

COMMISSION DU CODEX ALIMENTARIUS



Organisation des Nations Unies
pour l'alimentation
et l'agriculture



Organisation
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Point 4.13 de l'ordre du jour

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PROGRAMME MIXTE FAO/OMS SUR LES NORMES ALIMENTAIRES

COMMISSION DU CODEX ALIMENTARIUS

Quarante-septième session

TRAVAUX DU COMITÉ DU CODEX SUR L'ÉTIQUETAGE DES DENRÉES ALIMENTAIRES

1. La Commission est invitée à adopter les normes et textes apparentés soumis pour adoption finale qui sont indiqués dans la **partie 1** du présent document.
2. La Commission est également invitée à adopter le projet de norme et texte apparenté soumis pour adoption à l'étape 5 qui est indiqué dans la **partie 2** du présent document. S'il est adopté, ce projet de norme et texte apparenté sera avancé à l'étape 6 pour observations supplémentaires et examen par le Comité sur l'étiquetage des denrées alimentaires, à sa 19^e session.
3. Les observations reçues concernant les normes et textes apparentés examinés par le Comité, à sa 48^e session, et qui sont soumis pour adoption figurent dans le document publié sous la cote CX/CAC 24/47/15 Add.1
4. La Commission est en outre invitée à adopter la proposition de nouveaux travaux formulée par le Comité à sa 48^e session, qui est indiquée dans la **partie 3** du présent document et est détaillée à l'annexe 1. La Commission est invitée à examiner cette proposition à la lumière du *Plan stratégique du Codex pour 2020-2025*, des *Critères régissant l'établissement des priorités des travaux* et des *Critères régissant la création d'organes subsidiaires de la Commission du Codex Alimentarius*.
5. L'examen critique de ces textes sera réalisé par le Comité exécutif de la Commission du Codex Alimentarius, à sa 87^e session.

Partie 1 – Normes et textes apparentés soumis pour adoption finale

Normes et textes apparentés	Référence	Numéro de travail	Étape
Révision de la <i>Norme générale sur l'étiquetage des denrées alimentaires préemballées</i> (CXS 1-1985): dispositions relatives à l'étiquetage des allergènes	REP24/FL, paragraphe 52, alinéa i, et annexe II	N10-2019	8
Directives sur la communication d'informations d'ordre alimentaire sur les aliments préemballés vendus en ligne	REP24/FL, paragraphe 104 et annexe IV	N09-2019	8
Directives sur l'utilisation de la technologie pour fournir des informations sur les aliments	REP24/FL, paragraphe 144 et annexe V	N07-2021	8

Partie 2 – Norme et texte apparenté soumis pour adoption à l'étape 5

Norme et texte apparenté	Référence	Numéro de travail	Étape
Annexe de la <i>Norme générale sur l'étiquetage des denrées alimentaires préemballées</i> (CXS 1-1985): Directives sur l'étiquetage de précaution relatif à la présence d'allergènes ¹	REP24/FL, paragraphe 92, alinéas i, vii et viii, et annexe III	N10-2019	5

Partie 3 – Proposition de nouveaux travaux ou de révision d'une norme

Texte	Référence et document de projet
Proposition de nouveaux travaux sur l'application des dispositions d'étiquetage des denrées alimentaires dans des situations d'urgence	<ul style="list-style-type: none"> • REP24/FL, paragraphe 180, alinéas i-iv, et annexe VI • Annexe I du présent document

¹ Le Comité, à sa 48^e session, a demandé que le délai fixé pour l'achèvement des travaux soit repoussé à 2026, demande qui sera examinée par le Comité exécutif à sa 87^e session.

PROJECT DOCUMENT:
PROPOSAL FOR NEW WORK ON THE APPLICATION OF FOOD LABELLING PROVISIONS IN EMERGENCIES

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.