

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

E

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: [codex@fao.org](mailto:codex@fao.org) - [www.codexalimentarius.org](http://www.codexalimentarius.org)

Agenda Item 2

CRD15

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FATS AND OILS

Twenty-Seventh Session

Virtual

18 – 22 and 26 October 2021

#### MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER SUBSIDIARY BODIES

*Prepared by Canada*

#### **Additional context related to the request from CCNFSDU41 to CCFO to consider work in CCFO on possible ways to reduce TFAs or eliminate PHOs.**

Providing additional context to the request from the CCNFSDU under the Matters referred by the Codex Alimentarius Commission and its subsidiary bodies

Canada wishes to call the attention of the Committee to the matter referred from the 41<sup>st</sup> session of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) regarding actions that could be taken to reduce trans fatty acid (TFA) intake through a prohibition on PHOs or by developing limits for TFA levels in processed foods, e.g. amending the Standard for Fat Spreads and Blended Spreads (CXS 256-2007) and the Standard for Edible Fats and Oils Not Covered by Individual Standards (CXS19-1981).

#### **Background**

Trans fatty acid intake is strongly associated with increased risk of coronary heart disease and related mortality. The detrimental effects of TFAs on blood lipids have a continuous dose-response relationship; therefore, any reduction in TFA intake may help decrease coronary heart disease risk. Trans fatty acids come from either natural or industrial sources. Naturally-occurring TFA come from ruminants (cows and sheep). Industrially-produced TFAs are formed in an industrial process that results in partially hydrogenated oil (PHO). The World Health Organization (WHO) recommends that TFA intake from all sources be limited to less than 1% of total energy for the great majority of the population. To that end, in 2018, WHO released REPLACE, a step-by-step guide for the elimination of industrially-produced TFAs from the global food supply by 2023.

The CCNFSDU has been engaged since its 35<sup>th</sup> session in work to support reducing TFA intake. To that end, Canada presented a discussion paper at CCNFSDU41 that identifies risk management options for the reduction of TFA intake that fall within the mandate of Committees of the Codex Alimentarius Commission (See Appendix). During the discussion at CCNFSDU41, the Committee noted support for the development of limits for TFA levels in processed foods (Option A or B, Appendix) as well as support for a prohibition on the use of PHO in processed foods (Option C, Appendix).

The CCNFSDU agreed to inform the Codex Committee on Fats and Oils (CCFO) of the discussions at CCNFSDU41 and to consider work in the CCFO on possible ways to reduce TFAs or eliminate PHOs. Furthermore, it was agreed at CCFL46 that Canada will prepare a discussion paper to outline possible new work related to the reduction of TFA intake for consideration by CCFL.

#### **Request from CCNFSDU**

With regard to CCFO27 Agenda Item 2, the referral from CCNFSDU to CCFO seeks to elicit information on whether and how specific standards for fats and oils could be amended to support reducing TFA intake through a prohibition on PHOs or by developing limits for TFA levels in processed foods, e.g. amending the

---

*Standard for Fat Spreads and Blended Spreads (CXS 256-2007) and the Standard for Edible Fats and Oils Not Covered by Individual Standards (CXS19-1981).* The response will help inform the CCNFSDU on how these risk management options could be pursued and will help in the development of a discussion paper for CCFL47.

## APPENDIX

## CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

**E**

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: [codex@fao.org](mailto:codex@fao.org) - [www.codexalimentarius.org](http://www.codexalimentarius.org)

**Agenda Item 6b**

**CX/NFSDU 19/41/7-Rev**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME  
CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES**

**Forty-first Session**

**Dusseldorf, Germany 24 - 29 November 2019**

**DISCUSSION PAPER ON RISK MANAGEMENT POSSIBILITIES FOR THE REDUCTION OF TRANS  
FATTY ACIDS**

*Prepared by Canada*

**Introduction**

At its 40<sup>th</sup> Session, the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) decided to suspend the discussion on conditions for a “free of” trans fatty acids (TFA) claim and asked Canada to prepare a discussion paper on different risk management possibilities for the reduction of TFA within the mandate of Codex. Accordingly, this paper presents potential risk management roles for Codex in the context of various options to reduce population-level intake of TFA. The paper also outlines advantages and drawbacks associated with each option.

**Background**

At the 41<sup>st</sup> Session of the Codex Committee on Food Labelling (CCFL), the Committee agreed that CCNFSDU would be asked to develop proposed conditions for a “free of” TFA claim. Subsequently, at CCNFSDU35, Canada was assigned responsibility to develop the proposal. A chronological summary of work on this matter to date is described below.

CCNFSDU36: Canada presented proposed conditions for a “free of” TFA claim (CX/NFSDU 14/36/10). The discussion on this agenda item concluded with a request that Canada seek and take into consideration advice from the Codex Committee on Methods of Analysis and Sampling (CCMAS). Specifically, CCMAS was to be asked for advice on the lowest level of TFA that current analytical methods can accurately detect and consistently reproduce. Further discussion was also deferred in order to await the outcomes of the WHO Nutrition Guidance Expert Advisory Group (NUGAG) evidence reviews on saturated fatty acids (SFA) and TFA.

CCNFSDU37: The Committee agreed to defer discussion on proposed conditions for a “free of” TFA claim until feedback from CCMAS was received and outcomes of the 6<sup>th</sup> meeting of the WHO NUGAG were available.

CCNFSDU38: The Delegation of Canada presented revised proposed conditions for a “free of” TFA claim (CX/NFSDU 16/38/10); the proposal took into consideration feedback from CCMAS and the outcome of the NUGAG systematic reviews. In recognition of the importance of analytical methods when establishing quantitative criteria for such a claim, the Committee agreed to defer further discussion so as to request that CCMAS verify whether the new proposed TFA levels would be measurable using the analytical methods identified in the proposal.

CCNFSDU39: The Committee considered an updated proposal from Canada (CX/NFSDU 17/39/9); the proposal took into consideration feedback stemming from a more detailed review of analytical methodology from CCMAS. It was agreed that the proposal would proceed to Step 3 for comments and would be considered at the CCNFSDU’s next session.

CCNFSDU40: Based on comments received at previous sessions, Canada presented two options for consideration by the Committee: setting quantitative conditions for a “free of” TFA claim (as proposed in CX/NFSDU 17/39/9) or discontinuing these efforts and not setting conditions for such a claim. The latter option was put forward to acknowledge some Members’ concerns regarding the use of available methods to accurately assess TFA content in foods at the proposed levels. An almost equal number of Members supported continuing the work on this new claim as did those in support of discontinuing the work. The Committee agreed to suspend further discussion on the development of proposed claims

conditions so as to request that Canada prepare a discussion paper on other risk management options with regard to reducing population-level intake of TFA.

### **Risk management options**

As requested at CCNFSDU40, Canada has prepared a table of options (Annex A) for action to reduce TFA intake as well as advantages and drawbacks associated with each option. Potential roles for Codex are included for discussion purposes. Although the options are presented separately, Members could choose to combine two options or more so as to take a multi-pronged approach to reducing TFA intake.

### **Recommendation for Codex actions**

When reflecting on Codex actions, Canada recommends that CCNFSDU considers the different risk management possibilities as presented in Annex A on a priority basis.

### **Rationale**

When selecting Codex actions to undertake on a priority basis, Canada considered the following: the potential to support meaningful reductions in TFA intake and the complexity of the work required. For these reasons, Canada is proposing that the committee first considers the roles associated with options C (prohibiting partially hydrogenated oils (PHO)), E (mandatory declaration of TFA on food labels) and G (mandatory distinct declaration of PHO and fully hydrogenated oils in ingredient lists), as they involve minor amendments to existing standards, which could be completed in a timely fashion. In addition, the committee could seek advice from CCMAS on the use of appropriate TFA methods of analysis in various matrices, advice which would constitute a resource for monitoring and compliance activities.

Canada considers of lower priority the further examination of the roles associated with options A (voluntary limits for TFA levels), B (mandatory limits for TFA levels), D (reduction of processing-induced TFA) and F (claims about TFA on prepackaged food labels). The complexity of the work involved to support options A and B is a factor to consider when choosing which roles to undertake on a priority basis. Another consideration is the impact of the measure. For example, given that processing-induced TFA (the focus of option D) are not typically regarded as a significant source of TFA, developing resources to support a reduction in intake of this source of TFA is considered a lower priority. Furthermore, some CCNFSDU members have previously raised the fact that validation studies are lacking with respect to the detection of low levels of TFA in foods, namely at the levels that have been proposed in the context of a "free of" TFA claim (the focus of option F).

### **Conclusion**

With reference to the different risk management options Annex A and the difficulties in establishing conditions for a "free of" TFA claim, actions that support more targeted options should be pursued. Canada recommends that CCNFSDU support pursuing these Codex actions to assist members in their efforts to decrease population-level TFA intake:

Request CCFL to consider:

- E. amending the *Guidelines on Nutrition Labelling* (CXG 2-1985), Section 3.2.1 to require the declaration of the amount of TFA where nutrient declaration is required and amending the *Guidelines on Nutrition Labelling* (CXG 2-1985), Section 3.2.5 to require the declaration of the amount of TFA where a claim is made regarding the amount and/or type of fatty acids or the amount of cholesterol. Also, requesting that CCMAS provide advice on suitable reference methods of analysis and sampling regarding TFA in different matrices for monitoring and compliance purposes.
- G. amending the *General Standard for the Labelling of Prepackaged Foods* (CXS 1-1985) to add a requirement that partially hydrogenated and fully hydrogenated oils be declared by their specific names (similar to Section 4.2.3.2 regarding pork fat, lard and beef fat) and to define these terms.

To request CCFO to consider:

- C. how the Committee could contribute to the reduction or elimination of TFSs, e.g. amending the *Standard for Fat Spreads and Blended Spreads* (CXS 256-2007) to include a prohibition on PHO and the *Standard for Edible Fats and Oils Not Covered by Individual Standards* (CXS19-1981) to include a prohibition on PHO.

ANNEX A

**Table 1. Risk management roles for Codex to reduce population-level intake of trans fatty acids<sup>1</sup>**

National/Regional authorities			Codex
Risk management options	Advantages	Drawbacks	Potential risk management roles
A. Develop voluntary limits for TFA levels in processed foods <sup>2</sup>	<ul style="list-style-type: none"> <li>Does not require a regulatory framework</li> <li>Is a less restrictive measure</li> <li>Scope of industry response could help inform whether regulatory action should be taken, if the limits are combined with a structured monitoring and reporting program</li> <li>No trade implications</li> </ul>	<ul style="list-style-type: none"> <li>Limited incentive for industry participation, especially if TFA limits are not combined with a structured monitoring and reporting program</li> <li>Could result in unintended increase in SFA content of processed foods, especially if no concurrent limits are set for SFA</li> <li>Extent of public health benefit would be contingent on scope of industry participation</li> <li>Requires communicating to consumers which processed foods are lower in TFA, for example using nutrition labelling</li> <li>Consumers who are less knowledgeable about TFA and nutrition labelling may be disadvantaged with regard to identifying prepackaged processed foods that are lower in TFA</li> </ul>	<p>CCFO</p> <ul style="list-style-type: none"> <li>Amend the <i>Standard for Fat Spreads and Blended Spreads</i> (CXS 256-2007) to include TFA levels that must not be exceeded</li> <li>Amend the <i>Standard for Edible Fats and Oils Not Covered by Individual Standards</i> (CXS19-1981) to include TFA levels that must not be exceeded in trans-esterified or inter-esterified fats and oils</li> </ul> <p>CCMAS</p> <ul style="list-style-type: none"> <li>Provide advice on suitable reference methods of analysis and sampling regarding TFA</li> </ul> <p>CCNFSDU</p> <ul style="list-style-type: none"> <li>Coordinate request to CCFO</li> </ul>

<sup>1</sup> The scope of the options presented herein is not intended to be comprehensive; for example, it does not include actions involving fiscal levers such as taxation or subsidies, investments in agricultural research and development, public awareness or education campaigns or menu labelling.

<sup>2</sup> Unless otherwise noted, in this document a reference to “processed foods” includes prepackaged processed foods (e.g. sold in grocery stores) and non-prepackaged processed foods (e.g. sold in foodservice establishments).

National/Regional authorities			Codex
Risk management options	Advantages	Drawbacks	Potential risk management roles
B. Adopt regulations that limit TFA levels in processed food	<ul style="list-style-type: none"> <li>• Strong incentive for industry compliance</li> <li>• Would foster widespread reformulation to decrease TFA content in processed foods</li> <li>• Public health benefit would be applicable to a wide range of consumers, not only to those who are knowledgeable about TFA or nutrition labelling</li> </ul>	<ul style="list-style-type: none"> <li>• Requires capacity and resources for regulatory development and compliance and enforcement activities</li> <li>• Could have trade implications</li> </ul>	Same as Option A.
C. Adopt regulations that prohibit the use of partially hydrogenated oil (PHO) in processed foods	<ul style="list-style-type: none"> <li>• Strong incentive for industry compliance</li> <li>• Would foster widespread reformulation to decrease TFA content in processed foods</li> <li>• Public health benefit would be applicable to a wide range of consumers, not only to those who are knowledgeable about TFA or nutrition labelling</li> </ul>	<ul style="list-style-type: none"> <li>• Requires capacity and resources for regulatory development and compliance and enforcement activities</li> <li>• Could have trade implications</li> <li>• Lack of analytical methods to differentiate TFA contained in PHO from TFA contained in other sources</li> </ul>	<p>CCFO</p> <ul style="list-style-type: none"> <li>• Amend the <i>Standard for Fat Spreads and Blended Spreads</i> (CXS 256-2007) to include a prohibition on PHO</li> <li>• Amend the <i>Standard for Edible Fats and Oils Not Covered by Individual Standards</i> (CXS19-1981) to include a prohibition on PHO</li> </ul> <p>CCNFSDU</p> <ul style="list-style-type: none"> <li>• Coordinate request to CCFO</li> </ul>
D. Develop resources to support the reduction of processing-induced TFA in processed foods	<ul style="list-style-type: none"> <li>• Does not require a regulatory framework</li> </ul>	<ul style="list-style-type: none"> <li>• Limited incentive for industry participation, especially if resources are not combined with a structured monitoring and reporting program</li> <li>• Extent of public health benefit would be contingent on industry participation</li> <li>• Limited potential for impact as processing-induced TFA may not be major source of TFA in many jurisdictions</li> </ul>	<p>CCCF</p> <ul style="list-style-type: none"> <li>• Develop a code of practice to reduce the content of processing-induced TFA in foods</li> </ul>

National/Regional authorities			Codex
Risk management options	Advantages	Drawbacks	Potential risk management roles
E. Adopt regulations related to the mandatory declaration of TFA on labels of prepackaged processed foods	<ul style="list-style-type: none"> <li>• Strong incentive for industry compliance</li> <li>• Could foster reformulation to decrease TFA content in processed foods</li> </ul>	<ul style="list-style-type: none"> <li>• Requires capacity and resources for regulatory development and compliance and enforcement activities</li> <li>• Could have trade implications</li> <li>• Less relevant in jurisdictions where prepackaged processed foods are not the major sources of TFA</li> <li>• Consumers who are less knowledgeable about TFA and nutrition labelling may be disadvantaged with regard to identifying prepackaged processed foods that are lower in TFA</li> </ul>	<p>CCMAS</p> <ul style="list-style-type: none"> <li>• Provide advice on suitable reference methods of analysis and sampling regarding TFA</li> </ul> <p>CCFL/CCNFSDU</p> <ul style="list-style-type: none"> <li>• Amend the <i>Guidelines on Nutrition Labelling (CXG 2-1985)</i> to require the declaration of the amount of TFA where nutrient declaration is required</li> <li>• Amend the <i>Guidelines on Nutrition Labelling (CXG 2-1985)</i> to require the declaration of the amount of TFA where a claim is made regarding the amount and/or type of fatty acids or the amount of cholesterol</li> </ul>
F. Adopt regulations that permit claims about TFA on the labels of prepackaged processed foods	<ul style="list-style-type: none"> <li>• Could foster some reformulation to decrease TFA content in processed foods</li> </ul>	<ul style="list-style-type: none"> <li>• Requires capacity and resources for regulatory development and compliance and enforcement activities</li> <li>• Less relevant in jurisdictions where prepackaged processed foods are not the major sources of TFA</li> <li>• Consumers who are less knowledgeable about TFA and nutrition labelling may be disadvantaged with regard to identifying prepackaged processed foods that are lower in TFA</li> <li>• Laboratories in certain jurisdictions may not be able to detect low levels of TFA with any high degree of reproducibility</li> </ul>	<p>CCMAS</p> <ul style="list-style-type: none"> <li>• Provide advice on suitable reference methods of analysis and sampling regarding TFA</li> </ul> <p>CCNFSDU</p> <ul style="list-style-type: none"> <li>• Resume the work on developing conditions for a new “free of” TFA claim</li> </ul> <p>CCFL</p> <ul style="list-style-type: none"> <li>• Amend the <i>Guidelines for Use of Nutrition and Health Claims (CXG 23-1997)</i> to include conditions for a new “free of” TFA claim</li> </ul>

National/Regional authorities			Codex
Risk management options	Advantages	Drawbacks	Potential risk management roles
G. Adopt regulations that require the declaration of PHO and fully hydrogenated oil in ingredient lists of prepackaged processed foods	<ul style="list-style-type: none"> <li>Strong incentive for industry compliance</li> </ul>	<ul style="list-style-type: none"> <li>Requires capacity and resources for regulatory development and compliance and enforcement activities</li> <li>Could have trade implications</li> <li>Less relevant in jurisdictions where prepackaged processed foods are not the major sources of TFA</li> <li>Consumers who are less knowledgeable about PHO and TFA and nutrition labelling may be disadvantaged with regard to identifying prepackaged processed foods that contain no PHO</li> </ul>	<p>CCFL</p> <ul style="list-style-type: none"> <li>Amend the <i>General Standard for the Labelling of Prepackaged Foods</i> (CXS 1-1985) to add a requirement that partially hydrogenated and fully hydrogenated oils be declared by their specific names (similar to Section 4.2.3.2 regarding pork fat, lard and beef fat) and to define these terms</li> </ul>