possibility that such emergency measures are not based on science and not based on Codex risk analysis principles, given no such global guidance currently exists.

**Strategic Goal 3: Increase impact through the recognition and use of Codex standards**

Since no global guidance exists to address consideration of food labelling measures in emergencies, the proposed work will raise awareness of the need for Codex guidance and facilitate greater understanding and implementation of existing Codex standards in an area where none currently exist. It is recommended that the proposed work be conducted through an EWG, facilitating the broadest possible participation from Codex members and observers. The proposed guidance could also be referenced and disseminated by other international organizations that deal directly with emergencies, multiplying the likelihood of increased recognition of Codex standards.

## **6. RELATION BETWEEN THE PROPOSAL AND OTHER EXISTING CODEX DOCUMENT**

The proposed new work will take into consideration the *Principles and guidelines for the exchange of information in food safety emergency situations* (CXS 19-1995) and other relevant Codex texts. Current CCFL

texts do not address the need for risk-based decision-making on food labelling exemptions in times of emergency. It is noted that the *General standard on the labelling of pre-packaged foods* (CXS 1-1985) and *General standard for the labelling of non-retail containers of foods* (CXS 346-2021) include certain mandatory elements and provide for sharing information through means other than the label. However, existing texts do not contemplate the effects of supply chain disruptions caused by emergencies in recent years. Guidance on claims also includes certain mandatory elements, including that claims should be truthful and not misleading, but similarly do not envision the impacts of emergency scenarios and what factors governments should consider in approving or denying temporary food labelling measures to support a safe and adequate food supply in emergencies.

## **7. REQUIREMENT FOR AND AVAILABILITY OF EXPERT SCIENTIFIC ADVICE**

Expert scientific advice is not anticipated to be required for this proposed work since the guidance would include general principles and high-level criteria and would not be a detailed technical standard.

## **8. NEED FOR TECHNICAL INPUT TO THE STANDARD FROM EXTERNAL BODIES**

Consultation with other relevant international bodies will likely be necessary to ensure alignment with any related international organizations' work or activities to prepare for, address, and respond to emergencies.

## **9. PROPOSED TIMELINE**

Subject to the Codex Alimentarius Commission approval at its next session, it is estimated that the work can be completed in two CCFL plenary sessions.

**APPENDIX VII**

**INFORMATION DOCUMENT ON APPROACH AND CRITERIA FOR EVALUATION AND PRIORITIZATION OF THE WORK OF CCFL**  
**(Information document for publication)**

**Purpose:**

1. The following guidelines are established to assist the CCFL to identify, prioritize and efficiently carry out its work, as needed, when there are multiple new work proposals to consider.

**Scope:**

2. These guidelines apply to new work proposed to the CCFL and lays down criteria and a process for evaluating the priority of new work proposals, including the revision of current texts.
3. These criteria and process have been developed in addition to the "Criteria for the establishment of work priorities" applicable to general subjects as outlined in the *Procedural Manual*<sup>1</sup>. The additional criteria have been developed, taking into account the mandate of the Codex Alimentarius Commission, the priorities outlined in the Codex Strategic Plan, and the general principles of food labelling included in the *General standard for the labelling of pre-packaged foods* (CXS 1-1985).

**Additional criteria for evaluating and prioritizing new work**

4. The following are the additional criteria against which the new work to be undertaken in CCFL may be assessed, including both positive and negative impacts:

Criterion	Further information	Rating
Relevance to CCFL mandate	Does the proposed new work fit within the terms of reference of CCFL?	Yes/No/Partially
Impact on consumer health	Potential of proposed new work to prevent, reduce or resolve a consumer health risk	High Medium Low
Addresses false, misleading or deceptive labelling practices	Potential of the proposed new work to prevent, reduce or resolve false, misleading or deceptive labelling practices	High Medium Low
Impact on consumer's ability to make an informed choice	Potential of the proposed new work to assist the consumer in making an informed choice	High Medium Low
Impact on international trade	Potential of the proposed new work to promote fair practices in international trade	High Medium Low

**Process for evaluating and prioritizing new work**

5. As with normal Codex procedures, new work proposals should be presented to CCFL in the format of a project document addressing the criteria given under the "Criteria for establishment of work priorities" for general subjects in the *Procedural Manual*.
6. Additionally, the proposal should preferably also include a self-assessment, including supporting rationale and references, that takes into account the additional criteria outlined in this document. If applicable, the new work proposal may also describe how it addresses internationally identified public health risks related to food safety, health or nutrition.<sup>2</sup>
7. New work proposals should also indicate work underway or planned by other committees on related topics, and, where possible, whether the work, if approved to commence, would likely lead to preparation of a new Codex text or revision of an existing Codex text.
8. Based on the amount of work on the Committee's agenda and the number of new work proposals, the Committee may decide to establish an *ad hoc* working group with the terms of reference to evaluate and prioritize new work proposals and tasked to make recommendations to CCFL. The *ad hoc* working group could take place during CCFL as an in-session working group, open to all interested Members and Observers.

<sup>1</sup> *Procedural Manual*, Section 2 Elaboration of codex standards and related texts; Criteria for the establishment of work priorities

<sup>2</sup> Identify the internationally identified public health risk and describe how the proposed new work can address the risk, within the mandate of CCFL. For example: WHA66.10: World Health Organization - Global action plan for the prevention and control of Noncommunicable diseases (NCDs) 2013–2020 – Reduction of global population's intake of salt by 30% by 2025

9. The CCFL has the responsibility to prioritize new work proposals following the process outlined above, taking into account the self-assessment in the new work proposals and/or recommendations of the *ad hoc* working group.
10. The Committee may reassess the priority of a new work proposal if new information becomes available relating to that proposal. Such information may be submitted for consideration and the priority for the new work proposal reconsidered.
11. Ideally, the additional criteria should be applied in a stepwise manner, in the order set out in the criteria table above. If the Committee decides that a proposed work does not fall under the terms of reference of CCFL, then the remaining criteria do not need to be assessed.
12. New work proposals will ultimately be prioritized as per the evaluation received through this prioritization process. Additional criteria, such as feasibility of the proposed new work, may be necessary and developed later for application while considering two or more items of similar priority.
13. The CCFL will maintain the inventory of future work and emerging issues discussion paper that will include all potential work items relevant to CCFL. The inventory paper will be kept current at every session with a different Codex member taking on responsibility each time.