



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEx COMMITTEE ON FOOD LABELLING

#### Forty-ninth Session

11-15 May 2026

#### PROPOSAL FOR NEW WORK ON

#### A GUIDING DEFINITION FOR A MORE UNIFORM APPLICATION OF LABELLING PROVISIONS TO “SMALL PACKAGES” AND THEIR RELATED EXEMPTIONS SET IN EXISTING CODEx TEXTS

(Prepared and submitted by the ICGA)<sup>1</sup>

### INTRODUCTION

1. This discussion paper provides the Committee (hereby ‘the CCFL’) with background information on past discussions held by the CCFL on the topic of small packages and small units, as well as the rationale justifying the need to start a new work on a guiding definition for “small package” (i.e., covering “small pack”, “small packaging” and “small packages”). This discussion paper contains **detailed recommendations to CCFL 49 consideration** (see **Paras. 20 to 23 below**) together with a **Project Document** (as presented in the **Appendix II** of this discussion paper), for consideration and further discussion by the working group on prioritization of the work of CCFL and by the CCFL49 plenary meeting.

2. A **self-assessment of the proposal for new work** is presented in Table 1bis included in the **Annex 4 of Appendix 1** of this discussion paper, as per the information document finalized by CCFL48 and approved by CAC47).

### RECENT CCFL DISCUSSIONS ON SMALL PACKS

3. At its 46<sup>th</sup> meeting, the Codex Alimentarius Committee on Food Labelling (CCFL) noted the potential for alignment of front-of-pack nutrition labeling exemptions for small packages with back-of-pack nutrient declarations. Under current Codex provisions, nutrient declaration is mandatory for all pre-packaged foods for which a nutrition or health claim is made, but certain foods may be exempted on the basis of small packaging (see CX/FL 21/46/12, Appendix II, Table, numbered entry 18).

4. At its 47<sup>th</sup> plenary meeting, the Committee further noted that “one observer [ICGA] drew the attention of the Committee on a possible new approach proposed by Mexico in their written comments on a further definition for “small units/small packages”” (See Rep. 23, Para. 176), when referring to its written response to the regular circular letter compiling comments on new potential work (see CX/FL 23/47/13, Paras. 17 and 18). Mexico noted that their regulations exempt different sized packages from requiring certain labelling elements on the label, some of which align with the definition of small unit (10 cm<sup>2</sup>). Mexico also noted exemptions from mandatory nutrient declaration for products whose largest area is less than 78 cm<sup>2</sup> (provided a webpage or number is provided on the label to obtain this information) and that Mexico Front-of-Pack (FOP) system was designed for products, the main display area of which was below or equal to 40 cm<sup>2</sup>. ICGA had suggested possibly revisiting the definition of ‘small unit’ to reduce barriers to trade and protect consumers as this concept is not harmonized across countries. Regarding the *Guidelines on Nutrition Labelling* (CXG 2-1985, latest version 2024), ICGA had suggested that ‘small packaging’ should be further defined to promote harmonization and consistency between labelling exemptions for small units and exemptions from nutrition labelling for small packages and therefore also relevant for front-of-pack nutrition labelling.

5. At its 48<sup>th</sup> plenary meeting, the Committee noted a proposal from the Observer of the International Chewing Gum Association (ICGA) as presented in CCFL48’s CRD20 to review criteria for small packages, including in relation to front-of-pack nutrition labelling, to ensure appropriate and feasible implementation for smaller products. However, no Codex Member indicated a formal support nor volunteered to lead on this work. The Committee nevertheless agreed to add this item into the inventory table under the agenda item on future work

<sup>1</sup> The ICGA represents the main manufacturing companies of chewing gum traded globally and produced at national level, as well as supplying companies of key functional ingredients used in chewing gum and bubble gum products. ICGA, and its predecessor (IFCGA), has been an observer organization to the Codex Alimentarius Commission since the early 1990s (see here).

and for further direction by CCFL for possible consideration in the future (see REP/FL24, paras. 219-223).

## BACKGROUND ON PAST CCFL DISCUSSIONS ON “SMALL UNITS” AND ON “SMALL PACKS”

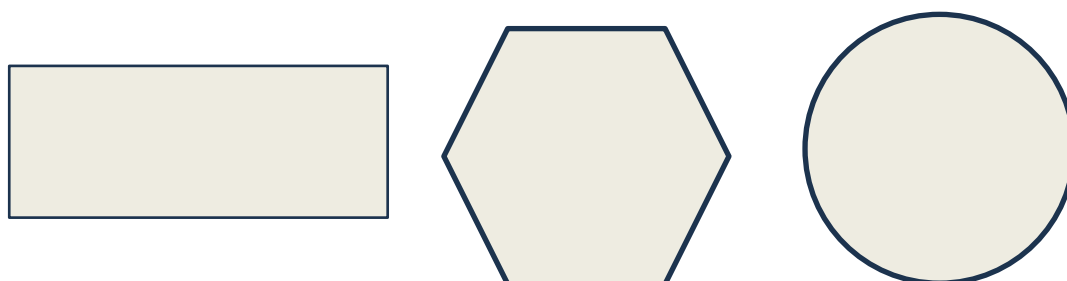
6. The CCFL has discussed the issue of “small units” and “small packages” in various contexts, throughout its past forty-eight meetings. In the current *Codex Alimentarius*, the CAC Procedural Manual and all Codex Information Documents, there appear to be only three references to “small unit” or “small packaging.”

7. The first occurrence relates to the description of small packaging for baby corn in the Annex to the *Codex Standard For Certain Canned Vegetables* (CXS 297, first adoption: 2009, current version: 2022) relating to specific conditions for “Baby Corn” or “Young Corn”. Under section 3 on Weight and Measures, it is stated that “the minimum drained weight of whole baby corn and cut baby corn should not be less than 40 percent for the **small packaging** (under 20 oz or 500 ml) and 50 percent for the others.”

8. The second occurrence relates to the *Codex Guidelines on Nutrition Labelling* (CXG 2, first adoption: 1985; current version: 2024, thereafter ‘CXG 2’) and its Section 3 on Nutrient Declaration, for which it is foreseen that in general “Nutrient declaration should be mandatory for all other prepackaged foods except where national circumstances would not support such declarations. Certain foods may be exempted for example, on the basis of nutritional or dietary insignificance or **small packaging**.” (Section 3.1.2). “Small packaging” is not defined. These Guidelines have been developed and amended by the CCFL and fall within its terms of reference. CCFL concluded the work on this part of the guidelines at its 46<sup>th</sup> meeting (see REP 21/FL).

9. The third occurrence references “**small units**” and is included in Section 6 of the *Codex General Standard for the Labelling of Prepackaged Foods* (i.e., **GSLPF** published in **CXS 1-1985** (first adoption: 1985, **current version: 2024**), thereafter ‘CXS 1’ or ‘the GSLPF’), which foresees exemptions from mandatory labelling requirements for some labelling particulars, such as the list of ingredients, the lot identification, and the instructions of use: “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 provision has not been changed since its first adoption in 1985.** As such, this provision provides the only standing definition for “**small units**,” defined as **packaging** (or packages or packs) **the largest surface area of which is less than 10 cm<sup>2</sup>** (i.e., corresponding to more or less 1,55 inch<sup>2</sup>).

It is roughly the scale of the figures presented in **Figure 1 below**. In comparison and as an illustrative example only, an average pack of ten sticks of chewing gum has an area of its largest surface close to 15 cm<sup>2</sup>, whereby most of the packages of chewing gum in pellets or slabs would have a largest surface area ranging between 25 cm<sup>2</sup> and 35 cm<sup>2</sup>, that face/surface often being the face displayed on retail shelves.



**Figure 1.** At scale, area of 10 cm<sup>2</sup> (1.55 inch<sup>2</sup>) of different shapes (rectangular, hexagonal, circular)

10. The CCFL discussed the concept of small packages and small units in various contexts in the recent past, without necessarily addressing the main issues for a full harmonization, especially on small packages and nutrition labelling exemptions (whereas Codex CCFL already settled on a definition for “small unit”, and the current proposal for new work does not suggest nor foresee any change to the Codex definition on “small unit”).

11. With regards to the specific background on how the CCFL discussed the issue of “small units” in the past, please see **Appendix I – Annex 1**. This part is for information only, as it is outside the scope of the current proposal for new work.

12. With regards to the specific background on how the CCFL discussed the issue of “small packs” in the past, please see **Appendix I – Annex 2**. This part is very relevant for discussing the current proposal for new work.

## RATIONALE IN FAVOR OF A NEW WORK TO DEVELOP A DEFINITION FOR SMALL PACKS (“SMALL PACKAGING - SMALL PACKAGES - SMALL PACKS”)

13. It should be noted that many countries have adopted the two main Codex text references on (a) small units (in the context of exemption from general labelling particulars) and on (b) small packages (in relation to nutrition labelling in particular). A couple of examples in the various parts of the world where such exemptions may already exist but with different approaches in defining small packs/small packages to grant exemptions from

nutrition labelling and/or from FOPNL schemes are summarized in the **Table 1** included in **Appendix I – Annex 3**.

14. At one glance to Table 1, there is a clear lack of harmonized approach in the ways countries implement these various Codex texts and related provisions for exempting some food products based on the small size of their packages.

15. On “small unit”, some countries reference “small units” based on the area of the entire pack, other countries do not specify the area basis, and a last group of countries do implement it in the same way of the Codex GSLPF, as the provision clearly refers to the area of the largest surface. **While there is no specific action to be taken by CCFL on the current definition of “small units”, the Committee could further encourage Codex Alimentarius’ members to promote further for the correct implementation of that exemption set in the GSLPF based on small units (which is 10 cm<sup>2</sup> based on the largest surface area of the pack),** with eventually capacity-building efforts by the FAO, WHO, and help from the FAO/WHO Regional Coordinating Committees that survey the correct implementation of all Codex standards and related text in the various Codex Alimentarius regions. The current proposal for new work to CCFL does NOT suggest - nor foresee - any change to the current provisions set for small units in the GSLPF (CXS 1).

16. On “*small packaging / small package /small pack*” and the way it is currently not defined but however readily used for granting exemptions from nutrition labelling and FOP-NL provisions, there is a wide variety of the surface areas used to grant such exemptions (*i.e.*, based on the area of the surface of the entire package, or on the area of the largest surface of the entire package -- generally the one *in the principal field of vision* or in display on retail shelves, and sometimes two areas are used, *i.e.*, the total area of the pack and the area of the largest surface).

17. As such, the primary objective of the present proposal for new work would be for CCFL to seek a collection of comprehensive information on how the different Codex member countries have implemented the two main provisions set in the GSLPF (CXS 1) and the Guidelines on Nutrition Labelling (CXG 2), respectively.

18. Based on that first step of stockpiled information, CCFL could then develop further guidance on interpreting the term “small package”, in particular on how implementing section 3.1.2 of the *Codex Guidelines on Nutrition Labelling* (CXG 2) and the mirror provision in its annex on FOPNL schemes. Such guidance could also help with the implementation of those exemptions which are also foreseen under additional conditions within the two new Codex Guidelines on “e-commerce” (CXG 104-2024, latest version) and on “information technology” (CXG 105-2024, latest version), which are making references to “exemptions” without defining exactly what they would encompass. It would seem coherent to apply the same guidance to the three adopted guidelines referring to the same concept of “small packages” / “small packs”.

19. It is also important to recall that both CCFL48 and CAC47 agreed with the new work on developing high-level guidance (*i.e.*, principles and criteria) to assist governments in considering development and application of food labelling measures in emergencies. As presented in the project document (REP 24/FL, Appendix VI), it is noted that “*Current CCFL texts do not address the need for risk-based decision-making on food labelling exemptions in times of emergency*”. “*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*.”. The proposed new work on small pack could take into account that parallel work if the future guidelines on emergencies would also foresee any sort of exemptions - or temporary flexibilities – for foods in small packs in particular.

#### **RECOMMENDATIONS TO CCFL49 FOR A NEW WORK ON A DEFINITION FOR SMALL PACK (*i.e.*, “SMALL PACKAGING - SMALL PACKAGE - SMALL PACK”).**

20. **CCFL49 is invited to review the project document which is included in the Appendix II of this discussion paper** and eventually support the proposal to start this new work on developing a guiding definition for the concept of “*small packaging – small packages - small packs*”, which is currently used in three adopted Codex guidelines under the purview of the CCFL, and with the aim to help further harmonization for granting exemptions from mandatory nutrition labelling, including from FOP nutrition labelling, among others to come (*e.g.*, in situation of emergencies).

21. The purpose of the proposed new work is **not** to review the existing Codex GSLPF provisions defining “small unit” associated to exemptions from some mandatory general labelling particulars. **“Small unit” is therefore fully out of the scope of this proposal for new work definition on “small packs”.**

22. Once agreed and finally adopted, CCFL could then recommend to the CAC to add the future guiding definition for “*small packaging -- small pack -- small package*” into the three Codex guidelines where they are used; or, if found more appropriate, suggest to CAC to add such a guiding definition in the Procedural Manual of the Codex Alimentarius Commission - in the section on ‘*Definitions relevant to the Codex alimentarius*’ – given that such a guiding definition for “small packaging -- small pack -- small package” could be useful for

other purposes and to other Codex Committees than only CCFL, in a near future. The guiding definition could also be added in both places.

## NEXT STEPS

23. The proposed new work is suggested to be completed within two CCFL sessions, and could therefore be foreseen to be carried out, as follows and subject to change by CCFL:

**Phase 1a** – To agree to start a new work on the development of specific definition of “small package” / “small pack” based on the content of the “Project Document” to be reviewed, amended and endorsed at CCFL49 meeting in May 2026, and provided that the proposal is supported by a Codex member.

**Phase 1b** – At CCFL49 (11-15 May 2026), to task the Codex Secretariat to issue a Circular Letter to members and observers to seek and compile information on national and/or regional schemes referring to “small package” / “small packs” and specify the situations where such definitions are used for an exemption purpose. The aim for such stockpiled information would be to compare such definitions for “small package” / “small packs” *inter alia* whether they are (a) specifying any area (b) if an area is specified, to what part of the package it refers to (i.e., total package area or the largest area of the packaging or both), and (c) what are the size of such area(s); and also to indicate what type of exemptions such “small package” / “small packs” are linked to (e.g. from some general labelling particulars, and/or nutrition labelling, and/or FOP(N)L schemes)

**Phase 1c** – Preferably at CCFL49 (11-15 May 2026), to establish an EWG, chaired by a sponsor country (and eventually co-chaired by other Codex members), with the following terms of reference: *“Based on the consolidated information received, the EWG, chaired by ... and co-chaired by ... and working in English only, is tasked to prepare a set of recommendations for circulation for comment at step 3 and proposing a guiding definition for “small packages” / “small packs” for consideration by CCFL50 (to be held likely towards the end 2027). Report of the EWG to be available at least 3 months before CCFL50”*.

**Phase 2** – Adoption of the proposed new work by CAC49 (July 2026), based on the critical review performed by the CCEXEC session, to be held immediately prior CAC49.

**Phase 3** – Intersessional work of the EWG between July 2026 and August 2027.

**Phase 4** – Report of the EWG available three months in advance to the next CCFL meeting (i.e., CCFL50), likely to be held towards the end of 2027. If a consensus found, a possible approval can be foreseen at step 5/8 at that session. If not, then a continuation of the work until CCFL51 (in May 2029) will be warranted.

**Phase 5** – Adoption of the proposed definition by the immediate next CAC meeting following the advancement of the definition in the uniform procedure’s step process (i.e., at CAC51, likely to be held in July 2028; or at CAC 52 in July 2029).

**Phase 6** – Inclusion of the proposed approach (that may include definition(s)) in the relevant Codex texts where they are currently used but not formally defined, or as an alternative (if CAC agrees) to be added in the Codex Procedural Manual under the relevant definitions applicable to the entire *Codex Alimentarius* compendium of standards, codes, guidelines, related texts, and databases, as well as to CAC statements.

**Note --** *The exact year of the possible final approval by the CAC and the subsequent publication of the agreed definition within the Codex Alimentarius compendium largely depend on the timespan between CCFL meetings and scheduled CAC meetings, and obviously is conditioned to whether an agreement on the proposed approach is reached at the CCFL49 meeting, provided that a Codex member is willing to sponsor and lead the proposed new work.*

## APPENDIX I

## Annex 1

**SPECIFIC BACKGROUND ON “SMALL UNITS” in the context of exemptions of some mandatory general labelling particulars**

1. With regards to “*small units*” and “*very small units*”, the Committee (CCFL) extensively discussed these concepts in the context of general food labelling provisions, starting as of 1973 and the discussion ending up with the first adoption of the GSLPF (CXS 1-1985) in 1985. Other Codex Committees discussed the concept of small packaging, in very specific context of foods subject to a vertical food “commodity” standard, such as for herbs and spices, or canned vegetables.
2. At its 7<sup>th</sup> session (CCFL07), the Committee noted that the “*Codex Secretariat drew the attention of the Committee to the request of the Codex Committee on Cocoa Products and Chocolate (ALINORM 72/22, para. 59), that the question be examined as to whether very small units should be exempted from a complete declaration of ingredients on the label. It was also pointed out that this was a problem which was not exclusive to chocolate products but also concerned many other commodities.*” At that occasion, the “*delegation of Sweden stated that according to their legislation, small units weighing less than 25 grams did not require mandatory label declaration.*” (ALINORM 72/22; Para 63.).
3. At its 8<sup>th</sup> session (CCFL08), the Committee discussed a working document (CX/FL 73/10) whereby “*a number of delegations were in favor of exempting very small units from the declaration of a complete list of ingredients on labels.*” At that occasion, “*the delegation of Poland pointed out that the meaning of the words ‘very small units’ should be defined.*” In response, other delegations “*considered that very small units could be defined either by volume, weight, maximum size of any dimension or surface area.*” The suggestion was further made that a “*very small unit might be 25 ml, 25 grams, 5 cm or 50 cm<sup>2</sup>.*” Furthermore, “*The Committee took the general view that the most important criteria for judging what mandatory information should be declared on a label was the availability of space.*” CCFL08 agreed to consult all active Commodity Committees about what would constitute “*very small units’ which might be exempt from the declaration of a list of ingredients or other mandatory information on a product by product basis.*” The delegation of Germany mentioned that the exemption could also cover the “*net content*”. (ALINORM 74/22, Paras. 68-70). During the same session, when considering similar provisions (section 7.4.2) included in the first draft standard for chocolate, the delegations of Sweden and USA “*indicated that the side of small units not requiring declaration of net weight should be 25 g rather than 50 g in the interests of consumer.*” (ALINORM 74/22, Para. 29).
4. At its 12<sup>th</sup> session (CCFL12), the Committee noted that the Codex Committee on Fats and Oils (CCFO) considered the possible exemption of the lot identification for small units in the context of its discussions on the draft standard for low fat spreads, but also expressed the need for a list of ingredients to be provided “*of interest to the consumers even on small units*” (ALINORM 78/22, para. 53).
5. At its 16<sup>th</sup> session (CCFL16), the Committee returned the revised draft general standard for the labelling of prepackaged foods at step 6 for further consideration. At that time, section 6.1 of the draft read: “*With the exception of species and hers, small units (of up to 25 g (ml) /15g (ml)) (or) (with a total surface area of less than 50 cm<sup>2</sup>) may be exempted from the requirements of paragraphs (4.2 [list of ingredients], 4.3 [Net content and Drained Weight], 4.6 to 4.9 [Lot identification, etc.]) provided that such information is displayed on a display box, sign, placard or similar item placed near or adjacent to the foods when presented for sale to the consumer.*” (ALINORM 83/22, and Appendix VI, Section 6 Exemptions from Mandatory Labelling Requirements. At the same session, the Committee, when it considered the endorsement of the labelling provision of the Standard for white chocolate cocoa butter confectionery (at step 8), indicated that “*the observer of the EEC proposed that the exclusion of small units from declaration of net contents should be extended for units up to 50 grammes. The Committee noted that this has not been done for other chocolate products and agreed to endorse the labeling provisions of this standard subject to review upon completion of the revised text of the General Standard for Labelling.*”
6. At its 17<sup>th</sup> session (CCFL17), the Committee considered a proposal from the United Kingdom on Section 6 that “*this section should take into account two criteria, weight as well as surface area of small units. In its view, only units, with the exception of spices and herbs, up to 5 g or 5 ml should be exempted form mandatory labelling requirements. Also, the UK expressed its preference for ‘a requirement for the largest surface instead of the total surface area for mandatory exemption and proposed a figure of 10 cm<sup>2</sup> be considered by the Committee. The Committee agreed to give further consideration to this provision at its next sessions*” (ALINORM 85/22, Para. 281).
7. At its 18<sup>th</sup> session held in March 1985 (CCFL18), the Committee endorsed the final provision, which read, “*6.1 With the exception of spices and herbs, small units where the largest surface is less than 10 cm<sup>2</sup> may be exempted from the requirements of paragraph 4.2, and 4.6 to 4.8.*” The various sections related to the list of ingredients (4.2), lot identification (4.6), date marking (4.7), and instructions of use (4.8). At that occasion, it

was noted that in Japan, the maximum total surface area exemption was 30 cm<sup>2</sup>, and it considered 50 cm<sup>2</sup> as excessive for most products (ALINORM 85/22A, Paras. 116-117). CAC16 subsequently adopted the GSLPF in July 1985 at Step 8.

8. Many countries have adopted this provision in their national legislation and are still applying those exemptions from mandatory labelling requirements to foods in small units defined by the size of their largest surface below 10 cm<sup>2</sup>. The proposal of new work does not relate directly to that provision but to the promotion of such an exemption and to confirm countries implement the provision exactly as adopted in the GSLPF.

9. At its 47<sup>th</sup> session (CCFL47), the Committee agreed (at Step 5) to amend that same section of the GSLPF to make sure that 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.*”, i.e., while referring to the relevant revised sub-sections of 4.2.1 dealing with mandatory requirements of some food allergens.

10. At its 48<sup>th</sup> session (CCFL48), the Committee finalized the revised sections of the GSLPF on food allergens and allergenic foods, without amending any specific provisions relating to small units, as set in section 6. The revised standard CXS 1 was subsequently published early 2025 (see CXS 1-1985, 2024 version). Section 6 currently reads as follows:

**“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 Section 4.2 and Section 4.6 to 4.8. This exemption does not apply to the declaration of foods and ingredients listed in Section 4.2.1.4, Section 4.2.1.7 and where applicable Section 4.2.1.5.”* whereby the quoted references apply to:

- the “*list of ingredients*” (Section 4.2);
- the “*lot identification*” (Section 4.6);
- the “*date marking and storage instructions*” (Section 4.7);
- the “*instructions for use*” (Section 4.8); and,
- foods and ingredients known to trigger food allergy or coeliac disease, to be always declared as allergenic foods when intentionally present in the food and having a global relevance to all countries (Section 4.2.1.4);
- foods and ingredients known to trigger food allergy or coeliac disease, having a regional relevance only, to be always declared as allergenic foods when intentionally present in the food in those relevant regions and countries provided it is based on available risk assessment data for the respective population(s) taking into account risk management considerations (Section 4.2.1.7)
- the mandatory labelling of sulphites (or sulfites) (global relevance) when above 10 mg/kg (expressed on a sulphur dioxide (SO<sub>2</sub>) equivalent basis), in addition to or as part of the ingredient name (Section 4.2.1.5).

11. **The proposed new work does NOT suggest, nor foresees, any modification of the above Section 6 of the GSLPF**, but rather could constitute an opportunity for the Committee to continue encouraging all Codex Alimentarius member countries to apply such provisions as adopted and presented in the revised 2024 version of the GSLPF as published in February 2025 (i.e., small units referring to an area of 10 cm<sup>2</sup>, being the area of the largest surface of the pre-packaged food).



## Annex 2

**SPECIFIC BACKGROUND ON “SMALL PACKAGE - SMALL PACKAGING - SMALL PACK” in the context of nutrition labelling (including FOP nutrition labelling), E-commerce and the Use of Modern Information Technologies**

1. With regards to “**small package / small packaging / small packs**”, the first occurrence of a discussion relating to exemptions of some provisions for foods prepackaged in small packaging appears in 2009 at the 37<sup>th</sup> session of CCFL (CCFL37), in the context of the never finalized *Proposed Draft Recommended Principles And Criteria For Legibility Of Nutrition Labelling*. Indeed, the Committee considered a proposed text that covered exemptions relating to “[*(11) Small packages may be exempt from nutrient declaration, provided no nutrition or health claim is made in the labelling of that food. Small packages are defined as packages with a largest printable surface of less than XX cm<sup>2</sup> (TO BE DETERMINED)*]. [*(12) To accommodate nutrition labelling of small packages, national authorities may also consider the declaration of a shortened, minimum set of key nutrients.*].” In para. 64 -66 of CCFL37 report, it is explained that some “*delegations suggested that where small packs are exempted, the nutrient declaration should be required on any larger packages containing the smaller units*”. It was also noted that “*this provision was relevant when nutrition labelling was mandatory. The Committee decided that this paragraph would be retained in square brackets pending the outcome of work relative to the listing of nutrients.*” (ALINORM 09/32/22, Paras. 64-66 and Appendix III).

2. At its subsequent 38<sup>th</sup> session (CCFL38), the Committee considered a background paper explaining the issues relating to mandatory nutrition labelling (ALINORM 10/33/22 Appendix III), as well as continued the discussion on the draft principles and criteria for legibility of nutrition labelling. In the “*Implementation*” section relating to mandatory nutrition labelling, it was noted that “*small packages, packages that have shapes such that a label cannot be affixed or refillable bottles. In such cases, nutrition information could be provided by alternate means such as a telephone number, hang tags, address or website,*” as well as “*▪ foods that contain negligible amounts of all of the nutrients required to be declared under the mandatory nutrition labelling requirements. Examples of such foods could include coffee beans, tea leaves, plain unsweetened instant coffee and tea, unsweetened/unflavoured water, condiments, flavour extracts, and food colours. If this exemption were to apply, it would first be necessary to determine a definition of ‘a negligible amount’ of a nutrient; ▪ exempting declaration of those nutrients that could be declared as zero; ▪ foods that do not contribute significantly to dietary intake of the population of the country in question (the implementation of this option would first require a definition of ‘significant’); and ▪ exemptions based on business size and type of outlet.*”

3. At the 40<sup>th</sup> CCFL meeting (CCFL40), Australia presented the outcome of an electronic working group on mandatory nutrition labelling (REP 12/FL, Paras. 47-67). Comments from one delegation indicated that “*nutrition labelling for ‘all other foods’ should only be mandatory for the four core nutrients: energy, available carbohydrate, protein and fat.*” They also proposed a phased approach to mandatory nutrition labelling for all other foods commencing with the four core nutrients and advancing further in later years, which would facilitate its introduction, especially in developing countries, taking into account consumer understanding, national capabilities for analysis and monitoring of implementation, cost etc. This also would recognize that not all nutrients listed in Section 3.2.1.2 are of the same concern in all countries”. “*Several other delegations stated that the list of nutrients to be declared should be as adopted by the 34<sup>th</sup> CAC and should not be revisited. However, it could be considered to take into account national circumstances and to exempt some foods from mandatory nutrition labelling, for example, on the basis of **nutritional or dietary insignificance** and **small packaging**.*” “*The Committee agreed further that Section 3.1.2 would state that nutrient declaration would also be mandatory for all other prepackaged foods but would define exemptions for national circumstances and specific foods or packaging for which nutrient declaration might not be appropriate or needed for example on the basis of nutritional or dietary insignificance or small packaging.*” The Committee agreed to forward to CAC for final adoption at step 5/8 the specific amendments to the Codex Guidelines on Nutrition Labelling to amend the section 3.1.1 and 3.1.2 to state:

“*3.1.1 Nutrient declaration should be mandatory for all prepackaged foods for which nutrition or health claims, as defined in the Guidelines for Use of Nutrition and Health Claims (CAC/GL 23-1997), are made.*  
*3.1.2 Nutrient declaration should be mandatory for all other prepackaged foods except where national circumstances would not support such declarations. **Certain foods may be exempted for example, on the basis of nutritional or dietary insignificance or small packaging.**”*

The text was subsequently approved at the 35<sup>th</sup> meeting of the Commission in July 2012 and integrated into the revised published Guidelines on Nutrition Labelling (CXG 2). The above text is still applicable in CXG 2 (See para. 9 of the introduction of this discussion paper).

4. At its 42<sup>nd</sup> session (CCFL42), the “*Committee also agreed that further consideration should be given to the presentation and extent of information on small packages*” in the context of the discussion on the revision of the section of the GSLPF on *Date Marking* (REP 15/FL, para. 76). The revised section on *date marking* in the GSLPF continues to contain examples of named foods (such as herbs and spices, salt, chewing gum) subject

to exemptions from any date marking. However, at its subsequent 43<sup>rd</sup> meeting (held in 2016), the “Committee did not develop any specific requirements for small packages.” (REP 16/FL, para. 47).

5. At its 45<sup>th</sup> session (CCFL45) in 2019, it was noted that “the surface area for small packages may be insufficient and suggestions were made that it could be increased.” (REP 19/FL, Para. 71).

6. At its 46<sup>th</sup> session (CCFL46) in 2021, the Committee noted the proposal from one observer in the context of the foreseen possible exemptions from Front-Of-Pack Nutrition Labelling schemes set in Section 2.3 of the *Codex Guidelines on Front-Of-Pack Nutrition Labelling* (note: since then, it has been included in Annex II of the *Codex Guidelines on Nutrition Labelling* (CXG 2; first adoption in 1985 - current version: 2024)). Section 2.3 in CXG 2 therefore currently reads: “*Certain prepackaged foods may be exempted from FOPNL. Exemptions from FOPNL should align with the exemption from the nutrient declaration as described in Section 3.1.2 of the Guidelines on Nutrition Labelling (CXG 2-1985).*” At that occasion, an observer (i.e., the ICGA) “drew the attention of the Committee on the **lack of specific Codex guidance for the concept of “small pack/small packaging”**”. In response, it was pointed out that the addition of the cross-reference to section 3.1.2 of the *Guidelines on Nutrition Labelling* (CXG 2-1985) aimed precisely at clarifying that certain foods could also be exempted from FOPNL as well, for example, « *because of nutritional or dietary insignificance or **small packaging*** » (see REP 21/FL, Para. 66). This is also reinforced by the fact that the Committee subsequently agreed that the proposed Guidelines on FOPNL shall be annexed to the *Guidelines on Nutrition Labelling* (CXG 2-1985) themselves.

7. At its 47<sup>th</sup> session (CCFL47) in 2023, the Committee also discussed the issue of extending exemptions applicable to small units in both the context of the discussions on the draft *Guidelines on Technology* and the draft *Guidelines on E-commerce*. In the latter context, “CCFL47 discussed the proposal to remove the exemption for some labelling information on small units on e-commerce pages. Those not in support of extending the labelling exemption for small packages to the e-commerce page, expressed the view that: *unlike for pre-packaged foods in small units, there was no space limitation to provide information about a pre-packaged product in the e-commerce space; if an exemption is provided without justification, sellers would use the exemption and not try to provide information; information would be available to the seller and thus would not be a burden to small suppliers. Those not in favour of extending the labelling exemption for small packages to the e-commerce page, while not questioning that there was no space limitation, expressed the view that: the requirement would place a burden on small business operators due to the complexity of the supply chain, and this might prevent them to offer products through this particular portal; small suppliers were not necessarily the producers / manufacturers of the products, thus they might not have access to information on the products other than on the label. As an alternative, a proposal was made to add a provision that would encourage food business operators to provide additional information which is otherwise exempted for small packages.*” (REP 23/FL, paras. 93-97). CCFL47 also considered but did not agree to an alternative proposal: “*a competent authority may require that additional information about the pre-packaged food be stated on the product information e-page and may specify at which point in the e-commerce sale that information shall be shown*” to replace both the requirements for period of durability and for exemptions for small units, however, this was not agreed to and removed”. CCFL47 agreed to keep the exemption for small packages and the proposal mentioned above (see REP23/FL, para. 97) in square brackets for further consideration.

8. At its 48<sup>th</sup> meeting (CCFL48) in November 2024, the Committee reached a consensus and finalized two new guidelines based on the outcomes of various intersessional electronic and virtual working groups, which were subsequently approved by the 47<sup>th</sup> session of the *Codex Alimentarius* Commission in December 2024.

9. With regards the *Codex guidelines on the Provision of Food Information for Pre-packaged Foods to be offered via E-commerce* (published as CXG 104 – 2024), CCFL48 agreed to retain the principle of keeping the possibility for competent authorities to grant exemptions from some mandatory labelling particulars “*in specific circumstances*” (see REP/FL24, Para. 98). Section 5.3 of these new guidelines read as “*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.*” Further guidance on the packaging size for the continuation of granting these exemptions in the context of e-commerce would be helpful to competent authorities in the context of the implementations of these guidelines, as other exemptions than those foreseen in the GSLPF could be also considered at national level when applying these CXG 104 guidelines.

10. CCFL48 held similar discussions in the context of the finalization of the *Guidelines on the Use of Technology to Provide Information in Food Labelling* (published as CXG 105 – 2024). The Committee also found a compromise wording on the Section 6 of these guidelines covering the *Use of technology to provide consumers access to food information that is not accessible on the label*. CCFL48 indeed retained the possibility for exemptions to perdure even in the context of access to modern information technologies as “*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.* » In other words, the new *Codex Guidelines*



*on Technology* does not specify what type of exemptions is covered by this provision, which remains subject to interpretation by each competent authority. Further guidance on the packaging size for the continuation of granting these exemptions in the context of access to information via “technology” would be helpful to competent authorities in the context of the implementations of these guidelines CXG 105 guidelines.

## Annex 3

**NON-EXHAUSTIVE LIST OF NATIONAL AND/OR REGIONAL PROVISIONS PROVIDING EXEMPTIONS  
FROM MANDATORY LABELLING PARTICULARS BASED ON “PACKAGE” SIZES**

Jurisdictions	Regulatory references	Provisions referring to specific areas
<b>China</b>	<a href="#">GB7718-2011</a> – national standard for the labeling of prepackaged food, repealed and replaced by <a href="#">GB7718-2025</a> (published in March 2025). The transition period runs until 2027 for the full implementation of the new provisions.	<p>Article 4.3.2 -- Where the largest surface area of the prepackaged <b>food is less than 10 cm<sup>2</sup></b>, only product name, net content, name and address of producer (or distributor) needs to be labeled.</p> <p>To be replaced in 2027 by:</p> <p>“When the <b>largest maximum surface area of the package or container of a prepackaged food is not greater than 20 cm<sup>2</sup></b>, it may only display the following information:</p> <ul style="list-style-type: none"> <li>• the name of the food,</li> <li>• net content,</li> <li>• expiry date or shelf life,</li> <li>• storage conditions,</li> <li>• the name and contact details of the manufacturer and/or operator,</li> <li>• the food production license number,</li> <li>• product standard code and sequence number.”</li> </ul>
<b>The Philippines</b>	<a href="#">Revised Rules and Regulations Governing the Labeling of Prepackaged Food Products Further Amending Certain Provisions of Administrative Order No. 88-B s. 1984</a> or the “Rules and Regulations Governing the Labeling of Prepackaged Food Products Distributed in the Philippines” and for other purposes	<p>Article 11. h -- <b>Nutrition Labeling Exemptions:</b></p> <ul style="list-style-type: none"> <li>• Prepackaged foods in multi-units retail package such as <b>candies with surface area less than 10 cm<sup>2</sup></b> may be exempted from the requirements of nutrition labeling when sold together with the primary packaging;</li> <li>• Foods in packages with <b>available label space of less than 10cm<sup>2</sup></b> (e.g., pack of gum) provided that no health and nutrition claim is made;</li> </ul>
<b>Singapore</b>	<a href="#">Food Regulation</a>	<p><b>Article 8A - Nutrition Information Panel</b></p> <p>Paragraph (1)** shall not apply to any prepacked food which has a <b>total surface area of less than 100 cm<sup>2</sup></b> (square centimeters) and which has included in the label —</p> <p>(a) a statement of the quantity of each nutrient in respect of which the nutrition claim is made; or</p> <p>(b) where there is a claim that the food is free of sugar or where there is a claim as to the energy value of the food, a statement of the energy yield of the food.</p> <p>** Paragraph (1) requires food to bear nutrition information</p>

Jurisdictions	Regulatory references	Provisions referring to specific areas
<b>Thailand</b>	<p><a href="#">Notification of the Ministry of Public Health (No. 367) B.E. 2557 (2014)</a></p> <p>Re: Labeling of Prepackaged Foods<sup>[1]</sup></p>	<p>Clause 14 -- Texts on label shall be prominent and readily legible, size of letters and space of label shall be proportionate and shall follow:</p> <ol style="list-style-type: none"> <li>1. Presentation of Text in Clause 4(1), the height of letters shall not be less than 2 mm and shall be readily legible proportionate to area of label and appear in a main part when marketing and shall have horizontally consecutive texts, <b>except for label smaller than 35 cm<sup>2</sup></b>, sizes of letters not less than 1 mm shall be presented;</li> <li>2. Presentation of texts in Clause 4(2), the height of letters shall be as the Food and Drugs Administration prescribed;</li> </ol> <p>(3) Presentation of texts in Clause 4 (4) (5) (6) and (9), the height of letters shall be as follows, as the case maybe,</p> <p>(3.1) <b>Not less than 1mm</b> if space of label not more than 100 cm<sup>2</sup>, <b>except for label having total space less than 35 cm<sup>2</sup></b>, presentation of composition can be made on packages instead;</p> <p>(3.2) Not less than 1.5 mm if space of label more than 100 cm<sup>2</sup></p>
<b>Australia and New Zealand</b>	<p><a href="#">STANDARD 1.2.1 – Food Code</a></p> <p>Application of Labelling And Other Information Requirements</p> <p>Food Standards Code – <a href="#">Standard 1.2.1</a> – Requirements to have labels or otherwise provide information</p> <p><a href="#">Standard 1.2.8</a> – Nutrition information requirements</p>	<p><b>Small package means a package with a surface area of less than 100 cm<sup>2</sup>.</b></p> <p><b>Legibility requirements for warning statements</b></p> <p>A *warning statement on a label must be written</p> <p>(a) for a small package—in a *size of type of at least 1.5 mm;</p> <p>(b) otherwise—in a size of type of at least 3 mm.</p> <p><b>A nutrition information panel is not required for:</b></p> <p>(a) the following foods, unless a *claim requiring nutrition information is made in relation to the food:</p> <ol style="list-style-type: none"> <li>(i) a *standardised alcoholic beverage;</li> <li>(ii) a herb, a spice or a herbal infusion;</li> <li>(iii) vinegar or imitation vinegar;</li> <li>(iv) iodised salt, reduced sodium salt mixture, salt or salt substitute;</li> <li>(v) tea or coffee, or instant tea or instant coffee;</li> <li>(vi) a substance that is approved for use as a food additive;</li> <li>(vii) a substance that is approved for use as a processing aid;</li> <li>(viii) a food that is sold to be *used as a processing aid;</li> <li>(ix) fruit, vegetables, meat, poultry, and fish that comprise a single ingredient or category of ingredients;</li> <li>(x) gelatine;</li> <li>(xi) water (including mineral water or spring water) or ice; (...)</li> </ol> <p><b>(b) a food in a *small package, other than food for infants.</b></p>

Jurisdictions	Regulatory references	Provisions referring to specific areas
South Korea	<a href="#">Labeling Standards of Foods, Etc (No. 2022-66)</a>	<p>Article 1 – Labeling Method</p> <p>On the information display surface, the food type, name (trade name) and location of the sales office, the use-by date (date of manufacture or shelf life), the name of the raw materials, and the precautions shall</p> <p>be indicated by table or paragraph divided for each indication. If the area of the information display surface is less than 100 cm<sup>2</sup>, it may not be indicated in a table or paragraph.</p>
European Union (and countries members of the European Economic Area)	<p><b>EU Regulation 1169/2011 on Food Information to Consumers, as amended and consolidated (April 2025):</b></p> <p><a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011R1169-20250401">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A02011R1169-20250401</a></p>	<p>Exemption from some general labelling particulars (Article 16)</p> <p>In the case of packaging or containers the largest surface of which has an area of less than 10 cm<sup>2</sup> <u>only the</u> particulars listed in points (a) [the name of the food], (c) [allergens], (e) [net quantity] and (f) [date of durability] (...) shall be mandatory on the package or on the label. The particulars referred to in point (b) [list of ingredients] of Article 9(1) shall be provided through other means or shall be made available at the request of the consumer.</p> <p>Exemption from nutrition labelling (Article 16 Omission of certain mandatory particulars, para. 3. and Annex V)</p> <p><b>ANNEX V - FOODS WHICH ARE EXEMPTED FROM THE REQUIREMENT OF THE MANDATORY NUTRITION DECLARATION</b></p> <ol style="list-style-type: none"> <li>1. Unprocessed products that comprise a single ingredient or category of ingredients;</li> <li>2. Processed products which the only processing they have been subjected to is maturing and that comprise a single ingredient or category of ingredients;</li> <li>3. Waters intended for human consumption, including those where the only added ingredients are carbon dioxide and/or flavourings;</li> <li>4. A herb, a spice or mixtures thereof;</li> <li>5. Salt and salt substitutes;</li> <li>(...) 14. Gelatine;</li> <li>15. Jam setting compounds;</li> <li>16. Yeast;</li> <li><b>17. Chewing-gums;</b></li> <li><b>18. Food in packaging or containers the largest surface of which has an area of less than 25 cm<sup>2</sup>;</b></li> <li>(...)</li> </ol>
Lebanon	Lebanon Standard (NL 71 9/2017)	<p><b>Food in packaging or containers the largest surface of which has an area of less than 25 cm<sup>2</sup>, are exempted from mandatory nutrition labelling.</b></p> <p><b>In addition, foods in small units (with the largest surface area is less than 10 cm<sup>2</sup>) are exempted from a mandatory list of ingredients, batch number, and instructions of use.</b></p>
Jordan	Jordan Standards (JS 1473/2022 and JS 9/2010)	<p><b>Food in packaging or containers the largest surface of which has an area of less than 25 cm<sup>2</sup>, are exempted from mandatory nutrition labelling.</b></p> <p><b>In addition, foods in small units (with the largest surface area is less than 10 cm<sup>2</sup>) are exempted from a mandatory list of ingredients, batch number, and instructions of use.</b></p>

Jurisdictions	Regulatory references	Provisions referring to specific areas
GCC countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates, Yemen)	GSO Standards (GSO 22 33:2025-Third edition; and, GSO 2406:2025 - Second edition)	Food in packaging or containers the largest surface of which has an area of less than 25 cm <sup>2</sup> , are exempted from mandatory nutrition labelling.  In addition, foods in small units (with the largest surface area is less than 10 cm <sup>2</sup> ) are exempted from a mandatory list of ingredients, batch number, and instructions of use.
Egypt	Egyptian Standard (EOS 1546/2024)	There is no provision defining small packs and any exemption associated to it.  However, there is a definition for small units (foods in packages the largest surface area of which is not exceeding 10 cm <sup>2</sup> ) which are exempted from mandatory ingredient list, production batch, date marking, storage conditions, and instructions of use).
Morocco	Moroccan Decree N° 2-12 -389 of 11 Joumada II 1434 (22 April 2013)	Food in packaging or containers the largest surface of which has an area of less than 25 cm <sup>2</sup> , are exempted from mandatory nutrition labelling.  In addition, foods in small units (with the largest surface area is less than 10 cm <sup>2</sup> ) are exempted from any mandatory particulars except: the product name, the name of any substance that may cause allergy, net quantity of the product, minimum expiry date or maximum consumption date. For the list of ingredients, it must be provided by any other means than the label; and be available to the consumer, upon request.
United States of America (USA)	Code of Federal Regulation (Chapter 21 CFR 101.9 (j)(13)(i): See <a href="https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-101/subpart-A/section-101.9#p-101.9(j)">https://www.ecfr.gov/current/title-21/chapter-I/subchapter-B/part-101/subpart-A/section-101.9#p-101.9(j)</a> )	Foods in small packages that have a <u>total</u> surface area available to bear labeling of less than 12 square inches (i.e., less than 77,42 cm <sup>2</sup> ) are exempted from mandatory nutrition labelling requirements (so long as no nutrition claims are made on pack or in advertising).  There is no known exemptions from other labelling particulars and the concept of small unit (package with a largest surface area of less than 10 cm <sup>2</sup> ) does not exist.
Canada	Nutrition labelling: <a href="https://inspection.canada.ca/en/food-labels/labelling/industry/nutrition-labelling">https://inspection.canada.ca/en/food-labels/labelling/industry/nutrition-labelling</a>  FOP nutrition labelling: <a href="https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/guidance-documents/front-package-nutrition-symbol-labelling-industry.html#a5">https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/guidance-documents/front-package-nutrition-symbol-labelling-industry.html#a5</a>	Food in packages less than 15 cm <sup>2</sup> available for the labeling space are fully exempted from mandatory FOP Nutrition labelling (so long as no nutrition claims are made), with the following examples: one-bite confections such as wrapped hard candies, caramels, mints, individual sticks of (chewing) gum or balls of bubble gum.  Food in packages that have an available display surface below 100 cm <sup>2</sup> may be subject to other conditional exemption if subject to specific exemptions from the nutrition fact panel.

**Table 1.** Non-Exhaustive List of Regulatory References to Exemptions based on Package Surface Area(s)

## Annex 4

**SELF-ASSESSMENT FOR EVALUATING AND PRIORITIZING WORK PROPOSAL TO CCFL**

The following table are the additional criteria against which the proposed new work on a further harmonization of small packs could be undertaken by CCFL, including both positive and negative impacts (as included in Table 1bis), as per the information document finalized by CCFL48 and approved by CAC47)

Criterion	Further information	Rating (self-assessment)
<b>Relevance to CCFL mandate</b>	<i>Does the proposed new work fit within the terms of reference of CCFL?</i>	<b>Yes.</b> Small packages are referred to in core standard and guidelines developed by the CCFL in a recent past (GSLPF, FOPNL, e-commerce, information technologies).
<b>Impact on consumer health</b>	<i>Potential of proposed new work to prevent, reduce or resolve a consumer health risk</i>	<b>Medium.</b> The definition of small packs would not have any negative impact on consumer health.
<b>Addresses false, misleading or deceptive labelling practices</b>	<i>Potential of the proposed new work to prevent, reduce or resolve false, misleading or deceptive labelling practices</i>	<b>High.</b> The variety of legal frameworks and definitions leading to a diversity of information delivered to the final consumer is on its own potentially a source of disorientation by consumers located and travelling in a certain region. It would be better to limit the options and have a unique Codex focal definition of small packs to reduce such confusion. Confusion is one element of being misled.
<b>Impact on consumer's ability to make an informed choice</b>	<i>Potential of the proposed new work to assist the consumer in making an informed choice</i>	<b>High.</b> Small packs, once further harmonized, could be also for the consumer a reference in terms of portion size. Hence, it may orientate consumer to pick foods with smaller servings, hence limiting their daily intakes in nutrients of concern, hence promoting healthier diets.
<b>Impact on international trade</b>	<i>Potential of the proposed new work to promote fair practices in international trade</i>	<b>High.</b> A further harmonized definition of small pack / small packages (in addition to the existing one of small unit) would help in having converging national rules towards a unique focal point, hence reducing potential technical barriers to trade, and offer global citizens and travelers a unified understanding of what information is expected to be found and not to be found on such small packs.

**Table 1bis.** ICGA self-assessment of the proposed new work vs criteria adopted by the CCFL



## APPENDIX II

## PROJECT DOCUMENT

**PROPOSAL FOR NEW WORK ON A GUIDING DEFINITION FOR A UNIFORM APPLICATION OF LABELLING PROVISIONS RELATING TO “SMALL PACKAGE” (i.e., “SMALL PACKS”, “SMALL PACKAGING”)**

*(Prepared by the ICGA)<sup>2</sup>*

## 1. PURPOSE AND SCOPE OF THE NEW WORK

The purpose and scope of the proposed work is to develop a guiding definition for foods prepackaged presented in “small packages” (also sometimes called as synonyms ‘small packaging’ or ‘small packs’). The proposed guiding definition could assist competent authorities in applying in a consistent manner the list of possible exemptions which are foreseen in existing Codex texts under the purview of CCFL. The development of such guiding definition does not prejudge where it will be included in specific Codex texts (such as the GSLPF or the Guidelines for Nutrition Labelling), or for inclusion in the Procedural Manual.

The proposed new work does **not** foresee any modification of current section 6 of the GSLPF covering exemptions from some mandatory labelling particulars for foods prepackaged in small units, but rather could constitute an opportunity for CCFL to encourage all Codex Alimentarius member countries to apply such provisions as presented in the revised 2024 version of the GSLPF (CXS 1-1985, 2024 version) as published in February 2025, i.e., whereby “*small units*” refer to an area of 10 cm<sup>2</sup>, being the area of the largest surface of the pre-packaged food, and not its total surface).

## 2. RELEVANCE AND TIMELINESS

CCFL has completed its work at its last session on the revision of relevant sections of the GSLPF (CXS 1-1985, 2024 version) as well as the conditions under which competent authorities may continue to grant exemptions based on the concept of ‘*small packages*’ in the context of the enforcements of the national policy frameworks on e-commerce and on information technology, as presented in two new recently published Codex guidance (i.e., CXG 104-2024 and CXG 105-2024, respectively). Competent authorities have also been gradually implementing for the past 4 years the exemptions which are foreseen in the Codex Guidelines on Nutrition Labelling (CXG 2-1985; 2024 version) and in particular its Section 3.1.2 which reads “*Nutrient declaration should be mandatory for all other prepackaged foods except where national circumstances would not support such declarations. Certain foods may be exempted for example, on the basis of nutritional or dietary insignificance or small packaging.*” It is timely to perform a general review of these provisions to be able to compare them to each other and determine the level of achievability for these provisions to converge towards a possible unique, world-trade relevant guiding definitions, for a better harmonized implementation of these Codex texts.

## 3. MAIN ASPECTS TO BE COVERED

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

- Statement of the elements for such a guiding definition;
- Short list of possible contextualization criteria associated with the implementation of such guiding definition in relevant Codex texts.
- Place where to include the guiding definition.
- Other aspects to be taken into consideration, which could emerge in the course of the elaboration of the guiding definition and its contextualization criteria.

## 4. ASSESSMENT AGAINST THE CRITERIA FOR THE ESTABLISHMENT OF NEW WORK PRIORITIES

### ***General criterion Criteria applicable to general subjects***

#### ***(a) Diversification of national legislations and apparent resultant or potential impediments to international trade***

This proposed new work is primarily responding to this need to provide for further Codex guidance to help countries with a single reference point, in the form of a Codex Alimentarius guiding definition (with possible contextualization criteria), to allow a gradual convergence of each existing national rules towards that reference point, aiming at reducing existing divergences and reducing labelling impediments to international

<sup>2</sup> The ICGA represents the main manufacturing companies of chewing gum traded globally and produced at national level, as well as supplying companies of key functional ingredients used in chewing gum and bubble gum products. ICGA and its predecessor (IFCGA) has been an observer organization to Codex Alimentarius Commission since the early 1990s (see here).

trade.

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

The scope of the work is limited as the final output is to come up with a simple description of what small packages are and what are the metrics which could be associated to it. As a starting point, Codex members will be receiving a simple questionnaire to collect a stockpile of information on how each member may already have one or more definitions for small packs (the review will not include the concept of small units described in the GLSPF, for which the Codex prescriptive definition is unambiguous). Based on that stockpile of information, a report will be presented to identify the points that all these national (or regional) definitions may have in common and what are the diverging elements. The report will also flag out the context within which such national definitions are currently in use. From there, a common and smart guiding definition for small packs will be proposed for further inputs from Codex members and observers during a second round of consultation. And then the definition would be discussed further by the CCFL plenary.

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

None known or identified at this stage.

***(d) Amenability of the subject of the proposal to standardization***

This new work seeks to foster the level of consistency by which Codex texts are implemented by Codex members. It is obvious that a very prescriptive definition for small packages may not be feasible but at least it would be possible

***(e) Consideration of the global magnitude of the problem or issue***

As presented in Annex 1 of the discussion paper, there is a large diversity of situations at national and/or regional level about the definition of the cut-off size or sizes which lead to local varied definitions of “small packages”. The example of the definition of “small units” show that when a Codex standard is prescriptive on such important definitions, they are often more uniformly implemented by Codex member countries.

**5. RELEVANCE TO CODEX STRATEGIC OBJECTIVES BASED ON CODEX STRATEGIC PLAN (2026 – 2031)**

***Strategic Goal 1: Respond to Members’ needs for protecting the health of consumers and ensuring fair practices in the food trade in an evolving global landscape by developing science-based standards and related texts***

***Subgoal 1.1*** Foresight and horizon-scanning activities are used to support the identification of issues likely to impact food safety, quality and trade.

The proposal for this new work was included in the A-list for possible future priorities of the CCFL at its 48<sup>th</sup> session in November 2024, hence recognizing the value for further guiding definition for “small packaging/small package/small pack”.

***Subgoal 1.2*** Scientific advice that addresses the needs identified by CAC and subsidiary bodies is primarily provided by FAO and WHO and their joint scientific advisory bodies, informed by globally representative data and appropriate international expertise and methodology.

The proposal for this new work does not require any scientific advice.

***Subgoal 1.3*** Scientific advice is used by CAC and subsidiary bodies in line with Codex risk analysis principles.

The proposal for this new work does not require any scientific advice.

***Subgoal 1.4*** Codex standards and related texts are developed, reviewed and adopted in a timely, transparent and inclusive manner).

The proposal for this new work includes a proposal for a consultation of all Codex members through a circular letter to compile information to inform the future electronic working group to elaborate the guiding definition. The process is therefore very much inclusive from its starting point and transparent by the way the definition is suggested to be developed. In term of timeliness, it is expected that the Committee could find a consensus in one session only, therefore not putting much of a burden on the Committee and on Codex members and observers.

***Strategic Goal 2: Enhance Codex work management systems and practices that support the effective and efficient development of standards and related texts***

***Subgoal 2.1*** Work management systems and practices are refined and enhanced, leveraging digital and other

*new technologies*

The proposal for this new work is going to be developed based on the currently available virtual means for addressing the responses to the Circular Letter (using the Codex OCS) and for the work of the Electronic Working Group (using the Codex e-Forum).

**Subgoal 2.2** *Mechanisms to prioritize proposals to develop new or revise existing standards and related texts are in place*

The discussion paper includes a proposed self-assessment against the criteria for prioritization for the work of the CCFL, as adopted by the 48<sup>th</sup> session (2024).

**Subgoal 2.3** *Chairpersons, coordinators, host secretariats, Codex Contact Points and delegates are supported in their respective roles and their capabilities are developed and enhanced*

ICGA is ready to work with all interested parties for enhancing the participation of a large number of countries and observer organisations to support this proposed new work and result in a fast-track adoption of the guiding definition in an expedite manner.

**Subgoal 2.4** *Codex Members are enabled to participate actively and sustainably throughout the standard-setting process*

Not relevant. This is primarily conditioned to the good functioning of the Codex Trust Fund, managed by the parent organizations of the Codex Alimentarius Commission, and the WHO in particular.

**Strategic Goal 3: Strengthen relationships with relevant international organizations, promoting a coordinated approach to address global challenges**

**Subgoal 3.1** The mutual understanding of the roles of CAC and relevant international organizations in relation to global challenges is improved and is supported by ongoing consultation between the parties

This new work could help all Codex members, and observers, to define together a path towards a common and universally agreed approach of what small packaging/small package/small pack would mean in practice, in addition to the already defined concept of small unit, which is *a priori* not intended to be covered nor impacted by this proposed new work. It would help Codex members to implement guidance documents approved recently by CCFL and CAC on FOP nutrition labelling, e-commerce and use of new information technologies. It would also help in formally distinguishing small packs from small units, as some countries are sometimes confusing the two concepts which address two different regulatory needs.

**Subgoal 3.2** Gaps in approaches to addressing global challenges that Codex could contribute to are identified through targeted engagement with relevant international organizations

As far as we are aware of, there is no harmonized definition for food in small packaging/small package/small pack that may have been developed by other organizations, such as the International Standard Organization (ISO), to date. CCFL has therefore all the latitude to decide developing such a globally relevant approach.

**Subgoal 3.3** The contribution of CAC to the transition towards sustainable and resilient food systems, is identified and considered

Although not directly relevant, an harmonized approach of small packaging/small package/small pack could help a role in the development of more sustainable packaging options.

**Subgoal 3.4** Contributions from relevant international organizations throughout the development of Codex texts are encouraged

None foreseen directly on this project. Discussions with and contributions from ISO/TC 34 could be helpful.

**Strategic Goal 4: Maximize the impact of Codex by increasing the visibility and use of standards**

**Subgoal 4.1** The profile and recognition of Codex as the international food standards setting body for protecting consumer health and ensuring fair practices in food trade is enhanced.

This proposed new work on an harmonized approach of small packaging/small package/small pack could help reinforcing the central role of Codex texts and guidance developed by the CCFL to fostering convergence of national and/or regional provisions towards a unique focal point, which is the primary objective and the core function of the *Codex Alimentarius* compendium of international normative texts on food safety and in the present case in fair practices in labelling of foods subject to international trade, i.e., transboundary movements.

**Subgoal 4.2** The use of Codex texts in the context of integrative approaches such as One Health is promoted.

This proposed new work on an harmonized approach of small packaging/small package/small pack has not direct connection with the *One Health* approach, but it has in itself an aspirational objective that could be

described as the “*One Label*” approach.

**Subgoal 4.3** Harmonization through the increased use of Codex texts in establishing national food control systems and regulations is advocated for.

This proposed new work on a harmonized approach of “small packaging -- small pack -- small package” is first and foremost directly consistent with this subgoal 4.3 as explained previously under other subgoals. Once approved, such a guiding definition could be used by countries in a more consistent manner throughout the world to make their labelling and health policies further converging towards this new Codex focal point.

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

Codex *General Standard on Labelling of Prepackaged Foods* - GSLPF (CXS 1-1985, 2024 version) -- Section 6 on Exemptions from Mandatory Labelling Requirements and definition of “Small units”.

Codex *Guidelines on Nutrition Labelling* (including appendices) (CXG 2-1985, 2024 version) -- Section 3.1.2 of the body of Guidelines and Section 2.3 of its Annex on Front-Of-Pack Nutrition Labelling.

Codex *Guidelines on the provision of food information for pre-packaged foods to be offered via e-commerce* (CXG 104-2024, 2024 version) – Section 5. Referring to “small units”.

Codex *Guidelines on the use of technology to provide food information in food labelling* (CXG 105-2024, 2024 version) – Section 6. Referring to “small packs” without formally naming it.

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

This work does not require any scientific input, resources, nor expert advice from the FAO, from the WHO, or through any joint FAO/WHO mechanisms.

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

None identified at this point in time, as Member country representatives participating to CCFL sessions are sending their experts “*in their own right*” in this food labelling area of work and are therefore fully aware of and capable to discuss any future proposed guiding definition for small packs (“small packaging - small package - small pack”).

## **9. PROPOSED TIMELINE**

The proposed new work is expected to be completed within two consecutive CCFL sessions.