

CODEx ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 7

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEx COMMITTEE ON FOOD LABELLING

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GUIDELINES ON THE APPLICATION OF FOOD LABELLING PROVISIONS IN EMERGENCIES (STEP 4)

Comments in reply to CL 2026/09-FL

Submitted by:

Australia, Brazil, Canada, Colombia, Costa Rica, Ecuador, Egypt, European Union, Guatemala, India, Indonesia, Japan, Morocco, New Zealand, Paraguay, Peru, Saudi Arabia, South Africa, Sudan, Thailand, Uganda, United Arab Emirates, United Kingdom, The United States of America (USA), Vanuatu, Zambia and Association Of European Coeliac Societies (AOECS), European Network of Childbirth Associations (ENCA), European Federation of Allergy and Airways Diseases Patients' Associations (EFA), Food Industry Asia, FoodDrinkEurope, International Council of Beverages Associations (ICBA), International Chewing Gum Association (ICGA), International Council of Grocery Manufacturers Associations (ICGMA), International Dairy Federation (IDF/FIL), International Baby Food Action Network (IBFAN), International Confectionery Association (ICA), International Special Dietary Food Industries (ISDI), The European Federation of the Associations of Dietitians (EFAD), World Food Programme (WFP)

Background

This document compiles comments received through the Codex Online Commenting System (OCS) in response to CL 2026/09-FL¹ issued in March 2026. Under the OCS, comments are compiled in the following order: general comments are listed first, followed by comments on specific sections.

Explanatory notes on the Annex

The comments submitted through the OCS are hereby annexed and presented in tabulated format.

¹ <https://www.fao.org/fao-who-codexalimentarius/resources/circular-letters/en/>
<https://www.fao.org/fao-who-codexalimentarius/committees/committee/related-circular-letters/en/?committee=CCFL>

ANNEX

GENERAL COMMENTS

COMMENTS	MEMBER / OBSERVER
AOECS thanks the chairs and supports the advancement of this draft in the Codex Step process.	Association Of European Societies Coeliac
<p>Australia would like to thank the EWG Chair United States of America for the progress made on the draft guidelines.</p> <p>Australia is supportive of the guidelines' purpose in supporting competent authorities in implementing labelling flexibility during emergencies, while still ensuring maintenance of food safety and fair trade practices. Australia's proposed refinements are informed by recent global events that have resulted in sudden and widespread disruptions to international food supply chains. These experiences highlight the need for guidelines to clearly support timely, risk-based regulatory flexibility that can help stabilise food supply chains by maintaining international trade, and minimising unnecessary food loss or waste during emergencies, while continuing to protect food safety and fair-trading practices.</p> <p>Subject to CCFL49 consideration and resolution of outstanding matters Australia supports advancing the draft guidelines to Step 5.</p>	Australia
<p>Brazil would like to express its appreciation to the United States for chairing the electronic working group, and for the considerable work undertaken in developing the draft Guidelines on the Application of Food Labelling Provisions in Emergencies.</p> <p>In Brazil's view, the draft guidelines achieve an appropriate balance between remaining high-level and non-prescriptive, while also providing useful guiding principles that competent authorities may consider in the application of food labelling provisions in emergency situations.</p> <p>Brazil is also of the view that the current draft is sufficiently mature and is ready for advancement in the Codex Step process.</p>	Brazil
<p>Canada appreciates the work of the Electronic Working Group (EWG) and welcomes the revised draft of the Guidelines on the Application of Food Labelling Provisions in Emergencies. We recognize the relevance of establishing clear, risk based guidance on labelling flexibilities when needed to support competent authorities in maintaining a safe and adequate food supply during an emergency, while also ensuring consumer protection and fair practices in food trade.</p> <p>Canada supports the overall direction of the revised text, in particular the improved structure of Section 3. Canada believes that the draft guidelines strike an appropriate balance between remaining high-level and non-prescriptive, while still offering guiding principles that competent authorities may draw upon when implementing food labelling flexibilities during emergency situations.</p> <p>Canada supports the advancement of these guidelines within the Codex Step process pending some adjustments as a result of Circular Letter responses, and discussions at CCFL49. We have a few comments to offer on the guidelines below.</p>	Canada
<p>Colombia está de acuerdo con el avance del documento al siguiente trámite.</p> <p>Se considera que el texto propuesto ofrece suficiente claridad sobre los aspectos abordados. Los ajustes realizados al texto son pertinentes y adecuados a una directriz de alto nivel.</p>	Colombia
<p>Costa Rica apoya el avance del documento, con 2 observaciones puntuales que se detallan en la propuesta.</p> <p>Costa Rica valora los avances realizados en el documento y considera que se ha logrado un equilibrio adecuado entre mantener un enfoque de alto nivel y proporcionar orientación útil para las autoridades competentes. En particular,</p>	Costa Rica

Costa Rica apoya el énfasis en que las flexibilidades de etiquetado deben contribuir a mitigar los efectos de una emergencia sobre la disponibilidad de un suministro seguro y adecuado de alimentos, asegurando que dichas medidas sean proporcionales y justificadas.	
<p>El país agradece el trabajo realizado y, considera que los textos propuestos en el Apéndice I del documento CX/FL 26/49/7, se encuentran alineados a los comentarios realizados por los miembros en la segunda ronda de consulta del GTE.</p> <p>El objetivo propuesto se basa en la flexibilidad de cumplimiento de ciertos requisitos que por motivos de emergencia puedan omitirse en el etiquetado, sin que esto conlleve a la pérdida de la inocuidad de los productos, al error o engaño al consumidor y a la afectación de la salud de los consumidores.</p> <p>Por lo que, el país considera que el documento no es prescriptivo y, que deja a consideración de las autoridades competentes el tomar las mejores decisiones en beneficio de la población y, de la pronta respuesta en relación con la aplicación de las disposiciones sobre etiquetado de los alimentos en situaciones de emergencia; sin embargo, se considera importante que se incluya en el documento las condiciones nutricionales que deben tener los alimentos que se suministren en una situación de emergencia, precautelando y aportando de esta manera a la salud de la población vulnerable por la situación.</p>	Ecuador
<p>Egypt also considers that the text is ready for advancement to the next step of the Codex Step process.</p> <p>Egypt supports that the draft guideline achieves an appropriate balance between remaining high-level and non-prescriptive, while also providing clear guiding principles for competent authorities regarding the application of food labelling provisions in emergencies.</p>	Egypt
<p>ENCA supports IBFAN's opposition to flexible labelling for food products intended for emergencies and believe that there is no need for them. We recommend that the Guidelines on the Application of Food Labelling Provisions in Emergencies should be discontinued.</p> <ul style="list-style-type: none"> Defining an emergency is a highly sensitive political action and is not within the mandate of Codex and beyond its scope. Codex Guidelines have far-reaching influence and potential for exploitation. Flexible labelling will put vulnerable populations experiencing food insecurity at risk Flexible labelling opens the door to double standards and exploitation of the most vulnerable Few National Governments have adequate emergency preparedness plans and safeguards. The uncontrolled dissemination of inadequately labelled products is a health and safety risk, especially for infants and young children. For agencies and NGOs working in emergency relief, flexible labelling can complicate the traceability and recall procedures of contaminated or unsafe food. 	ENCA
<p>The EUMS are of the opinion that, should its comments be considered and agreements be reached, the text is ready for advancement in the Codex Step process</p> <p>The European Union and its Member States (EUMS) would like to thank the United States of America for their valuable contribution in advancing this work, and the clarified and improved drafting of the guidelines as presented in Appendix I.</p>	European Union
The International Chewing Gum Association (ICGA) would like to thank, and command, the leadership of the USA in managing the development of these	ICGA

<p>guidelines with the help of the very active and inclusive participation of members and observers to the EWG.</p> <p>ICGA overall supports the aim of creating this common Codex reference point for food control and border inspection authorities, as well as food business operators, to adapt to situations of emergencies requiring agility and flexibility in applying existing frameworks and regulatory standards, to support and sustain global, regional, and national supply chains of key food ingredients and materials.</p> <p>ICGA is looking forward to the outcome of the VWG to be held on May 5 and we anticipate seeing the proposed amended text of the draft guidelines reviewed and possibly agreed upon at the forthcoming CCFL49 plenary meeting within one full reading session.</p>	
<p>Integration with E-Commerce Guidelines: The draft focuses on physical labels but lacks a direct link to the newly adopted Guidelines on the Provision of Food Information for Prepackaged Foods Offered via E-Commerce (CXG 104-2024). In emergencies, digital "e-pages" could serve as a vital tool to provide the information missing from physical labels due to supply chain disruptions.</p>	ICGMA
<p>India has specific comments on few sections of the draft text as provided below. With consideration of these comments, we support the advancement of text to Codex step process</p> <p>India agrees that the draft guideline achieves an appropriate balance between being high-level and non-prescriptive, while still providing useful guiding principles for competent authorities in applying food labeling provisions during emergencies.</p>	India
<p>Indonesia would like to express its appreciation to the United States of America as Chair of the electronic Working Group for preparing the draft guidelines on the application of food labelling provisions in emergencies. Indonesia also appreciates the efforts made in developing this important document. In this regard, Indonesia would like to submit the following comments for consideration.</p> <p>Indonesia proposes that Section 3, currently entitled "General Consideration", be revised to "Application Steps", in order to better reflect a structured sequence for implementation during emergency situations.</p> <p>In Section 3, Indonesia further proposes the inclusion of an additional clause for the preparation of a "Proposal for a Flexibility". This clause should provide guidance on the types of emergency conditions that may justify the preparation of such a proposal, specify the essential elements to be included in a Proposal for a Flexibility, and clarify the entities eligible to submit such proposals.</p> <p>This additional clause is proposed to be positioned as the initial step, followed by the clauses currently presented in the draft Circular Letter, namely "Reviewing or Authorizing a Flexibility", "Implementing and Monitoring Authorized Flexibilities", and "Concluding Implementation of Authorized Flexibilities".</p> <p>Indonesia considers that the proposed revisions would provide a more coherent flow, which may facilitate the readability and practical application of the guidelines. Indonesia respectfully invites consideration of these proposals and expresses its appreciation for the opportunity to contribute.</p>	Indonesia
<p>IBFAN Comment Agenda item 7 CCFL49</p> <p>Application of Food Labelling Provisions in Emergencies</p> <p>IBFAN is opposed to flexible labelling for food products intended for emergencies and recommends that the Guidelines on the Application of Food Labelling Provisions in Emergencies should be discontinued.</p> <ol style="list-style-type: none"> 1. Defining an emergency is a highly sensitive political action and is not within the mandate of Codex and beyond its scope. 2. Codex Guidelines have far-reaching influence and potential for exploitation. 3. Flexible labelling will put vulnerable populations experiencing food insecurity at risk 	International Baby Food Action Network

4. Flexible labelling opens the door to double standards and exploitation of the most vulnerable
5. Few National Governments have adequate emergency preparedness plans and safeguards.
6. The uncontrolled dissemination of inadequately labelled products is a health and safety risk, especially for infants and young children.
7. For agencies and NGOs working in emergency relief, flexible labelling can complicate the traceability and recall procedures of contaminated or unsafe food.
8. IBFAN's rationale for recommending that this agenda item be discontinued.

- Guidelines on defining an emergency and how an emergency is managed are within the mandates of UN agencies such as WHO, UNICEF, UNHCR and the World Food Program.

- Codex does not have a definition of what constitutes an emergency. Decisions regarding a determination of an emergency may be highly sensitive and political – and any decision regarding how the emergency is managed and the food supplies needed are beyond the scope and remit of Codex. Similarly IBFAN noted during the development of the Guidelines for ready to Use Therapeutic Foods (RUTFs) that Codex, whose dual mandate can often lead to compromised texts, is not the appropriate forum to set policy and guidelines on sensitive humanitarian issues.

- Codex guidelines granting approval for flexible labelling have the potential for exploitation by those who seek economic or political benefits in emergency situations. They can also undermine the adherence to globally adopted Codex and national guidelines and standards that are essential to the protection of consumer health.

- Flexible labelling will put vulnerable populations experiencing food insecurity at risk for nutrient inadequacy, violating their rights to appropriate food aid and to full and accurate nutrition information, including the safe use, preparation, handling and storage of food intended for emergencies.

- Populations in emergency situations are at risk for infections, and illness and may already be sub-optimally nourished due to food insecurity. They are likely to be experiencing stress and trauma. Flexible labelling may exacerbate their vulnerable status.

In previous Codex discussions IBFAN has had to challenge proposals to use ingredients not intended for human consumption such as cottonseed oil. Flexible labelling will increase such risks.

- Populations experiencing food insecurity and food deprivation should not be treated as requiring lower standards of labelling than those standards required for all populations. Lower standards for populations in need would be in contradiction to international human rights law such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights.

- Flexible labelling and flexible nutrient and ingredient content is not consistent with Codex principles and risks the use of ingredients that do not meet Codex standard. In previous Codex discussions IBFAN has had to challenge proposals to use ingredients not intended for human consumption such as cottonseed oil. Flexible labelling will increase such risks.

- The use of flexibility during emergencies undermines the importance of existing Codex labelling safeguards which are framed to protect consumer health.

- Food provided in emergencies must be fully and accurately labelled to include all mandatory labelling provisions as required in the General standard on the labelling of prepackaged foods (CXS 1-1985), ingredients, nutrient content, expiry date, the safe preparation, storage and handling. Flexible labelling risks

<p>inadequate traceability and recall procedures when contaminated, unsafe foods, are distributed in emergency crisis.</p> <ul style="list-style-type: none"> • The labelling of foods provided as food aid must be in the local languages of those receiving the food aid. • Foods for infants and young children provided in emergencies must comply with all the provisions of the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly Resolutions and the Operational Guidance on Infant Feeding in Emergencies (OG-IFE) version 3.0 (Oct 2017)² to ensure that breastfeeding is protected as the safe and secure feeding in emergencies to safeguard infant and young child health and lives. Moreover Article 4.4 of the Code of Ethics for International Trade in Food – CXC–20-1979, states that: National authorities should be aware of their obligations under the International Health Regulations (2005) with regard to food safety events, including notification, reporting or verification of events to the World Health Organisation (WHO). They should also make sure that the international code of marketing of breast milk substitutes and relevant resolutions of the World Health Assembly (WHA) setting forth principles for the protection and promotion of breast-feeding be observed. • IBFAN has been exposing the risks of commercial exploitation of emergencies since the early 1980s. We are a founder and active member of the multi-agency Infant feeding in Emergencies Core Group, that was set up in 1999 to ensure coordinated infant and young child feeding policies and support in emergencies. IFE members work to protect breastfeeding, a practice that is resilient and provides food, care, immune support and protection from the worst of emergency conditions, and to ensure that if and when supplies are needed they are “purchased, distributed and used according to strict criteria.” • A major factor in the undermining of child health is the uncontrolled dissemination of inappropriate foods during emergency crisis. Donations of baby feeding products can undermine efforts to protect breastfeeding. • For example in Pakistan during the 2022 floods products were donated and distributed for use by malnourished children. with misleading brand names such as ‘Recover’, and containing health damaging ingredients. Without the necessary safeguards and warnings for the use of such products (see above), such irresponsible distribution could worsen a child’s nutritional status and health and even lead to death. • Few National Governments have adequate emergency preparedness plans and safeguards. Even fewer have safeguards to prevent inappropriate food donations during emergencies. Food Business Operators’ policies that claim to follow the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly resolutions often contain loopholes that allow harmful marketing, labelling and donations during emergencies. • Codex CAC/GL 82-2013, Principles and Guideline for National Food Control Systems: Principle 5 – Consistency and Impartiality: 16. All aspects of a national food control system should be applied consistently and impartially. The competent authority and all participants acting in official functions must be free of improper or undue influence or conflict of interest. 	
<p>ISDI appreciates the extensive work undertaken by the Electronic Working Group (EWG), chaired by the United States of America, in preparing the Draft Guidelines on the Application of Food Labelling Provisions in Emergencies. ISDI welcomes the restructuring, simplification, and emphasis on risk-based, temporary, and proportionate flexibilities as reflected in Appendix I of document CX/FL 26/49/7.</p> <p>ISDI supports the objective of ensuring continuity of access to safe food—including specialized nutrition products—during emergencies, while maintaining consumer protection and fair trade practices.</p> <p>ISDI supports the advancement of the Draft Guidelines on the Application of Food Labelling Provisions in Emergencies through the Codex Step process and</p>	<p>International Dietary Industries Special Food</p>

commends the EWG for its balanced approach. ISDI remains committed to supporting Codex in developing pragmatic, risk based, and globally harmonized guidance.	
The draft can be advanced to the next step	Malawi
Le Maroc salue l'élaboration de directives sur l'application des dispositions d'étiquetage en situations d'urgence. Le Maroc, pays régulièrement exposé à des situations d'urgence (séismes, sécheresses), est particulièrement attentif à ce que ces directives permettent une réponse humanitaire rapide tout en maintenant un niveau minimal de protection des consommateurs.	Morocco
New Zealand thanks the United States for their work to progress these guidelines since CCFL48. New Zealand is supportive of the current drafting.	New Zealand
<p>South Africa position:</p> <ul style="list-style-type: none"> South Africa supports the advancement of the draft guidelines to the next step in the Codex Step process, subject to the consideration of South Africa's proposed suggestions and amendments to improve clarity and practical implementation. <p>Rationale:</p> <p>The draft guidelines are well-developed and provide clear, practical and flexible guidance for competent authorities. They address key aspects of emergency food labelling without compromising food safety or consumer protection and are ready for further consideration and refinement at the next step to support consistent international implementation</p> <p>South Africa position:</p> <ul style="list-style-type: none"> South Africa considers that the draft guidelines achieve a suitable balance between being high-level and non-prescriptive while providing clear guiding principles for competent authorities on the application of food labelling provisions in emergencies. <p>Rationale:</p> <p>The guidelines offer a flexible, risk-based, and temporary approach that protects food safety and consumer health. It provides practical guidance across all stages of implementation, promotes transparency with stakeholders, and supports consistent and fair application of labelling flexibilities during emergencies.</p>	South Africa
<p>In our view, the text is ready to move forward within the Codex Step process.</p> <p>We agree that the draft guideline provides useful guiding principles</p>	The European Federation of the Associations of Dietitians (EFAD)
United Arab Emirates Comments on: CL 2026-9-FL: Request for comments on guidelines on the application of food labelling provisions in emergencies (Comments at Step 3) The United Arab Emirates (UAE) thanks the Codex Alimentarius Commission for the opportunity to provide comments on Circular Letter CL 2026/09-FL regarding the draft "Guidelines on the Application of Food Labelling Provisions in Emergencies (Step 3)" and the associated document CX/FL 26/49/7. The UAE appreciates the efforts undertaken to develop these guidelines and supports the development of high-level, practical guidance to assist competent authorities in managing food labelling requirements during emergency situations while ensuring food safety and fair-trade practices.	United Arab Emirates

<p>The United Kingdom is broadly content with the direction of the proposals set out in Appendix 1 and welcomes the continued focus on developing high level guidance that supports supply chain resilience while maintaining consumer protection and transparency. However, the UK would like to highlight a small number of points for further consideration in responding to the Circular Letter.</p> <p>Declaration of an Emergency - The UK considers it important and would welcome more explicit wording to clarify that an emergency can only be declared by a Member's competent authority, in line with existing national legal and institutional arrangements, including food labelling law. Clear wording would help ensure that any emergency measures operate under existing food law within a Member's domestic legal framework and avoid undue pressure being placed on Members by large organisations or businesses to declare an emergency in circumstances where this may not be appropriate.</p> <p>The UK would also welcome even clearer wording to confirm that where one Member has declared an emergency and is operating temporary labelling flexibilities, other Members are not obliged to accept products that do not meet their domestic labelling requirements. In the UK's view, this clarification is important to preserve Members' ability to apply their own regulatory standards.</p>	United Kingdom
<p>The United States highlights the productive consultations in the EWG and as a result, regards the updated guideline as significantly improved in its clarity, adherence to scope, and responsiveness to Members and Observers' helpful feedback. The United States is of the view that the guidelines achieve a suitable balance between remaining high-level and non-prescriptive, while also providing guiding principles that competent authorities can consider regarding to the application of food labelling provisions in emergencies. The United States supports advancing the text in the Codex step process.</p>	USA
<p>The text is fine with no further comment.</p>	Vanuatu
<p>WFP recommends that the new guidelines explicitly cross-reference the definition of "labelling" as set out in the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985).</p> <p>Including an explicit cross-reference to this existing Codex definition would enhance practical clarity regarding the scope of the "labelling provisions" and "labelling flexibilities" addressed in the guidelines, while maintaining coherence and consistency across Codex texts and avoiding divergent interpretations.</p> <p>WFP therefore suggests that the Guidelines include a brief statement such as:</p> <p>"For the purposes of these Guidelines, the term "labelling" is to be understood as defined in the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985)."</p>	World Food Programme
<p>Zambia commends the EWG for developing the draft Guidelines on application of food labelling provisions in emergencies. However, notes a gap in the draft, namely the lack of explicit consideration for vulnerable population groups when applying labelling flexibilities. Zambia therefore proposes adding a clause under Section 3.1 requiring consideration of impacts on vulnerable groups, including infants, young children, and pregnant or breastfeeding women. This is necessary as these groups rely on highly sensitive foods, where labelling deviations can have immediate health consequences, and therefore have a lower tolerance to risk.</p> <p>This is in recognition of the importance of the guidelines in providing risk-based guidance to maintain food safety, prevent misleading information, and support a safe food supply during emergencies</p>	Zambia

SPECIFIC COMMENTS

COMMENTS	MEMBER OBSERVER /
DRAFT GUIDELINES ON THE APPLICATION OF FOOD LABELLING PROVISIONS IN EMERGENCIES	
Purpose	
New Zealand supports the purpose.	New Zealand
Se considera que el objetivo es claro en el sentido de que queda comprendido que lo que se busca es implementar un esquema de flexibilidad en el etiquetado ante contingencias internacionales, garantizando la continuidad del abastecimiento y la inocuidad alimentaria. Paraguay aboga por la adopción de medidas temporales que fortalezcan la cadena de suministro sin desatender la seguridad del consumidor	Paraguay
El objetivo de estas directrices es proporcionar orientación mediante principios y criterios generales de toma de decisiones para la consideración y la aplicación flexible de los requisitos de etiquetado de los alimentos en situaciones de emergencia que provoquen perturbaciones significativas en la cadena de suministro, y garantizar que las flexibilidades en materia de etiquetado de modo que las flexibilidades en materia de etiquetado de los alimentos aplicadas por las autoridades competentes en tales situaciones de emergencia sean temporales, justificadas, proporcionadas y basadas en el riesgo, a fin de mantener la inocuidad alimentaria y las prácticas comerciales justas en situaciones de incertidumbre.	Peru
<ul style="list-style-type: none"> Defining an emergency is a highly sensitive political action and is not within the mandate of Codex and beyond its scope. Codex Guidelines have far-reaching influence and potential for exploitation. Flexible labelling will put vulnerable populations experiencing food insecurity at risk Flexible labelling opens the door to double standards and exploitation of the most vulnerable Few National Governments have adequate emergency preparedness plans and safeguards. The uncontrolled dissemination of inadequately labelled products is a health and safety risk, especially for infants and young children. For agencies and NGOs working in emergency relief, flexible labelling can complicate the traceability and recall procedures of contaminated or unsafe food. <p>ENCA supports IBFAN's rationale for recommending that this agenda item be discontinued.</p> <ul style="list-style-type: none"> Guidelines on defining an emergency and how an emergency is managed are within the mandates of UN agencies such as WHO, UNICEF, UNHCR and the World Food Program. Codex does not have a definition of what constitutes an emergency and this issue is beyond its remit. Decisions regarding a determination of an emergency may be highly sensitive and political. The dual mandate of Codex to both protect health and facilitate fair trade can often lead to compromised texts. Codex is therefore not the appropriate body to set policy and guidelines for such sensitive humanitarian issues. IBFAN raised these concerns during the development of the Guidelines for Ready to Use Therapeutic Foods (RUTFs). Codex guidelines granting approval for flexible labelling have the potential for exploitation by those who seek economic or political benefits in emergency situations. They can also undermine the adherence to globally adopted Codex and national guidelines and standards that are essential to the protection of consumer health. Flexible labelling will put vulnerable populations experiencing food insecurity at risk for nutrient inadequacy, violating their rights to appropriate food aid and to full and accurate nutrition information, including the safe use, preparation, handling and storage of food intended for emergencies. 	ENCA

- Populations in emergency situations are at risk for infections, and illness and may already be sub-optimally nourished due to food insecurity. They are likely to be experiencing stress and trauma. Flexible labelling may exacerbate their vulnerable status.
- Populations experiencing food insecurity and food deprivation should not be treated as requiring lower standards of labelling than those standards required for all populations. Lower standards for populations in need would be in contradiction to international human rights law such as the Universal Declaration of Human Rights, the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights.
- Flexible labelling and flexible nutrient and ingredient content is not consistent with Codex principles and risks the use of ingredients that do not meet Codex standard. In previous Codex discussions IBFAN has had to challenge proposals to use ingredients not intended for human consumption such as cottonseed oil. Flexible labelling will increase such risks.
- The use of flexibility during emergencies undermines the importance of existing Codex labelling safeguards which are framed to protect consumer health.
- Few National Governments have adequate emergency preparedness plans and safeguards. Even fewer have safeguards to prevent inappropriate food donations during emergencies. Food Business Operators' policies that claim to follow the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly resolutions often contain loopholes that allow harmful marketing, labelling and donations during emergencies.
- Food provided in emergencies must be fully and accurately labelled in the local languages of those needing them and include all mandatory labelling provisions as required in the General standard on the labelling of prepackaged foods (CXS 1-1985), ingredients, nutrient content, expiry date, the safe preparation, storage and handling.
- Foods for infants and young children provided in emergencies must comply with all the provisions of the International Code of Marketing of Breastmilk Substitutes and subsequent World Health Assembly Resolutions and the Operational Guidance on Infant Feeding in Emergencies (OG-IFE) version 3.0 (Oct 2017)² to ensure that breastfeeding is protected as the safe and secure feeding in emergencies to safeguard infant and young child health and lives. Moreover Article 4.4 of the Code of Ethics for International Trade in Food – CXC-20-1979, states that: National authorities should be aware of their obligations under the International Health Regulations (2005) with regard to food safety events, including notification, reporting or verification of events to the World Health Organisation (WHO). They should also make sure that the international code of marketing of breast milk substitutes and relevant resolutions of the World Health Assembly (WHA) setting forth principles for the protection and promotion of breast-feeding be observed.
- IBFAN has been exposing the risks of commercial exploitation of emergencies since the early 1980s. We are a founder and active member of the multi-agency Infant feeding in Emergencies Core Group, that was set up in 1999 to ensure coordinated infant and young child feeding policies and support in emergencies. IFE members work to protect breastfeeding, a practice that is resilient and provides food, care, immune support and protection from the worst of emergency conditions, and to ensure that if and when supplies are needed they are "purchased, distributed and used according to strict criteria.'
- A major factor in the undermining of child health is the uncontrolled dissemination of inappropriate foods during emergency crisis. Donations of baby feeding products, especially Ultra Processed Products, can undermine efforts to protect breastfeeding and sound young child feeding.
- The uncontrolled dissemination of inappropriate donations with false and misleading claims during emergency crisis is a major factor in the undermining of efforts to protect breastfeeding and complementary feeding. For example, during the Covid 19 Pandemic, commercial formulas falsely claimed to provide immunity against infections. In Pakistan during the 2022 floods formulas carrying misleading

<p>brand names such as 'Recover' were donated and distributed for use by malnourished children. Without the necessary safeguards and warnings such distribution could worsen a child's nutritional status and health and even lead to death.</p> <ul style="list-style-type: none"> • Flexible labelling complicates Product Recalls: When product recalls coincide with distribution in emergencies, batch numbers or manufacturing details may be obscured or omitted, complicating the tracking and tracing of contaminated products. In humanitarian contexts, where communication is already delayed and infrastructure is broken, the absence of clear, standardized labelling could create a widespread and untraceable health crisis for infants. RASFF notification about formula contaminated with Cereulide sent from Switzerland to Ukraine, the Gaza Strip and West bank. • Codex CAC/GL 82-2013, Principles and Guideline for National Food Control Systems: Principle 5 – Consistency and Impartiality: 16. All aspects of a national food control system should be applied consistently and impartially. The competent authority and all participants acting in official functions must be free of improper or undue influence or conflict of interest. <p>There is no need for these Guidelines. Indeed the summary prepared by the EWG, chaired by the USA states: "In general, most competent authorities regarded that they have the authority, either explicitly stated or implied/embedded within existing interpretations of authorizing legislation, to implement flexibilities to food labelling as necessary in times of emergency"</p> <p>The World Health Assembly 63.23 Resolution adopted in 2019, urged Member states: "to ensure that national and international preparedness plans and emergency responses follow the evidence-based Operational Guidance for Emergency Relief Staff and Programme Managers² on infant and young child feeding in emergencies, which includes the protection, promotion and support for optimal breastfeeding, and the need to minimize the risks of artificial feeding, by ensuring that any required breast-milk substitutes are purchased, distributed and used according to strict criteria"</p> <p>2. OG-IFE KEY POINTS REGARDING LABELLING</p> <p>Labels must be in the language of the local/recipient population; Labels must comply with the International Code and subsequent WHA resolutions; Complementary food packaging must be clearly distinguishable from breastmilk substitutes to avoid misuse.; Labels of complementary foods must not resemble those of infant formula to prevent cross-promotion. Donated foods must meet specific nutrient and quality standards with appropriate labelling; Labels must contain appropriate instructions and warnings; Labels must not use images or text that discourage breastfeeding.</p> <p>How companies are exploiting the COVID-19 pandemic.. https://www.babymilkaction.org/archives/24341</p> <p>Recall examples: Kendamil cereulide recall, Canada (February 2026) - ingredient swap due to a shortage causing a batch of contaminated formula, nearly 9 months between production and recall, highlighting the lag between contamination and traceability. ByHeart botulism recall, US (November 2025) - 31+ infants hospitalized; complicated by the company's active donation program to food-insecure families - a direct parallel to humanitarian distribution</p> <p>RASFF NOTIFICATION 2026.0347 Recall of infant formulae produced in Switzerland, possibly contaminated with cereulide sent from Switzerland to Ukraine, the Gaza Strip and West bank. https://webgate.ec.europa.eu/rasff-window/screen/notification/816985</p>	
<p>Australia suggests the following amendment to the text in "Purpose" to clarify the overarching purpose of these guidelines.</p> <p>Purpose: The purpose of these guidelines are to support flexible global food trade during emergencies, by providing principles and general decision-making criteria. These guidelines can be used for the consideration and flexible application of food labelling requirements in emergencies that cause significant supply chain disruptions. They ensure that the food labelling flexibilities applied by competent</p>	<p>Australia</p>

authorities in such emergencies are temporary, justified, proportionate, and risk-based to maintain food safety and fair-trading practices in uncertain situations.	
<p>The purpose of these guidelines is to provide guidance through principles and general decision-making criteria for the consideration and flexible application of food labelling requirements in emergencies that cause significant supply chain disruptions, and to ensure that the food labelling flexibilities applied by competent authorities in such emergencies are temporary, justified, proportionate, and risk-based to maintain food safety and <u>ensure</u> fair trading practices in <u>food trade in</u> uncertain situations.</p> <p>To enhance clarity of the sentence and use consistent wording with the statutory objectives of Codex</p>	Thailand
Scope	
New Zealand supports the scope.	New Zealand
2.1. Comments: Within the text, 'apply to' and 'application' show repetitive use of words. Consider instead, 'These guidelines pertain to the flexible application...'	ICGMA
2.1. Paraguay acuerda en base a su comentario anterior referido al objetivo de las directrices	Paraguay
2.1. These guidelines <u>pertain</u> apply to the flexible application of one or more food labelling requirements by competent authorities in emergencies to maintain a safe and adequate food supply without misleading the consumer or compromising food safety (hereafter referred to as "flexibilities").	FoodDrinkEurope
<p>2.1.2. For the purpose of these guidelines, an emergency means an exceptional and temporary event that causes significant disruption to the international, regional, national, or local food supply chain, in whole or in part. Emergencies and consequent supply chain disruptions or food shortages may occur <u>due to scenarios including human pandemics, animal disease outbreaks, environmental or natural disasters, disruption of critical infrastructure, war and humanitarian crises, drought, or other scenarios.</u></p> <p>due to scenarios including human pandemics, animal disease outbreaks, environmental or natural disasters, (hungers) .disruption of critical infrastructure, war and humanitarian crises, drought, or other scenarios.</p> <p>2.1. 1 inconsistencies have been identified in the paragraph numbering 2.1-2.12-2.1.3}.it is recommended that numbering be corrected</p>	Sudan
<p>2.1.2. For the purpose of these guidelines, an emergency means an exceptional and temporary event that causes significant disruption to the international, regional, national, or local food supply chain, in whole or in part. Emergencies and consequent supply chain disruptions or food shortages may occur due to scenarios including human pandemics, animal <u>or crop</u> disease outbreaks, environmental or natural disasters, disruption of critical infrastructure, war and humanitarian crises, drought, or other <u>similar</u> scenarios.</p> <p>Canada suggests consideration be given to adding crop disease outbreaks as these could be another cause of supply chain disruptions.</p> <p>Canada suggests adding "similar" as it clarifies that the other scenarios are of similar nature to those listed. Alternatively, the entire phrase "or other similar scenarios" could be removed as the beginning of the sentence states "scenarios including....." which makes it clear that the examples are not an exhaustive list.</p>	Canada
2.1.2. Paraguay considera importante contar con una definición de "emergencia" a fin de establecer criterios uniformes para definir qué constituye una "emergencia" para evitar abusos por parte de las empresas Considera que la definición propuesta es abarcativa, pues va desde las emergencias internacionales a las locales, e incluye a los diferentes tipos de emergencia que puedan darse.	Paraguay
2.1.2 – Definition of "Emergency" UAE suggest further strengthening the definition by incorporating additional criteria to support competent authorities in identifying such situations, including: • Evidence of significant disruption to food supply chains. • Impacts on access to food that cannot be adequately addressed through existing	United Arab Emirates

national labelling systems; and These additions would enhance clarity while maintaining the necessary flexibility for diverse national contexts.	
<p>2.1.21. For the purpose of these guidelines, an emergency means an exceptional and temporary event that causes significant disruption to the international, regional, national, or local food supply chain, in whole or in part. Emergencies and consequent supply chain disruptions or food shortages may occur due to scenarios including human pandemics, animal disease outbreaks, environmental or natural disasters, disruption of critical infrastructure, war and humanitarian criseswar, drought, or other scenarios.</p> <p>Thailand does not support the inclusion of 'humanitarian crisis.' According to the provided definition, an emergency is an 'exceptional and temporary event.' Since humanitarian crises are often prolonged, they do not align with these criteria. Furthermore, the definition lists underlying scenarios (e.g., war, natural disasters) that cause emergencies. As a humanitarian crisis is typically a consequence of these scenarios, it is inappropriate to list it alongside them.</p>	Thailand
<p>2.1.3. Comments: Because this new paragraph, the word 'such' has no direct reference. We suggest instead a minor editorial change: "For the purpose of these guidelines, such flexibilities are an agreement....", etc.</p> <p>In addition: The draft mentions flexibilities for language requirements. However, for "Food Aid" specifically, other Codex discussions suggest that labelling must be in the local language of the recipients to prevent safety risks during preparation or storage.</p>	ICGMA
<p>2.1.3. For the purpose of these guidelines, such flexibilities are an agreement to allow specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply without compromising food safetysafety or misleading the consumer, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.</p> <p>The EUMS suggest adding "without misleading the consumer" to align this subsection with subsection 2.1. and ensure consistency of the provisions. They propose also to delete "approved" as this aspect is already covered by the fact the flexibilities have to be agreed by the competent authorities.</p>	European Union
<p>2.1.3. Guatemala solicita la incorporación de la frase Sin esta adición, la redacción actual resulta excesivamente general y podría pasar por alto un aspecto regulatorio importante. Con base en la experiencia del sector, las autoridades nacionales suelen adoptar decisiones caso por caso sobre los procedimientos de registro durante situaciones de emergencia. Incluir esta referencia reconoce que las medidas de flexibilidad pueden necesitar extenderse más allá de los requisitos de etiquetado a los procesos de registro relacionados, los cuales varían considerablemente entre países. Esta adición mejoraría la claridad y reflejaría mejor las realidades prácticas a las que se enfrentan las empresas durante escenarios de respuesta a crisis</p>	Guatemala
<p>2.1.3. Entendemos que esta directriz busca proporcionar a las autoridades competentes una base jurídica firme para otorgar excepciones técnicas, asegurando la previsibilidad y el orden en las transacciones comerciales internacionales. De allí su importancia para proporcionar una base jurídica firme para otorgar excepciones técnicas, asegurando la previsibilidad y el orden en las transacciones comerciales internacionales, ya que, al establecer criterios técnicos claros y un respaldo legal sólido para las autoridades, el proyecto ayudará a agilizar la respuesta institucional y prevenir interrupciones innecesarias en el comercio exterior</p>	Paraguay
<p>2.1.3. For the purpose of these guidelines, such flexibilities are an agreement to allow specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply without compromising food safety, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient</p>	Canada

<p>substitutions that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.—.</p> <p><u>2.1.4 For the purpose of these guidelines, food labelling flexibilities are not intended as a means to reduce production costs, mitigate commercial trade pressures, or gain economic advantage to address non-emergency production or market-driven considerations.</u></p> <p>For greater clarity and to avoid misuse of these guidelines, Canada proposes a new section (2.1.4) to specify the types of situations these guidelines are not intended to be used in.</p>	
<p>2.1.3. Australia proposes the following addition to capture the role of these guidelines in also supporting the maintenance of supply chains, and reducing unnecessary supply chain disruptions through labelling flexibility, where this is implemented in accordance with the draft guidelines.</p> <p>2.1.3. For the purpose of these guidelines, such flexibilities are an agreement to allow specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply, and to support stabilisation of supply chains without compromising food safety, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.</p>	Australia
<p>2.1.3. FIA proposes the following amendment to the last sentence.</p> <p>"Flexibilities may include considerations such as temporary exemptions of national registrations, including product and factory registration, changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities"</p> <p>Without this addition, the current wording remains overly general and may overlook an important regulatory aspect. Based on industry experience, national authorities often adopt case-by-case decisions on registration procedures during emergencies. Including this reference acknowledges that flexibility measures may also need to extend beyond labelling requirements to related registration processes, which can vary significantly across countries. This addition would improve clarity and better reflect the practical realities businesses face during crisis response scenarios.</p>	Food Industry Asia
<p>2.1.3. For the purpose of these guidelines, such flexibilities are an agreement to allow specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply without compromising food safety<u>safety or consumer protection</u>, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.</p> <p>Canada suggests that consumer protection should not be compromised either, and that this should be specified in the text. It is important that the manner in which flexibilities are implemented continues to protect consumers.</p>	Canada
<p>2.1.32. For the purpose of these guidelines, such flexibilities are an <u>agreement to allow allowance of</u> specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply without compromising food safety, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety, managed depletion of existing</p>	Thailand

<p>labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.</p> <p>Thailand does not support using the term 'agreement' to define 'flexibilities,' as it may contradict Section 2.1, which indicates that 'flexibilities' refer to the flexible application of food labelling requirements by competent authorities. From a practical standpoint, a competent authority does not always establish an 'agreement' with Food Business Operators (FBOs). Sometimes, this allowance is granted through a formal notification or one-way communication from the authority. Therefore, Thailand proposes amending this text to accommodate the diverse practices implemented by different competent authorities.</p>	
<p>2.1.3. For the purpose of these guidelines, such flexibilities are an agreement to allow specific, risk-based, and approved, non-compliance with certain labelling provisions implemented during an emergency to the extent and for the periods strictly necessary to facilitate a safe and adequate food supply without compromising food safety, as determined by competent authorities. Flexibilities may include considerations such as changes to labelling formats, <u>variation in product composition and nutrition information</u>, labelling of ingredient substitutions <u>and extension of date marking</u> that do not compromise food safety, managed depletion of existing labelling stocks, or language requirements for labelling elements that do not present food safety risk among other flexibilities as determined by competent authorities.</p> <p>We suggest deleting the word "such" before flexibilities. Because this is a new paragraph, the word 'such' has no direct reference. We suggest adding the text in bold.</p>	FoodDrinkEurope
<p>2.1.3 EFA agrees with the listing of flexibility categories under 2.1.3, as it helps in clarifying the logic and setting the limits of the flexibilities that are considered acceptable.</p> <p>However, we regret that the explicit the example of allergen labelling has been removed, given its key importance and implications on food safety. We suggest reinstating the reference is reinstated as follows:</p> <p><i>'Flexibilities may include considerations such as changes to labelling formats, labelling of ingredient substitutions that do not compromise food safety (such as risks related to food allergens),...'</i></p>	European Federation of Allergy and Airways Diseases Patients' Associations (EFA)
<p>Ces directives visent à fournir des orientations sous forme de principes et de critères généraux de décision pour examiner et appliquer de manière flexible les exigences en matière d'étiquetage des aliments lors d'urgences entraînant des perturbations importantes des chaînes d'approvisionnement. Elles visent également à garantir que les flexibilités en matière d'étiquetage mises en œuvre par les autorités compétentes dans ces situations soient <u>strictement</u> temporaires, justifiées, proportionnées et fondées sur l'évaluation des risques, afin d'assurer la sécurité sanitaire des aliments et des pratiques commerciales équitables dans des contextes incertains.</p> <p>Il est très important de préciser que les dérogations accordées sont strictement temporaires et de la nécessité de prévoir un mécanisme de notification et de levée automatique à la fin de la situation d'urgence.</p> <p>Justificatif : Sans délimitation temporelle stricte et claire, il existe un risque que des dérogations transitoires deviennent permanentes, affaiblissant durablement le cadre réglementaire.</p>	Morocco
<p>2.3 Australia notes that the text in section 2.3 has been duplicated in the chapeau for section 3. We consider that this text can be deleted from the section 3 chapeau, and that the resulting text will still maintain the intent of the chapeau.</p> <p>3. General Considerations</p> <p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply.</p>	Australia

<p>2.4 These guidelines are applicable to domestic commerce or export, subject to the agreement of the importing country.</p> <p>The UK suggests adding Imports here, so it reads 'domestic commerce import or export'</p>	United Kingdom
<p>2.4 These guidelines are applicable to domestic commerce or import or export, subject to the agreement of the importing countryor exporting country.</p> <p>The section covers applicability to exports. However due to the emergency, there may be a shortage of local food products, therefore the guidelines should cover imported foods too.</p>	India
<p>2.4 ISDI notes that Section 2.4 currently states that the guidelines are applicable to domestic commerce or export, subject to the agreement of the importing country. Given that Codex Alimentarius aims to facilitate international trade, ISDI recommends replacing the word “export” with “international trade”, to improve clarity and alignment with Codex’s mandate. The updated text would therefore be as follows:</p> <p>“These guidelines are applicable to domestic commerce or international trade, subject to the agreement of the importing country.”</p>	International Special Dietary Food Industries
<p>2.4 The intent of paragraph 2.4 is unclear. Does this mean these guidelines are applicable to both ‘domestic commerce’ and ‘export which is subject to the agreement of the importing country’? What does this paragraph intend to clarify?</p> <p>Specifically, the implementation of food labelling measures in domestic commerce could be left to discretion of each country’s competent authority, so it seems unnecessary to explicitly refer to ‘domestic commerce’ in this paragraph.</p>	Japan
<p>2.4 FIA would like to understand how this section aligns with the overarching purpose of Codex, which is to facilitate international trade</p>	Food Industry Asia
<p>2.4 These guidelines are applicable to domestic commerce or exportinternational trade, subject to the agreement of the importing country.</p> <p>Canada suggests “international trade” instead of export, as this is inclusive of both the exporting and importing country. Canada agrees that “subject to the agreement of the importing country” should remain in this provision.</p>	Canada
<p>2.4 Could you clarify how this approach “applicable to domestic commerce” supports Codex’s primary objective of facilitating international trade?</p>	IDF/FIL
<p>2.4 It may be preferable to replace the term “export” with “international trade”, to better align with Codex’s role in facilitating harmonised standards for international trade.</p>	IDF/FIL
<p>2.4 These guidelines are applicable to domestic commerce import or export, subject to the agreement of the importing country.</p> <p>The guide should cover imported foods too.</p>	FoodDrinkEurope
<p>2.4 Estas directrices son aplicables al comercio nacional o a la exportación, con exportación (con sujeción al consentimiento del país importadorimportador.</p> <p>Para una mejor comprensión se sugiere modificar ligeramente lo indicado en 2.4 de manera que quede claro que el consentimiento del país importador aplica únicamente para la exportación. De esta forma se sugiere eliminar la coma y colocar la última oración entre paréntesis.</p>	Costa Rica
General Considerations	
<p>ICA Comment: Communication and coordination with stakeholders are critical in the preparation for an emergency, during the emergency itself, and after the emergency has resolved. We ask the Committee to reflect point this as part of “General Considerations.”</p>	International Confectionery Association
<p>Comment: We suggest consideration of the following additional text under “general conditions”:</p>	ICGMA

<p>In preparation for an emergency the competent authority should [also] provide clear, relevant, factual and timely information to relevant stakeholders regarding any temporary labelling measures that may be implemented during an emergency.</p> <p>Any flexibilities provided for by the competent authority during an emergency should be assessed with regular [re]evaluations to determine the effectiveness of the measures and to make adjustments as needed;</p> <p>After an emergency, competent authorities should engage with stakeholders, including industry representatives, consumer groups, and other relevant parties, to gather feedback on the flexibilities introduced during the emergency and to assess all perspectives and experiences to inform future decision-making</p>	
<p>Indonesia proposes the following structure:</p> <p>3. Application Steps</p> <p>During an emergency, when a competent authority identifies a need or proposal for flexibility, the following steps apply:</p> <p>3.1. Proposal for a Flexibility</p> <p>3.2. Reviewing or Authorizing a Flexibility</p> <p>3.3. Implementing and Monitoring Authorized Flexibilities</p> <p>3.4. Concluding Implementation of Authorized Flexibilities</p>	Indonesia
<p>Thailand notes the current document structure, specifically the use of single sub-headings under a main heading. For example, Section 3, 'General Considerations,' contains only one sub-heading, 3.1 'Reviewing or Authorising a Flexibility,' which is further divided into 3.1.1 – 3.1.10 without a Section 3.2. Similarly, Section 4, 'Implementing and Monitoring Authorised Flexibilities,' contains only Section 4.1, which is then subdivided into 4.1.1 – 4.1.3.</p> <p>Therefore, it may be more appropriate to revise the numbering and structural organisation of the document to ensure it aligns with international drafting standards. To maintain the document's completeness and clarity, a main heading should not be subdivided if there is only a single sub-heading.</p>	Thailand
<p>il est important d'élaborer une définition en précisant les critères permettant de qualifier une situation d'urgence au sens de ces directives (nature, durée, déclaration officielle requise).</p> <p>Justificatif : Une définition claire et opérationnelle des situations d'urgence est indispensable pour éviter des usages abusifs des dérogations aux règles d'étiquetage.</p>	Morocco
<p>Es redundante el objeto, se sugiere simplificar por:</p> <p>Durante una emergencia, cuando una autoridad competente toma conocimiento de que se necesita o se propone una flexibilidad, se podrá considerar las siguientes directrices:</p>	Peru
<p>Comment: Uganda proposes the addition of a clause in Section 3: General consideration:</p> <p>3.1.x - Should give due consideration to the potential impact on vulnerable population groups, including infants, young children, and pregnant or breastfeeding women, ensuring that such flexibilities do not compromise their health or nutritional needs.</p> <p>Justification: Infants and breastfeeding mothers rely on highly specific and nutritionally sensitive foods (e.g. infant formula or fortified products), where any labelling deviations such as changes in ingredients, preparation instructions, or allergen information can have immediate health or nutritional consequences. As such, these groups have a lower tolerance to risk, meaning that flexibilities acceptable for the general population may be inappropriate or unsafe for them.</p>	Uganda
<p>We suggest adding the following under “general conditions”:</p>	FoodDrinkEurope

<ul style="list-style-type: none"> • In preparation for an emergency the competent authority should also provide clear, relevant, factual and timely information to relevant stakeholders about the temporary labelling measures that may be implemented during emergencies. • Any flexibilities provided by the competent authority during an emergency should be assessed with regular evaluations to determine the effectiveness of the measures and make adjustments as needed; • After an emergency, competent authorities should engage with stakeholders, including industry representatives, consumer groups, and other relevant parties, to gather feedback on the flexibilities introduced during the emergency and assess their perspectives and experiences to inform future decision-making. 	
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>The EUMS suggest deleting the sentence “These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies” as this sentence is redundant with Subsection 2.4 of the draft guidelines.</p>	European Union
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>The intended use of guideline is already covered in section 2.3 of Scope. To prevent duplication of text, India proposes deletion of the repetitive text from section 3. Further, Section 3 does not cover implementation, monitoring and conclusion of flexibilities during and after emergencies, which are well covered in Section 4 and 5 as separate sections in the guideline. The proposed deletion will bring more clarity and prevent any repetitive or overlap of information in the document</p>	India
<p>Australia notes that the text in section 2.3 has been duplicated in the chapeau for section 3. We consider that this text can be deleted from the section 3 chapeau, and that the resulting text will still maintain the intent of the chapeau.</p> <p>3. General Considerations</p> <p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply.</p>	Australia
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>ISDI would like to suggest the following editorial amendment to Section 3 to enhance the readability of the text:</p> <p>"These guidelines are intended to facilitate the proposal, review, implementation, monitoring, and conclusion of flexibilities during and after emergencies."</p>	International Special Dietary Food Industries
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>This sentence may be deleted as it duplicates the paragraph 2.3.</p>	Japan
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>FIA proposes the following editorial amendments to the last sentence of section 3 for improved clarity.</p>	Food Industry Asia

These guidelines are intended to facilitate the proposal, review, implementation, monitoring, and conclusion of flexibilities during and after emergencies.	
<p>During an emergency, when a competent authority becomes aware of a need or proposal for a flexibility, the following guidelines apply. These guidelines are intended to facilitate the proposal, review, implementation and monitoring, and conclusion of flexibilities during and after emergencies.</p> <p>The list in this sentence could be worded more clearly by removing the "and" between implementation and monitoring:</p> <p>"These guidelines are intended to facilitate the proposal, review, implementation, monitoring, and conclusion of flexibilities during and after emergencies."</p>	IDF/FIL
<p>3.1 Reviewing or Authorizing a Flexibility</p> <p>The UK considers that the assurances referred to in paragraph 3.1.1 should be established in advance through appropriate emergency planning. In the UK's view, clarity on authority and procedures should not need to be determined during an emergency, as this supports timely and effective implementation of any temporary measures.</p>	United Kingdom
<p>3.1 Reviewing or Authorizing a Flexibility</p> <p>Thailand is of the view that the heading of Section 3.1 does not fully reflect its content, as the provisions primarily focus on the authorization of flexibilities. Therefore, we propose either deleting the phrase 'reviewing or', or changing the word 'or' to 'and'.</p>	Thailand
<p>3.1 When reviewing a proposed flexibility and/or authorizing a flexibility during an emergency, competent authorities should:</p> <p>Australia suggests the draft guidelines could further clarify the role of an importing country's competent authority to assess requests for labelling flexibilities received from exporting countries (as described in section 4.1.1), where these requests have first been assessed by the exporting country's competent authority.</p> <p>Australia proposes an additional subsection to section 3.1 as provided below. Australia has numbered this as section 3.1.1 for the purpose of this comment, however CCFL could decide to place the new section in in a different position amongst the existing subsections of section 3.1.</p> <p>3.1.1 Assess requests for flexibility in labelling requirements received from exporting competent authorities, where the proposed flexibility has been assessed by the exporting country competent authority as consistent with these guidelines.</p>	Australia
<p>3.1 Carácter prescriptivo , sustituir deben por deberían:</p> <p>3.1. Revisión o autorización de una flexibilidad</p> <p>Al revisar una propuesta de flexibilidad y/o autorizar una flexibilidad durante una emergencia, las autoridades competentes deberían considerar, según corresponda:</p>	Peru
<p>3.1.1 Guatemala propone la eliminación de la última oración del párrafo, considerando que las medidas de flexibilidad en el etiquetado se refieren a la forma en que los alimentos y los ingredientes se etiquetan, y no permiten la introducción de alimentos o ingredientes no aprobados o inseguros.</p>	Guatemala
<p>3.1.2 Clearly communicate to all relevant stakeholders Apply a risk-based approach for reviewing or authorizing requests for food labelling flexibilities during an emergency, considering any stakeholder responsibilities, procedures to be followed, and communication with the public;</p> <p>The EUMS have some difficulties to understand its exact meaning. Why should a risk-based approach for reviewing or authorising requests for food labelling flexibilities be communicated? Or should this subsection more provide that competent authorities should apply a risk-based approach for reviewing or authorising requests for food labelling flexibilities during an emergency? If yes, this subsection should be clarified accordingly.</p>	European Union
<p>3.1.2 Simplificar como principio general de transparencia. Nivel de detalle elevado en procedimientos de comunicación.</p>	Peru

Debería decir: 3.1.2 promover una comunicación clara y transparente con las partes interesadas pertinentes, considerando un enfoque basado en riesgo;	
<p>3.1.2 Clearly communicate to all relevant stakeholders a risk-based approach for reviewing or authorizing requests for food-labelling flexibilities during an emergency, considering any stakeholder responsibilities, procedures to be followed, and communication with the public;</p> <p>These words may be deleted as the term “flexibility” is already defined as referring to food labelling in the paragraph 2.1.</p>	Japan
3.1.2 Saudi Arabia suggests clarifying “communication with the public” to indicate communication with consumers and other relevant stakeholders.	Saudi Arabia
<p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use) nor introduce health risks such as foods or ingredients that are known to cause hypersensitivity, or, that are not addressed by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility –is not misused to introduce the use of an unapproved or unsafe food or ingredient;</p> <p>The UK suggests that the wording could be replaced with a simple reference to ‘food safety labelling’.</p>	United Kingdom
<p>3.1.3 Concernant les allergènes, il est primordial de maintenir l'obligation de déclarer les allergènes majeurs même en situation d'urgence, éventuellement sous forme simplifiée (pictogrammes normalisés, liste abrégée).</p> <p>Justificatif : Les personnes allergiques constituent une population particulièrement vulnérable. La suppression totale des informations sur les allergènes pourrait mettre leur vie en danger même en contexte d'urgence.</p>	Morocco
3.1.3 The EUMS suggest deleting “or” to clarify that the issue at stake is the introduction of a food or ingredient that is known to cause hypersensitivity which is not addressed by accurate labelling.	European Union
<p>3.1.3 The current text in section 3.1.3 could be read to mean that a food or ingredient known to cause hypersensitivity cannot be introduced under any circumstance, even where it is fully and accurately declared. ISDI requests clarification that:</p> <ul style="list-style-type: none"> o Ingredient substitution is permissible where food safety is not compromised; o Allergenic ingredients remain acceptable when compliant with Codex allergen labelling requirements (e.g., CXS 1-1985) and are risk assessed and properly declared. 	International Special Dietary Food Industries
<p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use) nor introduce health risks such as foods or ingredients that are known to cause hypersensitivity trigger food allergy or coeliac disease, or, that are not addressed by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility –is not misused to introduce the use of an unapproved or unsafe food or ingredient;</p> <p>AOECS suggests for reasons of consistency with other Codex Standards not to refer to 'hypersensitivity' but 'food allergy or coeliac disease'</p>	Association Of European Coeliac Societies Codex and Regulatory Affairs
<p>3.1.3 – Roles and Responsibilities The UAE recommends further elaboration on stakeholder roles and responsibilities, in line with Codex principles, to improve clarity and implementation. Consideration may be given to including illustrative roles for:</p> <ul style="list-style-type: none"> • Competent authorities, in terms of authorization, oversight, and communication. • Food Business Operators (FBOs), in terms of compliance and implementation of authorized flexibilities; and • Consumer organizations, particularly in relation to awareness and communication. 	United Arab Emirates
3.1.3 Response to 3.1.3 New Zealand questions the use of the coma and word ‘or’ in 3.1.3. This seems to prohibit the introduction of an allergen even if that addition is accompanied by adequate labelling.	New Zealand

<p>New Zealand maintains our position that safety must always be the top priority and any exemptions from labelling must be underpinned by an assessment of the likely risk of granting the exemption. However, if a flexibility introduced a food allergen the risk may be able to be mitigated with appropriate text on the food label. New Zealand had previously commented (in response to CP1) that such mitigation should be required to be “on the label” rather than “by adequate labelling”. We also suggest the text refers to “allergenic foods” and “food allergens” rather than the old terminology of “foods and ingredients known to cause hypersensitivity” to reflect the updates made to the GSLPF regarding allergen labelling.</p> <p>We suggest that the text at 3.1.3 be edited as follows:</p> <p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use) nor introduce health risks such as food allergens or allergenic foods foods or ingredients that are known to cause hypersensitivity, or, that are not addressed on the label by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility is not misused to introduce the use of an unapproved or unsafe food or ingredient;</p> <p>New Zealand supports the text for section 3 General Considerations with the exception of the above comments on 3.1.3.</p>	
<p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use) nor introduce health risks such as foods or ingredients that are known to cause hypersensitivity, or, that are not addressed by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility is not misused to introduce the use of an unapproved or unsafe food or ingredient;</p> <p>Thailand proposes the deletion of the phrase 'and gluten labelling,' as gluten is already encompassed within allergen labelling. According to the current revision of CXS 1-1985, food allergens include both IgE-mediated and other specific immune-mediated reactions. Therefore, listing them as separate examples may cause confusion.</p>	Thailand
<p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use) nor introduce health risks such as foods or ingredients that are known to cause hypersensitivity, or, that are not addressed by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility –is not misused to introduce the use of an unapproved or unsafe food or ingredient;</p> <p>Could you clarify whether this provision would prevent the use of ingredients known to cause hypersensitivity in ingredient substitution, even when such ingredients are properly declared in accordance with labelling requirements?</p>	IDF/FIL
<p>3.1.3 Saudi Arabia suggests clarifying Section 3.1.3 by including “date marking where applicable” as an example of critical food safety information that should not be affected by labelling flexibilities during emergencies. While the text already refers to safety-related instructions for use and allergen labelling, including date marking would further clarify that essential information necessary to ensure food safety should continue to be clearly communicated to consumers.</p> <p>Proposed insertion:</p> <p>3.1.3 Ensure that the proposed flexibility will not compromise food safety (e.g. safety-related instructions for use, date marking where applicable) nor introduce health risks such as foods or ingredients that are known to cause hypersensitivity, or that are not addressed by accurate labeling (e.g. allergen labeling and gluten labeling), and that the proposed flexibility is not misused to introduce the use of an unapproved or unsafe food or ingredient.</p>	Saudi Arabia
<p>3.1.3 EFA agrees with the references to the potential contingencies of flexibilities, but insists on using ‘appropriate’, as opposed to ‘accurate’, labelling. When it comes to allergens in particular, labelling does not only have to be accurate, but also clear, adequately distinct and located in a visible place on the food package, directly under the ingredient labelling.</p>	European Federation of Allergy and Airways Diseases Patients’ Associations (EFA)

3.1.4 Verify that the proposed flexibility will substantially assist in mitigating the effects of the emergency on the availability of a safe and adequate food supply in the country or region in which the food is traded, and that existing food labelling provisions, though effective under normal conditions, (not) compromise or otherwise significantly negatively impact the availability of a safe and adequate food supply;	South Africa
<p>3.1.4 Verify that the proposed flexibility will substantially assist in mitigating the effects of the emergency on the availability of a safe and adequate food supply in the country or region in which the food is traded, and that existing food labelling provisions, though effective under normal conditions, now compromise or otherwise significantly negatively impact the availability of a safe and adequate food supply;</p> <p>The UK would welcome clarification on whether these provisions are intended to apply to food aid that is not traded. Further explanation of the term “traded” may be helpful in this context.</p> <p>The UK suggests the following change 'would now compromise or otherwise significantly negatively impact...'</p>	United Kingdom
3.1.4 ICBA believes this statement would strengthen harmonization during emergencies in regions where food is traded.	ICBA
<p>3.1.5 Thailand notes the use of the term 'consumer health risk' in this Section, as well as the term 'health risk' in Section 3.1.3. Thailand is of the view that these terms cover a wider scope than 'food safety.' However, the term 'food safety' is more generally used throughout this document, including in the purpose and scope.</p> <p>Therefore, Thailand proposes amending the text to ensure consistency throughout. If this document intends to focus solely on food safety—which is our preference as it is more limited and focused—then the terms referring to 'health risks' should be deleted.</p>	Thailand
<p>3.1.6 Ensure that records related to the proposed flexibility be maintained as needed; <u>and where possible</u></p> <p>ICA Comment: In emergency situations, record-keeping may be challenging. We suggest additional text to reflect where possibility.</p>	International Confectionery Association
<p>3.1.6 Comment: In emergency situations, record-keeping may be challenging. We suggest additional text to reflect possibility.</p> <p>3.1.6. Ensure that records related to the proposed flexibility be maintained as needed [and where possible]</p>	ICGMA
3.1.6 The UK would like to add 'and where possible' at the end so it reads as 'maintained as needed and where possible' as some emergencies may limit record keeping.	United Kingdom
<p>3.1.6 Ensure that records related to the proposed flexibility be maintained as needed<u>needed and where possible</u>;</p> <p>Suggest to change to 'needed and where possible', since some emergencies may hamper record keeping.</p>	FoodDrinkEurope
<p>3.1.7 Confirm<u>Coordinate</u> with all relevant stakeholders <u>on</u> the expected timeframe that the proposed flexibility will be necessary, ensuring that the flexibility is effective only for the period in which significant negative impacts from the emergency are experienced, and that the proposed flexibility is tailored to proportionally address significant negative impacts resulting from the emergency;</p> <p>ICA Comment: We propose additional language to emphasize and make clear the importance of coordinating the timeframe among all appropriate stakeholders, including FBOs, countries, competent authorities.</p>	International Confectionery Association

3.1.7 Guatemala solicita adicionar la oración al final del párrafo propuesto, con el objetivo de destacar la necesidad de alineación y flexibilidad práctica en los plazos aplicables durante situaciones de emergencia.	Guatemala
<p>3.1.7 Comment: We propose additional language to emphasize and make clear the importance the timeframe is coordinated among all appropriate stakeholders. Aligning the timeframe with relevant stakeholders ensures emergency measures are responsive, practical and transparent:</p> <p>3.1.7.Coordinate with all relevant stakeholders the expected timeframe that the proposed flexibility will be necessary, ensuring that the flexibility is effective only for the period in which significant negative impacts from the emergency are experienced, and that the proposed flexibility is tailored to proportionally address significant negative impacts resulting from the emergency; [this timeframe should be aligned with all appropriate stakeholders (i.e., FBOs, and competent authorities etc.,)]</p>	ICGMA
3.1.7 The UK would welcome clarification on the process for businesses to notify the competent authority when an emergency has ended, including how and when businesses are expected to inform the competent authority that they have reverted to standard labelling requirements.	United Kingdom
3.1.7 ICBA agrees with this statement and supports the importance of coordinated timelines among all relevant stakeholders. Aligning the timeframe with relevant stakeholders which includes FBO's, countries and competent authorities ensures that emergency measures are practical, transparent, and responsive.	ICBA
<p>3.1.7 Confirm with all relevant stakeholders the expected timeframe that the proposed flexibility will be necessary, ensuring that the flexibility is effective only for the period in which significant negative impacts from the emergency are experienced, and that the proposed flexibility is tailored to proportionally address significant negative impacts resulting from the emergency; <u>The timeframe should be aligned with all appropriate stakeholders (i.e. FBOs, countries, consumers, and competent authorities).</u></p> <p>FoodDrinkEurope proposes this additional language to emphasize and make clear the importance the timeframe is coordinated among all appropriate stakeholders. Aligning the timeframe with relevant stakeholders ensures emergency measures responsive, practical and transparent.</p>	FoodDrinkEurope
3.1.8 For Section 3.1.8, ISDI believes that the implication of the text is unclear. ISDI agrees that attempting to apply flexibilities consistently across commodities may be impractical in emergencies. For example, a shortage affecting only a specific ingredient will not affect all categories equally. ISDI recommends clarifying that the term "consistent" refers to principles (risk-based, proportionate, temporary), not uniform outcomes across all commodities.	International Special Dietary Food Industries
3.1.8 In practice, emergencies may affect commodities differently (e.g. shortages of specific ingredients impacting only certain product categories). A uniform approach to applying flexibilities across all commodities may not be appropriate where some commodities are unaffected. Clarification on the intended application would be appreciated.	Food Industry Asia
3.1.8 Clarification would be helpful. If an emergency affects commodities unevenly (e.g. a shortage of an ingredient only affects commodities using that ingredient), how would a consistent and proportionate application of flexibilities be achieved, particularly where some commodities may not require any flexibility?	IDF/FIL
3.1.9 Comment: The draft suggests leveraging "technology-based approaches". To strengthen this, it should explicitly reference the Guidelines on the Use of Technology to Provide Food Information in Food Labelling (CXG 105-2024). These guidelines establish that mandatory safety information should not be provided exclusively via technology, which serves as a safeguard for emergency situations.	ICGMA
<p>3.1.9 Flexibilizar.</p> <p>Dice: 3.1.9 considerar la posibilidad de aprovechar los enfoques basados en la tecnología (CXG 105-2024, Directrices sobre el uso de la tecnología para proporcionar información alimentaria en el etiquetado de los alimentos) cuando sea</p>	Peru

<p>posible a fin de mejorar la disponibilidad de la información alimentaria para todas las partes interesadas pertinentes (es decir, los OEA, los países, los consumidores y las autoridades competentes); y</p> <p>Debe decir: 3.1.9 considerar el uso de enfoques basados en la tecnología (CXG 105-2024, Directrices sobre el uso de la tecnología para proporcionar información alimentaria en el etiquetado de los alimentos) cuando sea apropiado, a fin de mejorar la disponibilidad de la información alimentaria para todas las partes interesadas pertinentes (es decir, los OEA, los países, los consumidores y las autoridades competentes);</p>	
<p>3.1.9 Consider leveraging technology-based approaches (CXG 105-2024, Guidelines on the use of technology to provide food information in food labelling) where feasible <u>or other alternative means of making food information available</u> to enhance the availability of food information to all appropriate stakeholders (i.e. FBOs, countries, consumers, and competent authorities).</p> <p>Canada suggests the inclusion of additional wording on other alternative means of making food labelling information available in this section as there may be other ways that consumers can be informed than on the label, such as an accompanying document. This inclusion would also recognize that electronic means may not always be the most effective or feasible way for some consumers to obtain information. Canada also recommends that “where feasible” could be removed as the statement begins with “consider” which already gives flexibility about feasibility.</p> <p>Note this proposed addition may also require updates to the reference to “uses of technology” in section 4.1.3.</p>	Canada
<p>3.1.9 Saudi Arabia recommends clarifying that technology-based approaches should complement, but not replace, the provision of essential food safety information directly on the label where required.</p>	Saudi Arabia
<p>3.1.9 In line with our long-standing position on this matter, EFA strongly suggests adding in the following point:</p> <p>‘...while ensuring that labelling information related to health and safety, such as allergen information, is not available only via electronic means, and is up-to-date with emergency measures and flexibilities.’</p>	European Federation of Allergy and Airways Diseases Patients’ Associations (EFA)
<p>3.1.10 Ensure that the proposed flexibility would not compromise <u>duly considers</u> adherence to Sections 3.1 and 3.2 of the <i>General standard on the labelling of prepackaged foods</i> (CXS 1-1985) –, or similar text.</p> <p>ICA Comment: We propose additional language to considers the affirmative rather than the negative, and provides clarity and flexibility while also referencing the relevant sections of the GSLPF.</p>	International Confectionery Association
<p>3.1.10 – Food Safety and Essential Labelling Information The UAE supports the inclusion of flexibilities to facilitate the continuity of food supply during emergency situations. However, the UAE emphasizes that food safety must remain the overriding priority. In this context, and as reflected in the original text, any authorized flexibility should not compromise compliance with the relevant provisions of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985), in particular Sections 3.1 and 3.2. Accordingly, essential labelling elements, including allergen declarations and other safety-related information, should not be subject to flexibility, and any authorized flexibility must not compromise consumer health or result in misleading information.</p>	United Arab Emirates
<p>3.1.10 Comment: Sections 3.1.and 3.2 of the GSLPF refer to misleading labelling elements, and that any statements or claims regarding ingredients must be truthful. The text in 3.1.10 referencing the GSLPF can be improved to maximum flexibility. As rationale for this suggestion:</p> <p>In an emergency, supply chain circumstances may prevent sourcing certain ingredients from certain regions. In such cases, and where geographic origin claims are made – by example – the emergency may render the claim misleading when</p>	ICGMA

<p>ingredients simply cannot be procured. As a result, we suggest alternate text within 3.1.10. and propose:</p> <p>3.1.10 Ensure that the proposed flexibility duly considers adherence to Sections 3.1 and 3.2 of the General standard on the labelling of prepackaged foods (CXS 1-1985)., or similar text.</p>	
<p>3.1.10 Ensure that the proposed flexibility <u>flexibility in case of prepackaged foods and non-retail containers of food</u> would not compromise <u>duly consider</u> adherence to Sections 3.1 and 3.2 of the <i>General standard on the labelling of prepackaged foods</i> (CXS 1-1985) <u>1-1985</u>) and Section 4 of <i>General Standard for the labelling of non-retail containers of foods</i> (CXS 346-2021) respectively.</p> <p>The guidelines cover both pre-packaged foods and non-retail containers, however section 3.1.10 only addresses compliance with general requirements for pre-packaged foods. Therefore, India proposes amendment to address this.</p>	India
<p>3.1.10 Ensure that the proposed flexibility would not compromise adherence to Sections 3.1 and 3.2 of the <i>General standard</i> on <u>for</u> the labelling of prepackaged foods (CXS 1-1985).</p> <p>For correction</p>	Japan
<p>3.1.10 Ensure that the proposed flexibility would not compromise <u>would duly consider</u> adherence to Sections 3.1 and 3.2 of the <i>General standard on the labelling of prepackaged foods</i> (CXS 1-1985).</p> <p>We suggest replacing "not compromise" with "duly consider". Sections 3.1.and 3.2 consider misleading labelling elements, and thereby includes that claims about certain ingredients must be truthful. In an emergency exactly the ingredients needed for such claims may be impacted (e.g. geographical origin). We therefore propose to change to: 'duly considers adherence to'.</p>	FoodDrinkEurope
Implementing and Monitoring Authorized Flexibilities	
<p>New Zealand supports section 4 Implementing and Monitoring Authorised Flexibilities.</p>	New Zealand
<p>4.1 Menos prescriptivo, se cambia deben por deberían.</p> <p>Dice: 4.1 Cuando un OEA implementa una flexibilidad autorizada durante una emergencia, las autoridades competentes deben :</p> <p>Debería decir: 4.1 Cuando un OEA implementa una flexibilidad autorizada durante una emergencia, las autoridades competentes deberían :</p>	Peru
<p>4.1 Guatemala propone una propuesta de mejora de redacción, considerando que la Sección 4.1.1 sugiere que, incluso después de que un país importador haya autorizado flexibilidades de etiquetado para productos comercializados en su mercado, la autoridad competente del país exportador deba seguir consultando con el país importador para confirmar la aceptación de dichas flexibilidades. Consideramos que este enfoque es innecesariamente complejo y potencialmente perjudicial para la eficiencia del comercio internacional durante situaciones de emergencia. Recomendamos un proceso más ágil mediante el cual el país importador —como jurisdicción de comercialización— autorice y comunique directamente las flexibilidades temporales de etiquetado aprobadas a los operadores de empresas alimentarias y a las autoridades competentes de los países exportadores. Esto permitiría que los productos comercializados internacionalmente hagan uso de exenciones temporales de los requisitos nacionales de etiquetado sin necesidad de consultas bilaterales ni aprobaciones adicionales. Además, Guatemala recomienda que los requisitos de certificación de importación (por ejemplo, certificados veterinarios para productos de mayor riesgo) se evalúen caso por caso, a fin de garantizar que se mantenga la seguridad alimentaria y, al mismo tiempo, permitir la flexibilidad regulatoria adecuada durante situaciones de emergencia.</p>	Guatemala
<p>4.1 consultar <u>consultar, por los canales oficiales pertinentes,</u> con cualquier país al que se puedan exportar productos sujetos a dicha flexibilidad para asegurarse de</p>	Costa Rica

<p>que el país importador esté de acuerdo con la flexibilidad autorizada antes de exportar cualquier producto de ese tipo al país importador;</p> <p>Se realiza un ajuste para precisar al menos el marco o mecanismo general de consulta, para evitar incertidumbre y diferencias de interpretación.</p>	
<p>4.1.1 Consult with Consider that any countries to which products flexibilities implemented within their jurisdiction are subject to the flexibility may be exported to ensure the importing country's agreement to the authorized flexibility before exporting any if such product to the importing country products are exported.</p> <p>Canada suggests some changes to the wording of this provision as it seems to require competent authorities to consult other countries when implementing a flexibility even if there is only a possibility that the products subject to the flexibility would be exported. Competent authorities should consider the impact on exports when implementing a flexibility but would only need to consult other countries as necessary. Exporters typically must meet the labelling requirements of the country of import, whether flexibilities are applied in the exporting country or not.</p>	Canada
<p>4.1.1 For Section 4.1.1 ISDI would like to request the committee to consider rephrasing the text. ISDI notes that requiring competent authorities to consult importing countries before export of products subject to authorised flexibilities may place additional administrative burdens on countries affected by emergencies. ISDI recommends:</p> <ul style="list-style-type: none"> o Encouraging importing countries to pre-authorize certain flexibilities expected to arise during specific emergency scenarios; o Allowing exporting countries to forgo repeated re-consultation when such pre-authorizations exist. <p>This approach would support timely supply continuity and reduce unnecessary delays during emergencies</p>	International Special Dietary Food Industries
<p>4.1.1 FIA notes that Section 4.1.1 suggests that, even where an importing country has authorised labelling flexibilities for products placed on its market, the exporting country's competent authority must still consult with the importing country to confirm acceptance. FIA considers this approach unnecessarily complex and potentially detrimental to efficient international trade during emergencies.</p> <p>We recommend a more streamlined approach whereby the importing country, as the jurisdiction of sale, authorises and communicates approved temporary flexibilities directly to food business operators (FBOs) and competent authorities in exporting countries. Products should then be able to utilise these flexibilities without requiring additional bilateral consultation or approval.</p> <p>FIA further recommends that import certification requirements (e.g. veterinary certificates for higher-risk products) be assessed on a case-by-case basis to ensure food safety while allowing appropriate regulatory flexibility.</p> <p>In addition, importing countries could be encouraged to establish mechanisms to pre-authorise certain flexibility in anticipation of known emergency scenarios. Where such flexibility is already authorised, additional consultation by exporting country authorities should not be required, thereby improving efficiency and responsiveness in emergency situations.</p>	Food Asia Industry
<p>4.1.1 Where appropriate, cConsult-consult with any countries to which products subject to the flexibility may be exported to ensure the importing country's agreement to the authorized flexibility before exporting any such product to the importing country, <u>recognising that in certain cases, this responsibility may rest with FBOs that apply for such flexibility.</u></p> <p>Thailand proposes amending Section 4.1.1 to provide greater flexibility that reflects diverse national practices. In practice, the competent authority in Thailand—and likely in many other countries—does not directly consult or establish individual agreements with importing countries regarding these specific flexibilities. Therefore, we propose adding text to clarify that this responsibility may rest with the Food Business Operators (FBOs) who are applying for such flexibilities.</p>	Thailand

<p>4.1.1 Clarification would be helpful. Could importing countries be encouraged to have a system to pre-authorize certain flexibilities when there is a known emergency affecting foods that they are known to import?</p> <p>If the flexibility is already authorized by the importing country, is it possible to skip having an additional step of the competent authority re-consulting with the importing country before the product can be exported?</p>	IDF/FIL
<p>4.1.2 Comment: This section suggests enabling traceability "when possible". From a Codex perspective, traceability is often considered a non-negotiable component of food safety. Softening this language might be viewed as a risk to the integrity of the food control system.</p>	ICGMA
<p>4.1.2 Dice: 4.1.2. realizar un seguimiento/monitoreo de la implementación de la flexibilidad, con el apoyo de los registros mantenidos por el OEA y la autoridad competente con el fin de documentar la implementación de la flexibilidad y permitir la rastreabilidad cuando sea posible en la situación de emergencia, y</p> <p>Debería decir: 4.1.2. realizar el seguimiento/monitoreo de la implementación de la flexibilidad, con el apoyo de los registros mantenidos por el OEA y la autoridad competente con el fin de documentar la implementación de la flexibilidad y permitir la rastreabilidad cuando sea posible en la situación de emergencia, y</p>	Peru
<p>4.1.2 Detailed information regarding the intended flexibility measures that would be applied to the product shall be sent to country or the authorized agencies as a part of transparency and to facilitate the consultation mentioned</p>	Sudan
<p>4.1.2 Saudi Arabia suggests clarifying that traceability mechanisms should be maintained to the extent possible during emergencies in order to facilitate monitoring and appropriate response to food safety incidents.</p>	Saudi Arabia
<p>4.1.2 As in previous rounds of the consultation, EFA would like to reiterate that public awareness and communication are key components of monitoring implementation of labelling flexibility. However, we still note that these aspects receive far less attention that they should.</p> <p>Affected communities and the wider public should not only 'be notified', as the following paragraph suggests, but also provide feedback about the effectiveness of a flexibility while it is under way on the field.</p> <p>This is why EFA insists adding a reference to a mechanism through which consumers can provide immediate feedback on potential problems, concerns and disruptions with food products resulting from the very emergency measures applied.</p>	European Federation of Allergy and Airways Diseases Patients' Associations (EFA)
<p>4.1.3 Thailand questions the necessity of Section 4.1.3, which requires the circulation of authorised flexibilities through INFOSAN or other relevant international organisations. In practice, the application of this document will primarily be limited to domestic production and trade. Should international trade be involved, a specific agreement with the importing country must be established. Furthermore, applying flexibilities to food labelling requirements is not a direct food safety risk management measure. Therefore, the implementation of such flexibilities may fall outside the general obligations that require notification through the INFOSAN network or other relevant channels</p>	Thailand
<p>4.1.3 Saudi Arabia suggests replacing "as quickly as possible" with "in a timely manner" to align with common Codex drafting practice.</p>	Saudi Arabia
<p>4.1.3 EFA would like to stress that public information on authorised flexibilities in food labelling is of outmost importance, especially so during emergency times. Certain stakeholders, such as patient organisations, and healthcare professionals, have a unique position and capacity to amplify the information and make sure that it is available to everyone potentially affected.</p> <p>EFA insists that such an observation must be acknowledged in the text. Rather than referring generally to 'the public', provision 4.1.3 should be more specific:</p>	European Federation of Allergy and Airways Diseases Patients' Associations (EFA)

'...relevant stakeholders representing affected communities and healthcare professionals, as well as the public'.	
Concluding Implementation of Authorized Flexibilities	
<p>Other ICA Comments:</p> <p>Reference to E-Commerce Guidelines: The draft focuses on physical labels but lacks a reference to the newly adopted Guidelines on the Provision of Food Information for Prepackaged Foods Offered via E-Commerce (CXG 104-2024). ICA suggests a reference to these guidelines within the text. In emergencies, digital "e-pages" can serve as a vital tool to provide the information missing from physical labels due to supply chain disruptions.</p>	International Confectionery Association
New Zealand supports section 5 Concluding Implementation of Authorised Flexibilities.	New Zealand
5.1.2 ICA Comment: ICA supports provision 5.1.2. This is a critical addition to ensure that the end of an emergency doesn't result in the immediate and unnecessary recall of safe, despite being the flexibility provided for labeling.	International Confectionery Association
5.1.2 Comment: Section 5.1.2 of the draft addresses products produced during an emergency that remain on shelves afterward. This is a critical addition for "fair trading practices" to ensure that the end of an emergency doesn't result in the immediate and wasteful recall of safe, albeit "flexibly" labelled, products.	ICGMA
5.1.3 The UK suggests that the language could be softened to reflect the practical challenges that may arise during emergency situations. For example, the UK would support wording along the lines of "where possible, an evaluation should be undertaken", rather than more absolute phrasing. This approach would retain the principle of learning from emergency measures, while recognising that the capacity to carry out comprehensive evaluations may vary depending on the nature and duration of the emergency.	United Kingdom
<p>5.1.3 Evaluate the results of any flexibilities provided during the period of the emergency <u>in consultation with relevant stakeholders</u>, and adapt, where necessary, the country's relevant emergency plan(s) accordingly to promote resilience in future emergencies.</p> <p>To ensure all stakeholders are consulted during the evaluation process, this amendment is proposed.</p>	India
5.1.3 The evaluation results of the flexibility provided and mentioned in 5.1.3 should be shared with authorized bodies of the countries where the flexibility is implemented for keeping records and developing an alert system that connects similar bodies-	Sudan
<p>5.1.3 Evaluate the results of any flexibilities provided during the period of the emergency <u>emergency, including perspectives from FBOs and consumer representatives, where appropriate</u> and adapt, where necessary, the country's relevant emergency plan(s) accordingly to promote resilience in future emergencies.</p> <p>We suggest adding the text in bold.</p>	FoodDrinkEurope