

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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CODEX ALIMENTARIUS COMMISSION

Forty-fourth Session

COMMENTS ON DRAFT STANDARDS AND RELATED TEXTS SUBMITTED BY THE 46TH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING¹

BACKGROUND

This document compiles the comments on the draft standards submitted at Step 8 or Step 5/8 and the proposed draft standards submitted at Step 5 of the Procedure. The comments are those received through the Codex Online Commenting Systems (OCS), or via email by the time this document was issued. The comments are as shown in Appendix I.

OCS is an online tool that enables Codex Contact Points to submit comments on draft texts in a standardised way, thus providing more transparency and better management of comments on different Codex texts as requested through Circular Letters. Since its launching at CAC39 (2016), the OCS has been used for different Codex Committees.

EXPLANATORY NOTES ON APPENDIX I

The comments received are presented in a table format, with two columns as follows:

First column – Presents the comments with the rationale.

Second column – Presents the provider of the comments (name of country or observer)

¹ This document compiles comments submitted through OCS, or via email by the time this document was issued, in reply to CL 2021/77-FL

Appendix I

Comments in regard to: (i) Amendment to the labelling provision in the General Standard for Dried Fruits: Annex on Raisins; (ii) Draft General Standard for the Labelling of Non-Retail Containers (at Step 8) and the amendment to the Procedural Manual; (iii) Proposed Draft Guidelines on Front of Pack Nutrition Labelling (annex to the Guidelines on Nutrition Labelling) (Step 5/8) and the amendment to Section 5 of the Guidelines on Nutrition Labelling

in reply to CL 2021/77-FL

Comments of: Costa Rica, Colombia, Cuba , Ecuador, Egypt, India, Kenya, New Zealand, Paraguay, Uganda, USA, International Baby Food Action Network, ICBA, IDF/FIL, International Special Dietary Food Industries, The European Federation of the Associations of Dietitians (EFAD)

COMMENT	MEMBER / OBSERVER
Costa Rica would like to thank the Gte and CCFL for the work done. We would also like to confirm that the proposed indicated in this document are ready for adoption.	Costa Rica
<p>(i) Amendment to the labelling provision in the General Standard for Dried Fruits: Annex on Raisins; Los aspectos mencionados se refieren a distintas formas de denominación del alimento objeto de análisis y presenta diferentes alternativas para su declaración en la etiqueta, lo cual no tiene ningún tipo de impacto relevante en términos de inocuidad. Con base en lo indicado, no se ve ningún inconveniente con acoger la propuesta de enmienda indicada y por tanto, consideramos que el texto de la disposición, como aparece en el Apéndice II del REP21, está listo para adopción.</p> <p>(ii) Draft General Standard for the Labelling of Non-Retail Containers (at Step 8) and the amendment to the Procedural Manual; Los aspectos descritos en la norma (Apéndice II) son claros y concisos. Por otro lado, la propuesta de enmienda al manual de procedimiento, respecto del etiquetado de envases no destinados a la venta al por menor, es mucho más comprensible y precisa. El proyecto de norma y su anexo, como aparecen en el Apéndice III del REP21, contienen las modificaciones tratadas en reuniones previamente por lo que consideramos puede adoptarse en trámite 8. Así mismo se acoge la enmienda sugerida al manual de procedimiento</p> <p>(iii) Proposed Draft Guidelines on Front of Pack Nutrition Labelling (annex to the Guidelines on Nutrition Labelling) (Step 5/8) and the amendment to Section 5 of the Guidelines on Nutrition Labelling Los aspectos presentados en la nueva versión del anteproyecto de directriz son más claros y concisos. Por otro lado, el texto propuesto para la enmienda de la sección 5 de las Directrices de etiquetado nutricional, se considera apropiada. De acuerdo con lo señalado, no se evidencia ningún impacto relevante de los aspectos mencionados sobre la inocuidad, por lo que consideramos que el texto, como aparece en el Apéndice IV del REP21, está listo para su adopción en Trámite 5/8. Estamos de acuerdo con que se acoja el texto de enmienda propuesta a la sección 5 de las Directrices de etiquetado nutricional</p>	Colombia
<p>Cuba considera lo siguiente a partir del análisis de la cL 2021/77-FL, las cuales son: Enmienda a las disposiciones etiquetado en la Norma general para las frutas secas. Anexo para las Pasas, sobre lo cual no emitimos criterios por no ser productores de pasas, pero consideramos adecuada la enmienda propuesta a los efectos del comercio mundial.</p> <p>Proyecto de norma para el etiquetado de los envases de alimentos que no se destina su venta al por menor (en el Paso 8) y la enmienda al Manual de Procedimientos, apoyamos el proyecto de norma, por considerar oportuno y adecuado su contenido, de cara al comercio mundial de alimentos y los cambios que se están efectuando en la economía de Cuba, que contribuirán a mejorar las prácticas al disponer de una directriz para este tipo de envase que se emplea en la industria de alimentos para su posterior elaboración y para fines de hostelería.</p> <p>Proyecto de Directrices para el Etiquetado Nutricional Frontal en el envase (anexo a las Directrices sobre Etiquetado Nutricional (Paso 5/8) y la enmienda a la Sección 5 de las</p>	Cuba

<p>Directrices para el Etiquetado Nutricional, en este caso consideramos adecuada la propuesta efectuada por el Comité del Codex de Etiquetado de los Alimentos para este tema, porque brinda una ayuda técnica y regulatoria para el etiquetado nutricional en la parte frontal del envase, que Cuba está utilizando.</p>	
<p>El país está de acuerdo con la adopción por la CAC de la Enmienda a la disposición de etiquetado en la Norma General para Frutos Secos: Anexo sobre Pasas, Proyecto de Norma General para el Etiquetado de Envases de Uso No Comercial (en el Trámite 8) y la enmienda al Manual de Procedimiento y la enmienda sobre la información nutricional complementaria.</p> <p>Para el Anteproyecto de Directrices sobre etiquetado nutricional en la parte delantera del envase (anexo a las Directrices sobre etiquetado nutricional) (Trámite 5/8) y la enmienda a la Sección 5 de las Directrices sobre etiquetado nutricional, Ecuador tiene los siguientes comentarios</p> <p>Texto:</p> <p>FOPNL debe presentar la información de una manera que sea fácil de entender y utilizar por los consumidores en el país o región de implementación. El formato del FOPNL debe estar respaldado por investigaciones de consumidores científicamente válidas.</p> <p>Comentario:</p> <p>Con relación al formato del FOPNL que debe estar respaldado por investigaciones de consumidores científicamente válidas, consideramos que, no todos los países podrían estar en la capacidad de realizar un estudio científicamente validado; en el caso de Ecuador se tiene como referente los datos estadísticos emitidos en el año 2018 (Ensanut 2018). Por lo que, se sugiere también, colocar en el texto las referencias de estudios realizados en otros países que se encuentren disponibles sobre formatos de FOPNL, mismos que permitirán valorar la comprensión en la población del país que busque implementar el etiquetado frontal o en su defecto actualizar el ya existente. Se presenta una propuesta de texto que podría ser analizado.</p> <p>Texto propuesto:</p> <p>FOPNL debe presentar la información de una manera que sea fácil de entender y utilizar por los consumidores en el país o región de implementación. El formato del FOPNL debe estar respaldado por investigaciones de consumidores científicamente válidas, [o por información validada en otros países o regiones].</p> <p>Texto:</p> <p>El FOPNL debe ser dirigido por el gobierno, pero desarrollado en consulta con todas las partes interesadas, incluidos el sector privado, los consumidores, el mundo académico, las asociaciones de salud pública, entre otros.</p> <p>Comentario:</p> <p>Como sugerencia para este texto se invita a analizar el documento referente a: Prevención y manejo de conflictos de intereses en los programas de nutrición a nivel de país: Hoja de ruta para implementar el Enfoque preliminar de la Organización Mundial de la Salud. https://www.paho.org/en/documents/preventing-and-managing-conflicts-interest-country-level-nutrition-programs-roadmap</p> <p>Destacando que el criterio de salud pública, siempre conducirá a precautelar la salud a través de los correctos hábitos nutricionales.</p>	<p>Ecuador</p>
<p>Egypt agrees the adoption with no comments.</p>	<p>Egypt</p>
<p>India support the adoption of the texts.</p>	<p>India</p>
<p>Kenya has no reservation to the adoption of the draft texts and therefore supports their adoption by CAC44.</p>	<p>Kenya</p>

<p>ii) Draft General Standard for the Labelling of Non-Retail Containers (at Step 8) and the amendment to the Procedural Manual;</p> <p>New Zealand supports the adoption of the draft General Standard for the Labelling of Non-Retail containers and the amendment to the Procedural Manual.</p> <p>(iii) Proposed Draft Guidelines on Front of Pack Nutrition Labelling (annex to the Guidelines on Nutrition Labelling) (Step 5/8) and the amendment to Section 5 of the Guidelines on Nutrition Labelling</p> <p>New Zealand supports the adoption of the draft Guidelines on Front of Pack Nutrition Labelling, the inclusion of the Guidelines as an Annex to the Guidelines on Nutrition Labelling (CXG 2-1985) and the amendment to Section 5 of the Guidelines on Nutrition Labelling.</p>	New Zealand
<p>Paraguay apoya la aprobación de los textos.</p>	Paraguay
<p>Uganda is in agreement that the texts are ready for adoption and supports adoption at the different relevant steps</p> <p>a). Draft General Standard for the Labelling of Non-Retail Containers (step 8)</p> <p>b). Proposed Draft Guidelines on Front of Pack Nutrition Labelling (annex to the Guidelines on Nutrition Labelling) , step 5/8</p>	Uganda
<p>The United States has no further comments on the:</p> <p>(i) Amendment to the labelling provision in the General Standard for Dried Fruits: Annex on Raisins;</p> <p>(ii) Draft General Standard for the Labelling of Non-Retail Containers (at Step 8) and the consequential amendment to the Procedural Manual; or</p> <p>(iii) Proposed Draft Guidelines on Front of Pack Nutrition Labelling (annex to the Guidelines on Nutrition Labelling) (Step 5/8) and the amendment to Section 5 of the Guidelines on Nutrition Labelling.</p> <p>The United States supports adoption of these three texts, as recommended by CCFL46.</p>	USA
<p>IBFAN COMMENT</p> <p>PROPOSED DRAFT GUIDELINES ON FRONT-OF-PACK NUTRITION LABELLING</p> <p>At Step 5/8</p> <p>General Comments</p> <p>Front of Pack Nutrition Labeling (FOPNL) can be a means to provide additional information to those who purchase pre-packaged foods and provide a system for making decisions about food products available in the market place. Moreover it has the potential of reducing consumption of food ingredients and products that contribute to unhealthy diets.</p> <p>A number of underlying principles are essential for the effective implementation of FOPNL policies.</p> <p>For FOPNL to be effective IBFAN considers a mandatory system of WARNINGS to be much preferred. Research of countries where FOPNL has been voluntary shows limited uptake by the food products industries and hence the ability for product comparisons is compromised and the expected health benefits are under realized.</p> <p>Processed complementary food products and formulas for infants and young children should not have FOPNL as this will be promotional of certain products over other products and contrary to the provisions of the International Code of Marketing of Breastmilk Substitutes and subsequent WHA resolutions. To effectively safeguard infant and young child health, it is preferable to have warnings on these products.</p>	International Baby Food Action Network

Codex must address the environmental impact of the global trade in unnecessary food products. The United Nations Intergovernmental Panel on Climate Change (IPCC) estimates that 21–37% of total greenhouse gas (GHG) emissions are attributable to the food system and that climate change will have important negative impacts on food security. Green lighting the ultra-processed, excessively packaged with plastic/styrofoam products may reduce the consumption of a few harmful food ingredients yet will continue contributing to increasingly alarming levels of environmental degradation.

Specific Comments

IBFAN does not consider the text to be ready for adoption and needs more safeguards to protect consumer health with the following amendments:

It is critical that the implementation and policy setting for FOPNL be led by national governments who are accountable and responsible for the overall health and nutrition of their citizens. To fulfill their obligations governments must ensure that policy development is free of commercial influence while ensuring adequate participation from civil society, independent academics, health associations, and other relevant constituencies.

We see no need for a Codex text to list collaboration or consultation with specific interested parties since this is likely to open the door to abuse and legitimise corporate lobbying – placing the businesses on the same level as all other actors. Governments have a duty to protect citizens and ensure appropriate consultations.

Principle 4.3.1 The text should. read:

FOPNL should be government led and developed in collaboration with all interested parties including government, consumers, academia, public health associations, private sector among others, by ensuring robust safeguards against conflict of interest.

Section 2.2 Exclusion for foods and products intended for infants and / or young children

Commercial foods and products intended for infants and young children should not be included in the guidelines for FOPNL.

The International Code of Marketing of Breastmilk Substitutes and subsequent resolutions of the World Health Assembly govern the labeling and marketing of a number of these products. These include infant formulas, formulas for special medical purposes, follow-up formulas and drinks for young children. A number of Code provisions also cover complementary foods for older infants and young children.

Claims are not permitted by Codex Guidelines on Nutrition and Health Claims or WHA Resolution 63.23 that urges Member States “To end inappropriate promotion of foods for infants and young children and to ensure that claims not be permitted for foods for infants and young children”

The FOPNL would be contrary to provisions in the International Code as they are promotional in essence by preferring one product to another. This may lead parents and care givers to perceive these products as being endorsed by government authorities and thus have a negative impact on breastfeeding decision-making. In effect FOPNL on formulas for infants and children will have a negative impact on infant and young child health.

Similarly complementary food products should not be included in FOPL. These products are highly processed and their consumption should be discouraged. Older infants and young children fed processed complementary foods risk dental caries, obesity and develop preferences for bland “white” foods. Ultra-processed products invariably contain chemical additives to stabilize, emulsify, thicken, regulate acidity, and act as anti-oxidants etc. Many ingredients are “permitted” by Codex Alimentarius standards, some at regulated levels and others according to “good manufacturing

<p>practices”, with their safety declared not by independent and convincing science but on the basis of political consensus and claims of “history of safe use”.</p> <p>Public health nutrition policy promotes the consumption of healthy nutritious foods for optimal health and development as well as the development of life long preferences for healthy foods. FOPNL in these situations can act as a marketing tool for the consumption of inappropriate ultra-processed food products at a vulnerable stage of growth and development.</p>	
<p>The International Council of Beverages Associations (ICBA) is the voice of the global non-alcoholic beverage industry. The members of ICBA include national and regional beverage associations as well as multinational beverage companies that operate in more than 200 countries and territories and produce, distribute, and sell all categories of non-alcoholic beverages. ICBA congratulates CCFL for its accomplishments and is pleased to provide the following comments in reply to CL2021/77-FL.</p> <p>Amendment to the Procedural Manual: Section II - Elaboration of Codex Standards and Related Texts: Format for Codex Commodity Standards: Section on labelling (for adoption)</p> <p>ICBA supports adoption.</p> <p>GENERAL STANDARD FOR THE LABELLING OF NON-RETAIL CONTAINERS OF FOODS (For adoption at Step 8)</p> <p>ICBA supports supports final adoption.</p> <p>PROPOSED DRAFT GUIDELINES ON FRONT-OF-PACK NUTRITION LABELLING (FOR INCLUSION AS ANNEX II TO THE GUIDELINES ON NUTRITION LABELLING (CXG 2-1985) (For adoption at Step 5/8)</p> <p>ICBA wishes to express its appreciation to Costa Rica and New Zealand for their dedication to steering the Guidelines for Front-of-Pack Nutrition Labelling to timely completion. We support the final adoption of this document, as we believe it reflects hard work and compromise on the part of the various stakeholders who participated in the discussions over the past few years. The Guidelines will be an important resource for countries looking to implement or update their national labelling legislation.</p> <p>In addition, ICBA wishes to highlight that we have developed a global beverage industry position in support of interpretative labelling, because we support the effort of governments to introduce science-based interpretative FOPNL (See https://icba-bigtree.s3.amazonaws.com/files/resources/icbainterpretativelabelingpositionfinal.pdf) . Accordingly, our industry stands willing to engage and work with governments, civil society and other stakeholders in the development of label systems to help consumers make informed dietary choices.</p> <p>AMENDMENT TO SECTION 5 OF THE GUIDELINES ON NUTRITION LABELLING (CXG 2-1985) (for adoption)</p> <p>ICBA supports adoption.</p>	ICBA
<p>The International Dairy Federation appreciates the opportunity to comment on the Circular Letter 2021/77-FL</p> <p>with regards to (ii) draft General Standard for the Labelling of Non-Retail Containers. IDF wants to thank India as chair as well as the United States, and Costa Rica as deputy-chairs of the electronic working group for their extensive work in the development of this Standard. IDF supports the adoption of draft guidelines at step 8 as agreed upon during CCFL46.</p>	IDF/FIL

<p>with regards to (iii) IDF recognizes the progress made at the 46th Codex Committee on Food Labelling to advance the development of the proposed draft guidelines on the front of pack nutrition labelling and wants to thank the Chair and co-chair, Costa- Rica and New- Zealand of the electronic working group for their extensive work. IDF supports the adoption of draft guidelines at step 5/8 as agreed upon during CCFL46.</p>	
<p>Following the decision of CCFL46 about the scope of the Guidelines on front of pack nutrition labelling (FOPNL) ISDI does not oppose the adoption of the Guidelines at step 5/8. ISDI would like to note its comments in CRD13 at CCFL46. In conclusion, ISDI supports the adoption at step 5/8 but reiterates its concerns with the scope of the Guidelines included in CRD13 of CCFL46.</p>	<p>International Special Dietary Food Industries</p>
<p>EFAD has no objection and is in agreement with the texts proposed after the debate at CCFL46.</p>	<p>The European Federation of the Associations of Dietitians (EFAD)</p>