

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 4, 5, 6, 7, 10, 12

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Forty-seventh Session

Gatineau, Canada

15 – 19 May 2023

(Comments of India)

Agenda Item 4

Agenda Item 4: Consideration of labelling provisions in Codex standards (endorsement)

India supports endorsement of labelling provisions forwarded by CCFFV, CCSCH and CCASIA.

Rationale:

The sixth session of Codex Committee on Spices and Culinary herbs had agreed to forward the draft standard on saffron for adoption at step 8 by CAC45 after extensive discussions. In this standard, the committee had decided to consider labelling provisions of country of origin/country of harvest in Saffron standard differently from similar provisions in other spices and culinary herbs (SCH) standards, i.e., both provisions of country of origin/country of harvest was made mandatory in the case of saffron standard unlike the other SCH standards. There was intense discussion on this subject in CCSCH5 and the draft standard was withheld at step 7 in CCSCH 5 for further discussion during CCSCH6. CCSCH6 continued the debate and there was general agreement in the committee on this approach (with three reservations) while recommending the draft standard of Saffron for adoption at step 8 to CAC 45.

The rationale for making the two labelling provisions mandatory in the saffron standard are the following:

- (1) The fifth session of CCSCH, while discussing the labelling provisions (8.3 and 8.3.1) of Country of origin/Country of harvest, on the clarification sought by the CCFL19, had agreed to keep both provisions in the standards and split "Country of Origin/Country of Harvest" into two independent and clear provisions, i.e. a provision on "Country of Origin" being mandatory and a provision on "Country of Harvest" being optional; and that these provisions would be reconsidered in individual standards, should the need arise and the same was endorsed by the
- (2) Among all the spices and culinary herbs, Saffron is the most expensive spice produced in a few countries under specific geo-climatic conditions and this has a bearing on the quality of the spice. Because of this, the country of harvest becomes very important in case of saffron. It is just one part of the flower and hence its volume of production is very low compared to other spices and hence the high price. Due to its high value, it is more often subjected to adulteration and fraud.
- (3) Specifying the country of origin and country of harvest will ensure the protection of the true origin and authenticity of this product and also prevent misbranding. This helps the consumer to make an informed choice without being misled.

The SCH are a very diverse group of products, which require special considerations on case by case basis to set the standards for these products and as enumerated in the above point (1) the CCSCH6 agreed to forward both the requirements Country of Origin and Country of Harvest as mandatory option.

Considering the above scenario, India would like to submit that keeping both the labelling provisions of country of origin and country of harvest as mandatory in the standard of saffron is warranted, and is also consistent with the decision taken in CCSCH5 about assessing the need for these provision based on specific needs of SCH standards. Thus, India supports the endorsement of the labelling provisions in saffron standard as recommended

by CCSC6 and adopted by CAC45.

Agenda Item 5

Agenda Item 5: Food Allergen Labelling

India appreciates the work done by the EWG Chair Australia and co-chairs United Kingdom and United States of America in drafting food allergen labelling document.

India agrees to provide advice to CCFH to ensure consistency with the Code of Practice on Allergen Management for Food Business Operators (CXC 80-2020).

Appendix III:

- India would like to suggest amendment in principle 4.2 as “The decision to use PAL should be based on the findings of a risk assessment which shall include, ~~but is not limited to,~~ quantitative risk assessment, **where possible.**”

Rationale: As stated in CX/FL 23/47/5, Appendix I, Para 52, quantitative risk assessments are difficult and costly, and so cannot be always undertaken by food manufacturers; and information may not be available to generate a quantitative risk assessment. Therefore, in such circumstances, decision to use PAL will have to be based on a qualitative risk assessment.

The current text of principle 4.2 conveys that decision to use PAL should necessarily be based on findings of quantitative risk assessment and that, in addition to it, other types of risk assessments may also be undertaken (“.....shall include, but is not limited to....”). Hence, to correctly reflect that the quantitative risk assessment is not compulsory, the text may be amended as above.

- Subsequently, principle 4.3 may be amended as “**Where a quantitative risk assessment is carried out,** PAL shall only be used if the presence of a protein from an allergen is equal to or above the action level³ for this allergen, using the listed reference dose values in 4.3.1.”

Rationale: use of reference dose will be possible only if a quantitative risk assessment is feasible.

- India agrees with the proposed location as an annex to the GSLPF and to seek advice on standardised analytical methods and sampling from CCMAS;

Agenda Item 6

Agenda Item 6: Proposed Draft Guidelines on the Provision of Food Information for Prepackaged Foods Offered Via E-Commerce

India as the co-chair of the EWG supports the work done by UK, Japan, Chile and Ghana in drafting these guidelines.

India supports the definition of e-commerce, as amended from the WTO definition. India also supports removal of minimum durability and small unit exemptions as inclusion of 5.3 sufficiently covers the removal of these points.

India would like to suggest amendment in definition of “Prior to the point of e-commerce sale” as “Prior to the point of e-commerce sale” means provided before consumers commit to purchasing the order ~~regardless of~~ **before** making any payment

Rationale: The information for e-commerce should necessarily be available before making any payment The text “regardless of making any payment” means with or without making any payment and is, therefore, not acceptable. Hence, the text may be proposed to be amended.

Agenda Item 7

Agenda Item 7: Proposed Draft Guidelines on the Use of Technology to Provide Food Information: Amendment to the General Standard for the Labelling of Prepackaged Foods

India appreciates the work done by the EWG Chair Canada in preparing the draft guidelines.

India agrees that a reference to ‘purchasers’ is needed

India recommends to revise principle 4.(4) and text under section 5 as following:

- ~~Food information required to be shown on a label or labelling of a prepackaged food shall not be replaced using technology unless there is certainty that the [purchaser or] consumer can readily access that information.~~ Food information required to be shown on a label or labelling of a pre-packaged can also be supplemented ensuring access to the information. Refer to Section 5 for considerations in determining the appropriate use of technology to provide food information.
- The following factors are for use in considering if mandatory food labelling information can be provided using technology ~~instead of~~ to supplement the information on the label or labelling, or if food information that is not required on the label or labelling should be provided using technology:

Rationale: It is not acceptable to allow mandatory information required to be present on label or labelling to be provided solely through use of technology. Use of technology is appropriate to supplement or repeat the information on label or labelling. The consumer will need that information on the label or labelling as well.

Agenda Item 10

Agenda Item 10: Discussion paper on Food labelling exemptions in emergencies

India appreciates and supports the work done by United States of America for drafting discussion paper on Food labelling exemptions in emergencies

Agenda Item 12

Agenda Item 12: Discussion paper on sustainability labelling claims

India appreciates and supports the work done by New Zealand and European Union for drafting the discussion paper on the prevention and reduction of ciguatera poisoning.