

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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ALINORM 08/31/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-first Session
Geneva, Switzerland, 30 June – 4 July 2008

REPORT OF THE THIRTY-SIXTH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING

Ottawa, Canada, 28 April - 2 May 2008

Note: This document incorporates Circular Letter CL 2008/11-FL

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CX 5/15

CL 2008/11-FL
May 2008

TO: - Codex Contact Points
- Interested International Organizations

FROM: - Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, 00100 Rome, Italy

SUBJECT: **Distribution of the Report of the 36th Session of the Codex Committee on Food Labelling (ALINORM 08/31/22)**

A. MATTERS FOR ADOPTION BY THE 31st SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Proposed Draft Guidelines and Standard at Step 8

1. Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 1 (inclusion of ethylene for kiwifruit and bananas) (para. 68, Appendix II)
2. Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients (para. 95, Appendix IV)
3. Draft Definition of Advertising in Relation to Nutrition and Health Claims (Draft Amendment to the Guidelines for Use of Nutrition and Health Claims) (para. 107, Appendix V)

Governments wishing to propose amendments or comments on the above documents should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 (see Procedural Manual of the Codex Alimentarius Commission) to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, at the above address **before 15 June 2008.**

B. REQUEST FOR COMMENTS AND INFORMATION

Draft Guidelines at Step 6 of the Procedure

4. Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 1 (inclusion of ethylene for other products) (para. 68, Appendix III)

Proposed Draft Recommendations at Step 3 of the Procedure

5. Proposed Draft Recommendations for the Labelling of Foods and Food Ingredients Obtained through Certain Techniques of GM/GE (para. 93, Appendix VII).

The Proposed Draft Recommendations should be considered in conjunction with the background document in CL 2007/38-FL.

Governments and international organizations wishing to submit comments on points 4. and 5. above should do so in writing to the Secretary, Codex Alimentarius Commission, at the above address, with a copy to Mr. Ron B. Burke, Director, Bureau of Food Regulatory International and Interagency Affairs, Health Products and Food Branch, Health Canada, Bldg No. 7, Room 2395, Tunney's Pasture, Ottawa K1A 0L2, Canada, Fax No. 613.941.3537, E-mail: codex_canada@hc-sc.gc.ca, **before 15 November 2008.**

SUMMARY AND CONCLUSIONS

The summary and conclusions of the 36th Session of the Codex Committee on Food Labelling are as follows:

Matters for adoption by the 31st Session of the Codex Alimentarius Commission:

The Committee:

- advanced to Step 8 the Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 1 (inclusion of ethylene for kiwifruits and bananas) (para. 68, Appendix II);
- advanced to Step 8 the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients (para. 95, Appendix IV);
- advanced to Step 8 the Draft Definition of Advertising in Relation to Nutrition and Health Claims (Draft Amendment to the Guidelines for Use of Nutrition and Health Claims) (para. 107, Appendix V);
- agreed to discontinue work on the Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 2 – Permitted Substances: Table 3 (para. 61);
- agreed to undertake new work on an amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods (rotenone) (para. 74, Appendix VIII) and on the revision of the Guidelines on Nutrition Labelling (implementation of the Global Strategy for Diet, Physical Activity and Health) (para. 46, Appendix IX).

Other Matters of Interest to the Commission

The Committee:

- endorsed the labelling provisions in several Draft Standards, thereby allowing their adoption by the Commission (para. 47 to 57);
- returned to Step 6 the Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Annex 1 (inclusion of ethylene for other products) (para. 68, Appendix III);
- retained at Step 7 the Draft Amendment to the *General Standard for the Labelling of Prepackaged Foods* (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification/Genetic Engineering): Definitions (para. 92, Appendix VI) and returned to Step 3 the Proposed Draft Recommendations for the Labelling of Food and Food Ingredients Obtained through Certain Techniques of Genetic Modification/Genetic Engineering (para. 93, Appendix VII).

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INTRODUCTION

1) The Codex Committee on Food Labelling held its Thirty-sixth Session in Ottawa, Canada from 28 April to 2 May 2008, at the kind invitation of the Government of Canada. The Session was chaired by Dr. Anne MacKenzie, Canadian Food Inspection Agency. The session was attended by 273 delegates representing 72 Member Countries, one Member Organization, European Community (EC), and 27 international organizations. A complete list of participants is attached as Appendix I to this report.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

2) The Committee adopted the Provisional Agenda but noted that the working group on the implementation of the WHO Global Strategy on Diet, Physical Activity and Health had only met on the Saturday preceding the meeting, and therefore agreed to consider Agenda Item 2b) after Agenda Items 3 and 4.

3) The Delegation of the EC explained to the Committee the division of competence between the European Community and its Member States according to Rule II.5 of the Rules of Procedure.

MATTERS REFERRED TO THE COMMITTEE

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES (Agenda Item 2a)²

Strategic Plan

4) Following the recommendations of the 30th Session of the Commission, the Committee considered the Activities of the Strategic Plan relevant to its work as follows:

Activity 1.3 Review and develop Codex standards and related texts for food labelling and nutrition

5) The Delegation of the EC expressed its strong support for the involvement of the Committee on Nutrition and Foods for Special Dietary Uses and the Committee on Food Labelling in the implementation of the WHO Global Strategy in the framework of Codex.

Activity 3.3 Develop committee-specific decision-making and priority-setting criteria

6) The Delegation of the European Community supported the development of specific criteria that would allow the Committee to set priorities when considering proposals for new work, and referred to the mechanisms used in other committees for that purpose. The Chair recalled that the provision in the Strategic Plan referred to criteria that could be developed in addition to the current *Criteria for the Establishment of Work Priorities*, which were of general application.

7) Some delegations, recalling that the number of new items of work proposed on food labelling was limited, expressed the view that the current *Criteria for the Establishment of Work Priorities* were adequate to take decisions on new work and that it was premature to develop specific criteria in the Committee at this stage, while not objecting to further consideration of relevant proposals for this purpose.

8) The Committee therefore agreed that the Delegation of the European Community in cooperation with Canada would prepare a discussion document on the establishment of criteria for priority setting for consideration at the next session.

9) The Delegation of Argentina pointed out that the development of decision making criteria was related to consensus and therefore should not be considered specifically in the Committee as this was a general question and should be addressed as a general Codex issue in the Committee on General Principles, as it was related to the question of consensus, currently under consideration in that Committee.

¹ CX/FL 08/36/1, CRD 1 (Annotated Agenda and division of competence between the European Community and its Member States)

² CX/FL 08/36/2, CRD 17 (Matters arising from the Committee on Food Additives), CRD 23 (Matters arising from FAO/WHO)

Activity 4.1 Track the activities of other international standard-setting organisations

10) The Delegation of Argentina expressed the view that cooperation with other international organisations should be focused on the organisations referred to under the WTO SPS Agreement.

Activity 5.6 Enhance communication about Codex work at international and national level

11) The Delegation of Canada stressed the importance of communication to promote Codex work and noted it was sometimes difficult to search the website with the current search engine, especially as regards earlier reports or working documents. The Delegation of Ghana expressed the view that the Codex Trust Fund should be used for training at the national level, in order to facilitate the use of Codex information by national Codex Contact Points.

12) The Secretariat indicated that the Codex website would be entirely redesigned and that the search function would be improved in order to allow search through the reports of earlier sessions. All Codex reports since 1963 had been scanned and they were currently being uploaded on to the Codex website. The Committee was also informed that FAO and WHO regularly distributed newsletters on their activities, including expert consultations and other meetings related to food safety, capacity building and Codex meetings.

13) The Secretariat noted that funds from the Trust Fund budget had been used in some cases to provide training at the regional level on improving participation in Codex, on the basis of the Manual developed by FAO and WHO for this purpose, which was also available as an e-learning course. However the purpose of the Trust Fund was to allow participation of developing countries in Codex sessions, while capacity building in the area of Codex or food safety at the national level was carried out by FAO and WHO on the basis of the requests from member countries.

Interval and duration of meetings

14) The Committee agreed to discuss the interval and duration of the sessions of the Committee at the end of the meeting (see Agenda Item 9). The Delegation of Argentina expressed the view that working groups should be preferably convened prior to the session of the Committee rather than between sessions in order to facilitate participation.

Committee on Food Additives

15) The Committee was informed that the Committee on Food Additives had finalised the Revision of the Class Names and International Numbering System, which included the deletion of references to labelling in Section 1 and the revision of the functional classes. However, the Committee recognized that it was not possible to consider the implication of this revision for the General Standard for the Labelling of Prepackaged Foods at the present session as the Committee on Food Additives had met only in the week preceding the CCFL. The Committee therefore agreed that this question would be considered at the next session.

Matters Referred from FAO and WHO

16) The Representative of WHO, speaking on behalf of FAO and WHO, informed the Committee of the following recent and forthcoming activities:

- Scientific update on carbohydrates, published in 2007;
- Scientific update on trans fatty acids, undertaken in 2007, and to be published in a few months;
- Upcoming FAO and WHO expert consultation on fats and fatty acids in human nutrition, planned for November 2008;
- Possible FAO and WHO expert consultation on carbohydrates, tentatively planned for 2009;
- Current work to strengthen the provision of scientific advice in nutrition; and
- WHO's Draft Action Plan for the Global Strategy for the Prevention and Control of Non Communicable Diseases (NCD).

17) The information provided was later made available in a conference room document (CRD 23).

MATTERS REFERRED BY FAO AND WHO: IMPLEMENTATION OF THE WHO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH (Agenda Item 2b)³

18) The Committee recalled that its 35th Session had agreed to establish a physical working group co-chaired by Canada, Argentina and Germany, to be held prior to the 36th Session. Its mandate was to consider the issues identified at the session on several action items related to the implementation of the WHO Global Strategy on Diet, Physical Activity and Health and to identify and recommend work to be undertaken by the CCFL with regard to these action items.

19) The Co-Chair of the working group, Dr Mary L'Abbé (Canada), presented the report on behalf of the three Co-Chairs. The working group had considered the action items identified in the Draft Action Plan proposed by WHO/FAO in CL 2006/44-CAC: 1.2 (application), 1.3 (nutrients to be declared); 1.4 (presentation of nutrition information); 1.5 (Nutrient Reference Values (NRVs)); and 3.1 (quantitative declaration of ingredients); and had made specific recommendations in this respect.

20) The Committee expressed its thanks to the Co-Chairs and to the working group for their excellent work to address the issues related to the implementation of the Global Strategy and to propose specific items of work. The Committee generally supported new work on several of the action items mentioned above and considered specific proposals for further action as follows:

(a) Revision of Section 3.2 of the *Guidelines on Nutrition Labelling* to review the list of nutrients (Proposed Action 1.3)

21) Several delegations and some Observers supported the consideration of the list of nutrients as identified in the Global Strategy and the Draft Action Plan. Some delegations proposed to add dietary fibre to the list and to consider the inclusion of additional nutrients if required. It was pointed out that the review of the list may also result in the deletion of some nutrients.

22) Some delegations expressed the view that the list of nutrients should not be too extensive so as to remain easily understandable by consumers. Some delegations pointed out that the selection of the nutrients to be declared should be based on clear scientific evidence. The Representative of WHO pointed out that the purpose of the work was to implement the Global Strategy and therefore the review should focus on the nutrients proposed in the Draft Action Plan.

23) The Delegation of the EC noted that the physical working group report provided important background information and that additional factors were also relevant. The work would need to progress in stages with the list of nutrients reviewed before mandatory labelling was considered.

24) The Committee agreed to initiate the revision of section 3.2 of the *Guidelines* and that the following questions should be considered in the process:

- (i) which nutrients are appropriate to be considered at an international level, taking into account regional dietary patterns;
- (ii) what other factors should be taken into account in developing the list of nutrients, including the rationale for including or excluding certain nutrients.

25) Following some questions on the role of the Committee on Nutrition and Foods for Special Dietary Uses, the Chair recalled that the advice of that Committee could always be requested on nutrition issues. However, the decision on the nutrients to be included in the label was the responsibility of the Committee on Food Labelling.

b) Revision of section 3.1 of the *Guidelines on Nutrition Labelling* (Proposed Action 1.2)

26) Several delegations, while supporting in principle mandatory nutrition labelling, expressed the view that its application should be carefully considered, especially as regards the difficulties of small and medium enterprises which lacked technical capacity and resources to implement such labelling; exemptions for foods that did not contribute significantly to the diet; and practical issues such as the size of the package.

27) Several delegations supported mandatory nutrition labelling and indicated that its application at the national level in their countries had resulted in significant public health benefit. The importance of nutrition labelling in supporting national nutrition or public health programmes was also pointed out.

³ CX/FL 08/36/3, CRD 2 (comments of Canada), CRD 6 (comments of Bolivia), CRD 10 (comments of Indonesia and India), CRD 22 (report of the working group held prior to the session)

28) The Delegation of Thailand, supported by the delegations of Barbados and Indonesia, expressed the view that mandatory nutrient labelling should only apply to those foods that had a significant impact on non communicable diseases and criteria were needed to identify foods that increased or decreased the risk of non communicable diseases.

29) Several delegations did not support mandatory nutrition labelling as it was not possible for them to apply it at the national level, in view of the costs involved and due to the fact that consumers may still lack the capacity to use this information. In this respect, some delegations highlighted the importance of nutrition education programmes for consumers.

30) Several delegations expressed the view that the mandatory labelling should be considered only after the review of the list of nutrients to be declared had been concluded. Other delegations proposed to work in parallel on some of these items.

31) In order to address the issues discussed above on sections 3.2 and 3.1 of the Guidelines, the Committee agreed to establish an electronic working group working in English and chaired by New Zealand, assisted by Australia and Canada. The electronic working group will

- Develop a paper which will examine the list of nutrients that are always declared in the light of the recommendations in the WHO Global Strategy on Diet, Physical Activity and Health;
- Prepare a discussion paper outlining the issues and concerns raised during the discussions of the Committee related to mandatory nutrition labelling, taking into consideration the experience of member countries.

c) Principles and criteria regarding the legibility and readability of nutrition labelling (Proposed Action 1.4)

32) Some delegations, while supporting further work in order to improve legibility and readability of nutrition labelling, expressed the view that at this stage there should be no consideration of issues such as the use of symbols or simplified labelling, while noting that they were used in some countries.

33) The Delegation of Chile pointed out there were two possible approaches to nutrient declaration: per 100g of the product or as a percentage of the recommended daily intake, and that this should be considered in relation to the readability of information.

34) The Committee agreed that the Delegation of the United States would lead an electronic working group working in English to develop general criteria or principles for legibility and readability of nutrition labels. The Committee agreed that the development of these criteria or principles would be part of the new work on the revision of the *Guidelines*.

35) As a result of the above discussion on (a), (b) and (c), the Committee agreed to undertake new work in a phased approach on the revision of the Guidelines on Nutrition Labelling and considered a draft project document prepared by the delegations of Australia, Canada, New Zealand, Norway and the United States. The Committee made some amendments in order to ensure consistency with the format of Codex project documents and for clarification purposes.

36) Some delegations proposed to insert a reference to cooperation with the Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) under point 7 or 8 of the project document. It was however clarified that point 7 referred to scientific advice to be provided by FAO and WHO, while point 8 referred to advice provided by other organisations, especially in the framework of joint expert consultations with FAO and WHO.

37) The Committee agreed that this work would be carried out in close cooperation with the CCNFSDU, which would be kept informed of the work in CCFL, with the understanding that its advice might be required on some of the issues under consideration.

38) In reply to a question on the time frame, the Chair recalled that five years was the standard time frame recommended for the development of Codex texts and that it was always possible for the Committee to finalise its work earlier.

d) Nutrient Reference Values (NRVs) (Proposed Action 1.5)

39) The Committee recalled that the CCNFSDU had agreed to undertake new work on the revision of the NRVs for vitamins and minerals and that there had been no agreement to consider other nutrients. Some

delegations pointed out that the current list also included a NRV for protein but it was recalled that this was not included in the work undertaken by the CCNFSDU.

40) Several delegations expressed the view that the proposal to include new NRVs would depend on the outcome of the consideration of the list of nutrients in Section 3.2 of the Guidelines.

e) Quantitative declaration of ingredients (Proposed Action 1.3)

41) The Committee recalled that the last session had not agreed to the inclusion of a point (e) in section 5.1.1 of the Draft Amendment to Quantitative Declaration of Ingredients (QUID) in the *General Standard for the Labelling of Prepackaged Foods* with respect to expressed or implied claims about the presence of any fruit, vegetables, whole grains or added sugars. The working group had reached a similar conclusion and had suggested that this question would more appropriately be addressed under Section 8 of the Guidelines for Use of Nutrition and Health Claims.

42) The Delegation of Norway, supported by the Observers from IBFAN and IACFO, stressed the importance of addressing this proposal of the Action Plan and providing information to consumers on the presence of fruits, vegetables, whole grains or added sugars. Other delegations supported the consideration of this question as part of nutrition and health claims, as proposed by the working group, but did not support any reconsideration of quantitative ingredient declaration.

43) After some discussion, the Committee agreed that the Delegation of Norway would lead an electronic working group working in English to develop a discussion paper to:

- Evaluate which revisions are needed to the Codex texts on food labelling in the light of the WHO/FAO Draft Action Plan for the Implementation of the Global Strategy on Diet, Physical Activity and Health (CL 2006/44-CAC);
- Consider the food ingredients identified in the Global Strategy;
- Identify and recommend work to be undertaken by the CCFL with regard to these action items;
- Identify paragraphs in existing Codex texts on food labelling under which the food ingredients identified in the Global Strategy can be addressed.

Conclusion

44) In order to facilitate the discussions at the next session on items agreed to under Agenda Item 2b), the Committee agreed to convene a physical working group with the following mandate:

- Consider papers developed by the electronic working groups established at the 36th Session of the CCFL regarding:
 - (i) revision of the Guidelines on Nutrition Labelling concerning the list of nutrients that are always declared on a voluntary or mandatory basis and discussion of issues related to mandatory nutrition labelling;
 - (ii) development of criteria/principles for legibility and readability of nutrition labels;
 - (iii) labelling provisions dealing with the food ingredients identified in the Global Strategy on Diet, Physical Activity and Health.
- Provide the 37th Session of CCFL with recommendations to progress work on the implementation of the Global Strategy in these three areas.

45) The Committee agreed that the working group, co-chaired by New Zealand, Norway, and the United States, would be held immediately prior to the 37th Session of CCFL and conducted in English, French and Spanish.

Status of work

46) The Committee agreed to undertake new work on proposed amendments to the Guidelines on Nutrition Labelling regarding the list of nutrients and the legibility and readability of information, as presented in the project document (see Appendix IX). Subject to approval as new work by the Commission, the proposed amendments would be circulated at Step 3 for consideration by the next session of the Committee.

CONSIDERATION OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS

(Agenda Item 3)⁴**FAO/WHO Coordinating Committee For Asia⁵**Draft Standard for Gochujang (at Step 6)

47) The Committee noted the information given by the Republic of Korea on the nature of the product and endorsed the labelling provisions as proposed.

Draft Standard for Ginseng Product (at Step 6)

48) Several delegations did not support the inclusion of mandatory country of origin labelling for the raw material of ginseng products in section 7.2 of the draft standard. They were of the opinion that the provision should be deleted or the phrase from section 4.5.1 of the *General Standard for the Labelling of Prepackaged Foods* should be used. Other delegations recalled that the Coordinating Committee of Asia had discussed this question in detail and had agreed that the indication of the country of origin was important information for consumers in order to prevent deceptive practices and because the characteristics of ginseng varied significantly with the growing region. After some discussion, the Committee decided that the wording from the General Standard should be used.

49) Some delegations were of the opinion that the present wording of section 7.2 was confusing because it mixed provisions on country of origin and labelling of the ginseng species. The Committee decided to include the provisions on the name of the ginseng species used as raw material in a separate paragraph (new 7.2), taking into account that section 7.1 covered only the name of the product, and that the following sections would be renumbered. Following some editorial amendments, the Committee agreed on the following text.

7.2 Name of the Ginseng Species: “All ginseng products shall be labelled with the scientific or common name of the ginseng that is used as raw material. The common names of the ginseng shall be declared in accordance with the law and custom of the country where the product is consumed, in a manner not to mislead the consumer.”

7.3 Country of Origin: “The country of origin of the product and/or raw material shall be declared if its omission is likely to mislead or deceive the consumer.”

50) With the above amendment the Committee endorsed the labelling provisions of the Draft Standard for Ginseng Product.

Committee on Nutrition and Foods for Special Dietary Uses⁶Draft Revised Standard for Foods for Special Dietary Use for Persons Intolerant to Gluten (at Step 8)

51) The Committee endorsed the labelling provisions as proposed.

Committee on Fish and Fishery Products⁷Draft Standard for Live and Raw Bivalve Molluscs (at Step 8)Draft Code of Practice for Fish and Fishery Products (at Step 8)

52) The Committee endorsed the labelling provisions as proposed.

⁴ CX/FL 08/36/4, CX/FL 08/36/4-Add.1

⁵ ALINORM 07/30/15, Appendices II and III

⁶ ALINORM 08/31/26, Appendix III

⁷ ALINORM 08/31/18, Appendices II and III

Committee on Natural Mineral Waters⁸

Proposed Draft Amendment to Sections 3.2 and 6.3.2 of the Codex Standard For Natural Mineral Waters (CODEX STAN 108 – 1981) (at Step 5/8)

53) Some delegations proposed to ask the advice of the Committee on Nutrition and Foods for Special Dietary Uses concerning the change of the value triggering the labelling of fluoride in mineral water. Other delegations stated that the task of the Committee on Food Labelling was to endorse the labelling provisions and not the value which had been changed to align it with the WHO Guidelines for Drinking Water Quality and endorsed by the Committee on Contaminants in Foods.

54) After some discussion the Committee endorsed the labelling provisions as proposed.

Codex Committee for Fresh Fruits and Vegetables⁹

Draft Standard for Bitter Cassava (at Step 6)

55) Several delegations were concerned that the Preparation Instructions (peeling and fully cooking) in paragraph 6.1.2 of the draft standard might not sufficiently reduce the level of hydrogen cyanide contained in bitter cassava for the end product to be safe. They were also of the opinion that the risk of consumption of cyanogenic glycosides in different varieties of bitter cassava had not yet been evaluated and more scientific advice was needed. It was also mentioned that instructions concerning proper disposal of the cooking water were missing.

56) Several delegations did not agree to the inclusion of mandatory country of origin labelling in section 6.2.3 and proposed to add the phrase “if its omission would mislead or deceive the consumer” from section 4.5.1 of the *General Standard for the Labelling of Prepackaged Foods*. Another delegation stated that the labelling was meant for non-retail containers and thus not intended for the consumer but for inspection purposes and it would therefore not be appropriate to include the text on country of origin labelling from the *General Standard*. The Secretariat clarified that these provisions were the same as in other standards for fresh fruit and vegetable that had been endorsed.

57) The Committee concluded that it could not endorse the labelling provisions in the draft standard at this time because of concerns of delegations whether the safety of the product had been properly addressed in the Preparation Instructions included in the draft standard.

GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS (Agenda Item 4)

Draft Revised Annex 2: Table 3 (Agenda Item 4(a))¹⁰

58) At its last session the Committee had agreed to return to Step 6 a number of substances in square brackets in Part 2 of the Table: sodium nitrite, potassium nitrate, ascorbate salts and salts of orthophosphate, diphosphate and polyphosphates.

59) Many delegations and some observers expressed the view that sodium nitrite and potassium nitrate should not be used in organic agriculture because alternatives existed to avoid contamination of cured meat products such as good manufacturing practices and HACCP. The Delegation of the European Community stated that these substances were presently used in some member states for some organic meat products but it was planned to discontinue this use in the longer run. The Delegation noted the need for more research and information and suggested that the substances be returned to Step 6, along with ascorbates as their use was linked to the use of nitrates and nitrites. The Observer from NHF mentioned that ascorbates were linked to nitrates because of their protective effect against the formation of nitrosamines and asked the Committee that they be retained.

⁸ ALINORM 08/31/20, Appendix II

⁹ ALINORM 07/30/35, Appendix VI

¹⁰ ALINORM 07/30/22 Appendix III, CL 2007/16-FL, CX/FL 08/36/5 (comments of Brazil, Costa Rica, European Community and Norway), CX/FL 08/36/5-Add.1 (comments of Canada and Kenya), CX/FL 08/36/5-Add.2 (comments of IFOAM), CRD 7 (comments of Bolivia), CRD 11 (comments of India, Indonesia and Thailand), CRD 18 (comments of IDF)

60) Many delegations and the Observer from IFOAM were of the opinion that phosphates were not necessary for use as stabilizers as well as emulsifiers in milk products as alternatives were available. The Observer of the IDF mentioned that they were still used as emulsifier in certain processed cheese products to achieve a consistency which could not be obtained with other emulsifiers.

61) It was pointed out that the list was indicative, which meant that governments could determine whether additional substances could be allowed at the national level.

Status of the Draft Revised Annex 2: Table 3

62) The Committee agreed to propose to the 31st Session of the Codex Alimentarius Commission to discontinue work on the inclusion of sodium nitrite, potassium nitrate, ascorbate salts and salts of orthophosphate, diphosphate and polyphosphates into Table 3 of Annex 2.

Draft Amendment: Addition of Ethylene (Agenda Item 4(b))¹¹

63) The Commission had adopted at Step 5 the Proposed Draft Amendment to include the following sentence at the end of paragraph 82 of Annex 1: “Ethylene may be used for ripening of kiwifruit and bananas”.

64) Several delegations expressed the view that ethylene met the criteria for the use of substances in an organic system and it should thus be possible to extend its use beyond the ripening of kiwifruit and bananas. Several delegations said that in their countries ethylene was used for the ripening of tropical fruit (e.g. durian, mango and papaya), for the degreening of citrus fruit and for flower induction in pineapples.

65) The Delegation of Argentina proposed to create a new substance category “post harvest treatment” to include ethylene but other delegations were of the opinion that this was not appropriate as the use of ethylene could go beyond this category (e.g. flowering induction for pineapples). The Delegation of Canada proposed to include a new section on “other substances” at the end of Annex 2, which may be more convenient if other substances were proposed in the future. The Committee however agreed to retain the provision on ethylene in paragraph 82 at this stage.

66) The Observer from Consumers International said that many consumers equated “organic” with “natural” and therefore Codex should be prudent and endorse new treatments only when necessary. Several delegations pointed out that the commercial production of pineapples was impossible without inducing flowering with ethylene.

67) Other delegations and the Observer from IFOAM indicated that a justification against the criteria in section 5.1 of the *Guidelines* and relevant data had been put forward only for kiwifruit and bananas and that similar data should be provided for other species in order to consider the extension of the use of ethylene.

68) The Committee agreed that, as the required information on the use of ethylene had presently only been provided for the ripening of kiwifruit and bananas, this amendment could be advanced to Step 8 whereas other possible uses of ethylene should remain at Step 6 until further information was available.

Status of the Proposed Draft Amendment: Addition of Ethylene

69) The Committee agreed to advance to Step 8 for adoption by the 31st Session of the Codex Alimentarius Commission the addition of ethylene for kiwifruit and bananas (see Appendix II) and to return other possible uses of ethylene to Step 6 (see Appendix III).

Proposal for new work: Deletion of Rotenone from Annex 2 (Agenda Item 4(c))¹²

70) The Delegation of Japan had prepared a proposal for new work and a project document concerning the deletion of preparations of rotenone used as an insecticide from Table 2 of Annex 2 of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods* or restricting its use to prevent flowing into waterways because of its toxicity to fish.

¹¹ ALINORM 07/30/22 Appendix IV, CL 2007/34-FL, CX/FL 08/36/6 (comments of Argentina, Australia, Brazil, Costa Rica, Kenya, Philippines, Thailand and the United States), CX/FL 08/36/6-Add.1 (comments of Canada and Kenya), CX/FL 08/36/6-Add.2 (comments of IFOAM), CRD 7 (comments of Bolivia), CRD 12 (comments of India and Indonesia), CRD 19 (comments of Chile)

¹² CX/FL 08/36/7 (proposal from Japan), CX/FL 08/36/7-Add.1 (comments of Canada), CX/FL 08/36/7-Add.2 (comments of IFOAM), CRD 13 (comments of India and Indonesia)

71) Some delegations supported the deletion of rotenone because of its toxicity to fish. The Delegation of St. Lucia mentioned the possible negative impact of rotenone on biodiversity.

72) The Delegation of Canada further reminded the Committee that, as pointed out in the Guidelines in paragraph 6 of the Foreword: “Organic agricultural practices cannot ensure that products are completely free of residues, due to general environmental pollution. However, methods are used to minimise pollution of air, soil and water.”

73) Other delegations and the Observer from IFOAM pointed out that in some areas no alternatives to the use of rotenone as insecticide in organic production existed. They were of the opinion that restricting its use to prevent it from flowing into waterways was sufficient to manage the risk.

74) After some discussion the Committee agreed to undertake new work on this issue and forwarded the project document as prepared by Japan to the 31st Session of the Codex Alimentarius Commission for approval as new work (see Appendix VIII).

LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING:

DRAFT AMENDMENT TO THE *GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS* (DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING): DEFINITIONS (AT STEP 7) (Agenda Item 5a)¹³

DRAFT AMENDMENT TO THE *GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS* (DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION / GENETIC ENGINEERING): LABELLING PROVISIONS (Agenda Item 5b)

75) The Committee recalled that its last session had agreed to establish a physical working group co-chaired by Argentina, Ghana and Norway to be held in Ghana between the sessions and that the Draft Amendment on the Definitions and the Proposed Draft Labelling Provisions had been held respectively at Steps 7 and 4 pending consideration of the report of the working group.

76) The Delegation of Ghana introduced the report of the working group and expressed its thanks to its co-Chairs, Argentina and Norway, and to all participants for their active contribution to the discussion. The Delegation indicated that the working group had considered the rationale for different approaches to GM/GE labelling adopted by national governments, the communications strategies used in communicating information to the public on GM/GE foods; and an analysis of current Codex texts which may provide guidance on the labelling of GM/GE foods, as presented in a background paper considered by the working group (CL 2007/38-FL). Several key concepts derived from this paper were identified, modified and brought together in a draft document (Appendix III of CX/FL 09/36/8). The working group had discussed the possible title and proposed alternative texts for chapeau statements but had not reached consensus on the text. The Delegation of Argentina, as co-Chair, explained the process that the working group had followed to consider this subject, after identifying three main proposals in the course of its discussions.

77) The Committee expressed its appreciation to Ghana for its kind hospitality in hosting the working group and to the three Co-chairs, Ghana, Argentina and Norway for their chairmanship that had allowed the working group to make substantial progress on complex issues. The Committee considered how to proceed further in the light of the report of the working group.

78) Some delegations referred to their experience at the national level in the development of regulations on GM/GE labelling and noted that the background paper had been useful for this purpose or that they would use it in the future. The Committee expressed its appreciation to the delegations of the United States, Canada and Nigeria for this useful and excellent document.

79) The Delegation of the United States pointed out that the background paper was intended to address the need of member countries, especially developing countries, for guidance on the labelling of GM/GE foods and addressed four key issues: providing consumers with necessary health and safety-related information; providing consumers with information related to the significant differences in composition, characteristics,

¹³ CL 2007/38-FL, CX/FL 08/36/8 (Report of the working group held in Ghana), CRD 8 (comments of Bolivia), CRD 16 (comments of India), CRD 19 (comments of Chile)

nutritional properties, or intended use of the food; protecting consumers from false and misleading labelling information; and ensuring truthful and non-misleading information to meet consumer demand. The Delegation further noted that in the working group held in Norway it was evident that countries had taken different approaches due to the different legal, regulatory and social frameworks. Such differences were an indication that such work should not be continued in Codex. The Delegation indicated that it was possible to respond to the 1991 request of the Commission and therefore proposed that this document be forwarded to the Commission, as it could be used by governments as guidance regarding labelling of GM/GE foods and that the Committee should discontinue work on the development of a Codex text, as this item had been considered for many sessions and there was no prospect of reaching consensus. The Delegation stated that Appendix III was not an adequate basis for discussion as it was a simplification of the background document and included some areas where the Committee had failed to reach consensus. Several delegations and Observers supported this position.

80) Some delegations pointed out that mandatory labelling would substantially increase the costs of food production for the manufacturers and negatively affect the availability of foods, which would especially affect developing countries and low income consumers, especially in view of the increase in the price of food commodities at the international level.

81) Many other delegations and some observers supported further work on GM/GE food labelling, especially further consideration of Appendix III. These delegations underlined that although the two recent working groups came to the conclusion that no consensus was possible on a recommended approach to label GM/GE foods, they considered it was possible to agree on a list of principles or concepts to be taken into consideration by the countries willing to develop and implement rules on labelling of GM/GE foods. Such a document would address the requests expressed at the 34th and 35th sessions of the Committee by many delegations requesting Codex guidance on the labelling of GM/GE foods.

82) Some delegations and observers expressed the view that the consideration of this document was a first stage and that mandatory labelling of GM/GE foods should be required in order to ensure the right of consumers to be informed. The Observer from IFOAM supported further work and stressed the importance of mandatory labelling to allow consumer choice, and stated that as GM/GE crops are not allowed in the organic system, labelling of GM/GE foods is essential for the purposes of traceability and inspection in order to ensure the integrity of the organic system.

83) Some delegations and the Observer from NHF expressed the view that labelling of GM foods was necessary in order to address health concerns of consumers. Other delegations pointed out that all foods derived from biotechnology were subject to pre-market safety assessment, that unsafe foods should not be present on the market and therefore there was no justification to require mandatory labelling of such foods from the point of view of health protection.

84) The Chair drew the attention of the Committee to the requirements for safety assessment of foods derived from biotechnology prior to marketing in the countries where GM/GE foods were produced and to the work of Codex in this area.

85) The Chair of the *ad hoc* Intergovernmental Task Force on Foods Derived from Biotechnology, Professor Yoshikura (Japan) informed the Committee that the Task Force had finalised three documents addressing food safety assessment of foods derived from Recombinant-DNA animals, Recombinant-DNA plants modified for nutritional or health benefits, and food safety assessment in situations of low level presence of Recombinant-DNA plant material in food. It had also been agreed that FAO would host a database for data and information sharing for the purpose of the Annex. The Chair of the Task Force also recalled that according to the Principles for the Risk Analysis of Foods Derived from Modern Biotechnology (CAC/GL 44-2003, para. 19) "Risk management measures may include, as appropriate, food labelling conditions for marketing approvals and post-marketing monitoring".

86) The Delegation of Argentina expressed the view that safety and consumer health protection were priority aspects in the work of Codex; however in the discussion of the agenda items it perceived a contradiction in the fact that various member countries who supported labelling of GM/GE foods, which was not based on safety or health protection, were opposed to mandatory nutrition labelling, which was part of the WHO Global Strategy to reduce non communicable diseases, due to economic reasons, lack of understanding by consumers and excess of information on the labels.

87) As a compromise, some delegations proposed to limit further work to the consideration of Table 1 of Appendix III which provided only the list of relevant Codex texts without additional text, as it would provide

useful guidance to governments and could be acceptable to all delegations. Some delegations, while not objecting to the consideration of Appendix III, indicated that it should be limited to those provisions on which consensus existed and that they would not support any modification beyond these areas of consensus.

88) The Committee recognized that there was large support for proceeding with work on the basis of Appendix III of CX/FL 08/36/8 and agreed that it would replace the text of the Proposed Draft Guidelines held at Step 4 in earlier sessions (ALINORM 04/27/22, Appendix VI). In view of the nature of the text, it was agreed that the title would refer to “Recommendations” instead of “Guidelines”. It was further agreed that Appendix III should be considered in conjunction with the background document in CL 2007/38-FL.

89) The Delegation of the United States did not agree to the proposal for proceeding with work on Appendix III and noted that the areas of disagreement highlighted in Ghana and reiterated during the current session of CCFL were the same issues that had prevented the Committee from reaching consensus for the previous decade.

Definitions

90) The Committee considered how to proceed with the Draft Definitions currently at Step 7 in view of the above discussion.

91) The Delegations of the European Community and Switzerland, supported by other delegations, pointed out that the definitions had been held at Step 7 in earlier sessions pending the finalisation of the Proposed Draft Guidelines, and should be retained as they were essential to define the products under consideration. It was underlined that the fact that the definitions had reached Step 7 reflected a high level of consensus on these. Some other delegations proposed to delete the definitions as similar definitions already existed in the *Principles for the Risk Analysis of Foods Derived from Modern Biotechnology* (CAC/GL 44-2003). The Committee did not consider the definitions in more detail.

Status of the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods (Draft Recommendations for the Labelling of Foods Obtained through Certain Techniques of Genetic Modification / Genetic Engineering): Definitions

92) The Committee agreed to retain the Draft Amendment at Step 7 (see Appendix VI).

Status of the Proposed Draft Recommendations for the Labelling of Foods and Food Ingredients Obtained Through Certain Techniques of Genetic Modification/Genetic Engineering

93) The Committee agreed to circulate the Proposed Draft Recommendations at Step 3 for comments and consideration at the next session (see Appendix VII).

DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS: QUANTITATIVE DECLARATION OF INGREDIENTS (Agenda Item 6)¹⁴

94) The Committee, recalling that the Draft Amendment had been adopted at Step 5 by the 30th Session of the Commission, considered the text section by section and made the following amendments and comments.

95) The Delegation of the European Community welcomed the progress that had been made at the last session on this text and proposed two amendments, as presented in CRD 20. The Delegation proposed to delete the final part of the first paragraph in 5.1.2: “as a minimum percentage where emphasis is on the presence of the ingredient and a maximum percentage where emphasis is on the low level of the ingredient”, as it was of the opinion that the application of this provision was complicated. Other delegations were in favour of keeping the text as it had been drafted carefully in a previous session after deleting the notion of “average percentage” and cautioned not to reopen the discussion. The Committee decided to retain the text.

96) The Delegation of the European Community also proposed to add a third paragraph to 5.1.2 reading: “When the quantity of an ingredient or the total quantity of all ingredients expressed on the labelling exceeds 100%, the percentage may be replaced by a declaration of the weight of the ingredient(s) used to prepare

¹⁴ CL 2007/34-FL, ALINORM 07/30/22 Appendix V, CX/FL 08/36/9 (comments of Brazil, Costa Rica, Kenya, Mexico, Norway, Peru, Philippines, Thailand and the World Sugar Research Organisation (WSRO)), CX/FL 08/36/9-Add.1 (comments of Canada and Kenya), CRD 3 (comments of Nigeria), CRD 9 (comments of Bolivia), CRD 14 (comments of India and Indonesia), CRD19 (comments of Chile) CRD 20 (comments of the European Community).

100g of finished product.”. The Delegation was of the opinion that percentages that added up to more than 100% were more difficult to understand by consumers than the option they proposed. The Observer of IACFO suggested that the word “may” in the proposed text should be “shall” since with “may” different manufacturers could use different options to portray similar products, making consumers believe the products were different. After some discussion the Committee decided to add the text as proposed by the European Community.

97) The Delegation of Thailand proposed to clarify in a footnote that the ingoing percentage of compound ingredients in section 5.1.1 of the draft text means the ingoing percentage of the compound ingredients as a whole and not of its ingredients. The Committee agreed to add a footnote to “compound ingredient” in 5.1.1 accordingly.

Status of the Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Quantitative Declaration of Ingredients

98) The Committee agreed to advance the draft amendment to Step 8 for adoption by the 31st Session of the Codex Alimentarius Commission (see Appendix IV).

99) The Committee thanked the United Kingdom, as lead country of earlier working groups, for their leadership and contribution during the years when this item had been considered.

DRAFT DEFINITION OF ADVERTISING IN RELATION TO NUTRITION AND HEALTH CLAIMS (Agenda Item 7)¹⁵

100) The Chairperson recalled that the 30th Session of the Commission had adopted the proposed draft definition of advertising in relation to nutrition and health claims at Step 5 and recommended that the Committee on Food Labelling clarify in which text it should be included when finalised.¹⁶

101) The Delegation of the United States, supported by several delegations and some observers, reaffirmed their position that advertising was best regulated at the national level but recognized the work that had been achieved by the Committee on the definition. They were of the opinion that if the definition was to be included, it should be taken into account that the word “advertising” was included in the scope of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997) and not used further in that text. They recalled that it was not in the scope of the present work to further develop the use of this definition. For these reasons they felt that the most logical place to include it would be as a footnote to the word “advertising” in paragraph 1.1 of CAC/GL 23-1997.

102) Other delegations also welcomed the progress made on the definition, which to them was an important clarification to consumers, and were of the opinion that the definition should logically be included in Section 2: Definitions of CAC/GL 23-1997. It was mentioned that the term “advertising” was also used in paragraph 3.2 of the *General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses*.

103) The Delegation of Australia noted that, in their opinion, clarification of the intent of “commercial communication to the public” may be required and requested that this clarification be noted as “Examples of commercial communications to the public would not include: communications in the form of academic papers, news, editorials, articles of public interest, text book information, website, educational material or professional advice from any source including government agencies and professional bodies”. Other delegations and one Observer also identified the need for clarification of the term “commercial communication to the public”.

104) After some discussion and the confirmation by the Codex Secretariat that footnotes were considered as an integral part of Codex texts, those delegations that were in favour of inclusion of the definition under section 2: Definitions, stated that they could accept its inclusion as a footnote.

¹⁵ CL 2007/34-FL, ALINORM 07/30/22 Appendix VI, CX/FL 08/36/10 (comments of Argentina, Brazil, European Community, Kenya, Mexico, Peru, Philippines, United States, International Dairy Federation (IDF) and the World Sugar Research Organisation (WSRO)), CX/FL 08/36/10-Add.1 (comments of Canada and Kenya), CX/FL 08/36/10-Add.2 (comments of the European Food Law Association (EFLA)), CRD 4 (comments of Nigeria), CRD 15 (comments of Indonesia), CRD 19 (comments of Chile).

¹⁶ ALINORM 07/30/REP, para 90.

105) A number of editorial amendments were proposed to the text of the definition by different delegations and one Observer but after some discussion the Committee decided to maintain the original drafting. The Delegation of Mexico supported by other Spanish speaking delegations noted a correction to the Spanish version of the definition.

106) The Committee agreed that the definition as proposed would be included as a footnote to the word “advertising” in paragraph 1.1 of the *Guidelines for Use of Nutrition and Health Claims* (CAC/GL 23-1997).

Status of the Draft Definition of Advertising in Relation to Nutrition and Health Claims

107) The Committee agreed to advance the draft definition to Step 8 for adoption by the 31th Session of the Codex Alimentarius Commission (see Appendix V).

DISCUSSION PAPER ON MODIFIED STANDARDIZED COMMON NAMES (Agenda Item 8)¹⁷

Background

108) The Delegation of Canada, as coordinator of the electronic working group introduced the item presenting its history and the results of the working group. The delegation recalled that at the 30th Session of the Committee a document by the United States on truthful but misleading labeling had been discussed. At the 34th Session, Canada presented a discussion paper on the naming of foods that are similar to a standardized food and where the name of the standardized food is used as part of a modified name. At the 35th Session, Canada presented a revised paper linking the issue to the *Draft Action Plan for Implementation of the Global Strategy on Diet, Physical Activity and Health* (CL 2006/44-CAC), which proposed permitting the use of a standardized name established in an identity standard in conjunction with a nutrition claim on the label of a modified standardized food.

109) The objective of the electronic working group was to develop principles for the use of modified names of foods for the purpose of nutritional variation while ensuring that this would not mislead consumers about the nature of the food but assist them in their food choices. Canada clarified that the intention of the proposed new work was to support the implementation of the Global Strategy while protecting consumers from being misled about the composition of the food and was not intended to replace current Codex standards.

110) The report of the working group included a project document on an amendment to the *General Standard for the Labelling of Prepackaged Foods* (CODEX STAN 1-1985, Section 4.1 (the Name of the Food)) to provide conditions for the use of modified standardized names for foods with modifications from a compositional standard for the purpose of Codex defined nutrition claims.

111) The Committee thanked Canada and the working group for their excellent work on this subject.

Discussion

112) The Chairperson invited the Committee to discuss whether it supported new work in this area, which could be requested to the 31st Session of the Commission.

113) The Delegation of Germany, speaking on behalf of the Member States of the European Community present at the session, did not support horizontal work at the international level on this issue by amending the *General Standard* (CODEX STAN 1-1985). The Delegation stated that existing commodity standards in many cases already allowed some variation but was of the opinion that, if due to a modification a product fell out of the range of the relevant commodity standard, the standardized name should no longer be used unless the standard was changed. The Delegation felt that in order to deal with the complexity of allowing variation while maintaining the essential characteristics of a product, it was necessary to deal with the matter on a case by case basis, especially because acceptable variations could be perceived differently in different countries. This position was supported by other delegations.

114) The work in the Codex Committee on Fats and Oils was mentioned as an example where it had not been possible to combine provisions on modified names even for a relatively small number of products. It was also mentioned that work on the General Standard for Food Additives had shown that it was important to involve the relevant commodity committees at an early stage before undertaking horizontal work that concerned them. It was therefore stressed that CCFL should inform the relevant commodity committees of the work it intended to undertake with regard to modified standardized common names.

¹⁷ CX/FL 08/36/11, CRD 5 (comments of Canada)

115) Other delegations and observers noted the advances made in the food industry in recent years with respect to nutritional modifications. They stated that, as products with modified standardized names were already on the markets, there was a need for horizontal guidance to Codex members on this issue to ensure truthful labelling information for consumers. It was mentioned that food standards should not prevent healthier versions of foods being developed and the importance of this work was emphasised, especially in the light of the Global Strategy on Diet, Physical Activity and Health.

116) It was felt that the background document already adequately recognized the need to consult with other Codex Committees to ensure consistency.

Conclusion

117) The Committee concluded that there was no consensus to move the project document to the Commission and to request new work.

118) Because of the importance of the issue in the light of the implementation of the Global Strategy on Diet, Physical Activity and Health, and the support by several delegations to continue work in this area, the Committee invited Canada and the working group to continue the work on the document and especially to consider:

- what would be entailed in the scope of the work if it was undertaken;
- what would be the effect on other Codex standards, while keeping in mind that it was important that the identification of the product be kept.

OTHER BUSINESS, FUTURE WORK AND DATE AND PLACE OF THE NEXT SESSION (Agenda Item 9)¹⁸

Proposal from OIML

119) The Observer from the International Organisation for Legal Metrology (OIML) gave an overview of the structure and activities of the OIML, indicating that OIML is an intergovernmental treaty organization whose membership includes Member States with the right to vote, and corresponding members which have the status of observers and can participate in the activities but cannot vote. The Observer explained the procedures for the development of OIML international recommendations, noting that all documents and draft documents were available on the OIML website, and presented a proposal for further consideration by the Committee.

120) The Committee was informed that OIML had published two recommendations relevant to the labelling of prepackaged foods: OIML R 87: 2004: Quantity of Products in Prepackages and OIML 79:1997: Labelling Requirements for Prepackaged Products, currently under revision. The Observer pointed out that with the new R 87 it would be easier to address the liquid packing medium, as the quantity of product declared would include the liquid medium only if it was intended to be part of the food product.

121) The Observer explained that the following sections of *the General Standard for the Labelling of Prepackaged Foods* would be affected: Definition of “container”, “packing material”, “prepackage”, “prepackaged food” (section 2); section 4.2.1.5 on the declaration of added water; and section 4.3 quantity of food in a prepackage, and proposed that the Committee consider these possible amendments as presented in the Annex to CX/FL 08/36/12.

122) Some delegations expressed the following questions and concerns about this proposal: the membership of OIML and the reasons for the distinction between members and observers; procedures of OIML to develop its recommendations; the status of OIML in WTO and Codex; the status of the proposal under consideration; the use of OIML Recommendations in its member states; and whether OIML took into account Codex texts when developing its recommendations

123) The Observer from OIML clarified that OIML was open to all countries but, as it was a treaty organisation, implying specific obligations, some countries did not join because their technical capacities did not allow them to do so; that OIML had membership fees; that OIML was recognised as a standard setting organisation and an observer in WTO; that the development of the recommendations went through technical committees through a transparent process, whereby members and observers could provide their comments. As regards the use of OIML R87 by member countries, he indicated that a survey was underway on the use

¹⁸ CX/FL 08/36/12

of OIML Recommendations and that such information would be placed on the OIML website and could be made available to the next session of the Committee.

124) The Committee recalled that OIML was an international intergovernmental organisation with observer status and participated in other Codex Committees. As regards the status of the proposal, the Secretariat indicated that it was for the Committee to decide whether to examine it further or not, or to consider the need for new work and recalled that any proposal for new work had to follow the Codex Procedure. Some delegations highlighted the need to take account of the workload of the Committee and the prioritisation process to be discussed at the next session.

125) The Chair noted that it would be useful if members could consider the proposal at the national level and provide information to the Committee on the approach they followed at the national level on the definition of the quantity of product in prepackages.

126) The Delegation of Cameroon, while recognizing that this initiative from OIML was in line with Codex procedures especially with regard to the provisions of Articles 5, 6, 7 of the *Guidelines on Cooperation between the CAC and International Intergovernmental Organisations in the Elaboration of Standards and Related Texts*, supported further consideration of the proposal

127) The Delegation of Morocco supported further consideration of this issue since metrological control was essential for the purposes of inspection and certification, especially for exporting countries, and also indicated that they would coordinate at the national level in order to consider how to approach this proposal.

128) Several delegations pointed out that this proposal could substantially affect labelling provisions in the General Standard and possibly in other standards, and that it could also affect regulations and inspection at the national level. These delegations therefore indicated that they needed to consider these proposals in detail, which had not been possible due to the late availability of the document.

129) The Committee thanked the Observer from OIML for its presentation and agreed that this proposal would be considered at the next session as a specific agenda item and that OIML would prepare a revised discussion paper including some additional background information and addressing the questions raised by Committee members.

Date and Place of the Next Session

130) Taking into account the proposals for new work put forward at the present session, the Committee confirmed that the current interval between meetings should be maintained.

131) The Committee was informed that its next session would be held in Calgary, Alberta from 4 to 8 May 2009, the final arrangements to be determined between the host country and Codex Secretariat.

132) The Committee was informed that Dr Anne MacKenzie was chairing the Committee for the last time and that the next session would be chaired by Mr Paul Mayers, Acting Associate Vice President, Programs, Canadian Food Inspection Agency.

133) The Committee expressed its warm thanks and appreciation to Dr Anne MacKenzie on the occasion of her final session as Chair of the Committee, as her excellent chairmanship throughout the years had contributed significantly to the progress made by the Committee to develop labelling texts of great importance and to address many complex issues.

SUMMARY STATUS OF WORK

Subject Matter	Step	Action by	Document Reference in ALINORM 08/31/22
Draft Amendment to the Guidelines for Organically Produced Foods (Ethylene for kiwifruit and bananas)	8	Governments 31 st CAC	para.. 68 Appendix II
Draft Amendment to the Guidelines for Organically Produced Foods (Ethylene for other uses)	6	Governments 37 th CCFL	para. 68 Appendix III
Draft Amendment to the <i>General Standard</i> (Quantitative Declaration of Ingredients)	8	Governments 31 st CAC	para.. 95 Appendix IV
Draft Definition of Advertising in relation to health and nutrition claims	8	Governments 31 st CAC	para.. 107 Appendix V
Guidelines for Organically Produced Foods: Draft Revised Annex 2 : Table 3	7*	Governments 31 st CAC	para. 61
Draft Amendment to the General Standard (Draft Recommendations for the Labelling of Foods obtained through certain techniques of GM/GE): Definitions	7	37 th CCFL	para. 92 Appendix VI
Proposed Draft Recommendations for the Labelling of Foods obtained through certain techniques of GM/GE	3	Governments 37 th CCFL	para. 93 Appendix VII
Proposed Draft Amendment to the Guidelines for Organically Produced Foods (rotenone)	1/2/3	Governments 31 st CAC 37 th CCFL	para. 74 Appendix VIII
Proposed Draft Amendment to the Guidelines on Nutrition Labelling	1/2/3	Governments 31 st CAC 37 th CCFL	para. 46 Appendix IX

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**DRAFT AMENDMENT TO THE GUIDELINES FOR THE PRODUCTION, PROCESSING,
LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS
(N10-2006)
(At Step 8 of the Procedure)**

Annex 1 - Principles of Organic Production

C. HANDLING, STORAGE, TRANSPORTATION, PROCESSING AND PACKAGING

82. The integrity of the organic product must be maintained throughout the processing phase. This is achieved by the use of techniques appropriate to the specifics of the ingredients with careful processing methods limiting refining and the use of additives and processing aids. Ionizing radiation should not be used on organic products for the purpose of pest control, food preservation, elimination of pathogens or sanitation.

Ethylene may be used for ripening of kiwifruit and bananas.

**DRAFT AMENDMENT TO THE GUIDELINES FOR THE PRODUCTION, PROCESSING,
LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS
(N10-2006)
(At Step 6 of the Procedure)**

Annex 1 - Principles of Organic Production

C. HANDLING, STORAGE, TRANSPORTATION, PROCESSING AND PACKAGING

82. The integrity of the organic product must be maintained throughout the processing phase. This is achieved by the use of techniques appropriate to the specifics of the ingredients with careful processing methods limiting refining and the use of additives and processing aids. Ionizing radiation should not be used on organic products for the purpose of pest control, food preservation, elimination of pathogens or sanitation.

Ethylene may be used for ripening of kiwifruit, bananas, [other products to be determined].

**DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF
PREPACKAGED FOODS:
Quantitative Ingredient Declaration Labelling
(At Step 8 of the Procedure)**

5. ADDITIONAL MANDATORY REQUIREMENTS

5.1 Quantitative Ingredient Declarations

5.1.1 The ingoing percentage of an ingredient (including compound ingredients⁶ or categories of ingredients⁷), by weight or volume as appropriate, at the time of manufacture, shall be disclosed for foods sold as a mixture or combination where the ingredient:

- (a) is emphasised as present on the label through words or pictures or graphics; or
- (b) is not within the name of the food, is essential to characterise the food and is expected to be present in the food by consumers in the country where the food is sold if the omission of the quantitative ingredient declaration would mislead or deceive the consumer.

Such disclosure is not required:

- (c) where the ingredient is used in small quantities for the purpose of flavouring; or
- (d) where commodity specific standards of Codex Alimentarius conflict with the requirements described here.

With respect to 5.1.1(a):

- (e) a reference in the name of the food to an ingredient or category of ingredients shall not of itself require quantitative ingredient declaration if:
 - that reference would not mislead or deceive or would not be likely to create an erroneous impression to the consumer regarding the character of the food in the country of marketing because the variation in quantity of the ingredient(s) between products is not necessary to characterise the food or distinguish it from similar foods.

5.1.2 The information required in Section 5.1.1 shall be declared on the product label as a numerical percentage.

The ingoing percentage, by weight or volume as appropriate, of each such ingredient shall be given on the label in close proximity to the words or pictures or graphics emphasising the particular ingredient, or beside the name of the food, or adjacent to each appropriate ingredient listed in the ingredient list as a minimum percentage where emphasis is on the presence of the ingredient and a maximum percentage where emphasis is on the low level of the ingredient.

For foodstuffs which have lost moisture following heat or other treatment, the percentage (by weight or by volume) shall correspond to the quantity of the ingredient(s) used, related to the finished product.

When the quantity of an ingredient or the total quantity of all ingredients expressed on the labelling exceeds 100%, the percentage may be replaced by the declaration of the weight of the ingredient(s) used to prepare 100g of finished product.

⁶ For compound ingredients the ingoing percentage means the ingoing percentage of the compound ingredient as a whole.

⁷ For the purposes of Quantitative Ingredient Declaration, “category of ingredients” means the generic term which refers to the class name of an ingredient and/or any similar common term(s) which are used in reference to the name of a food.

**DRAFT AMENDMENT TO THE GUIDELINES FOR USE
OF NUTRITION AND HEALTH CLAIMS
(At Step 8 of the Procedure)**

In section 1.1 add the following footnote to the word “advertising”:

“Advertising means any commercial communication to the public, by any means other than labelling, in order to promote directly or indirectly, the sale or intake of a food through the use of nutrition and health claims in relation to the food and its ingredients.”

**DRAFT AMENDMENT TO THE GENERAL STANDARD FOR THE LABELLING OF
PREPACKAGED FOODS
(DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH
CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING)
DEFINITIONS
(At Step 7 of the Procedure)**

SECTION 2. DEFINITION OF TERMS⁸

For the purpose of the General Standard:

“Food and food ingredients obtained through certain techniques of genetic modification / genetic engineering” means food and food ingredients composed of or containing genetically modified / engineered organisms obtained through modern biotechnology, or food and food ingredients produced from, but not containing genetically modified / engineered organisms obtained through modern biotechnology.

“Organism” means any biological entity capable of replication, reproduction or of transferring genetic material.

“Genetically modified / engineered organism” means an organism in which the genetic material has been changed through modern biotechnology in a way that does not occur naturally by multiplication and/or natural recombination.

“Modern biotechnology” means the application of:

- a. In vitro nucleic acid techniques⁹, including recombinant deoxyribonucleic acid (DNA) and direct injection of nucleic acid into cells or organelles, or
- b. Fusion of cells¹⁰ beyond the taxonomic family,

that overcome natural physiological, reproductive or recombination barriers and that are not techniques used in traditional breeding and selection

⁸ The terminology used in this section on definitions should not determine the terminology which is appropriate for use on food labels

⁹ These include but are not limited to: recombinant DNA techniques that use vector systems and techniques involving the direct introduction into the organism of hereditary materials prepared outside the organism such as micro-injection, macro-injection, chemoporation, electroporation, micro-encapsulation and liposome fusion

¹⁰ Fusion of cells (including protoplast fusion) or hybridization techniques that overcome natural physiological, reproductive, or recombination barriers, where the donor cells/protoplasts do not fall within the same taxonomic family

**PROPOSED DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS AND FOOD
INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC
MODIFICATION/GENETIC ENGINEERING**

(At Step 3 of the Procedure)

[Chapeau 1

“Food labelling is the primary means of communications between the seller on the one hand and the purchaser and consumer on the other. Labelling of a food is considered only after the food has undergone appropriate safety assessments to deem it safe for human consumption. For additional assurance on safe and appropriate use of food, food labelling can be employed to provide consumers with essential information. It is recognized that consumers’ expressed needs may vary in different regions of the world. These differences might lead to various levels of approaches regarding labelling of foods obtained by GM/GE modifications.

The purpose of this document is to recall and assemble in a single document some important elements of guidance from Codex texts which are relevant for the labelling of foods obtained by GM/GE techniques.”

Chapeau 2

“The purpose of this document is to recall and assemble in a single document some important elements from Codex texts which are relevant for the labelling of foods obtained by GM/GE techniques.”]

1. The following Codex standards and related texts contain provisions applicable to the labelling of food products and may be applied to foods obtained by GM/GE:
 - The Codex General Standard for the Labelling of Prepackaged Foods, (Codex Stan 1-1985)
 - The Codex General Guidelines on Claims (CAC/GL 1-1979)
 - The Codex Guidelines for Use of Nutrition and Health Claims (CAC/GL 23-1997)
 - Principles for Risk Analysis of Foods Derived from Modern Biotechnology (CAC/GL 44-2003);
 - Guidelines for the Conduct of Food Safety Assessments of Foods Derived from Recombinant-DNA plants (CAC/GL 45-2003)
 - Guidelines for the Conduct of Food Safety Assessments of Foods Derived from Recombinant-DNA microorganisms
 - Working Principles for Risk Analysis for Food Safety for Application by Governments
2. Codex labelling and other texts apply to foods sold in unpackaged/non-retail containers including those foods obtained through GM-GE techniques and sold in such manner. Labelling means “any written, printed or graphic matter that is present on the label, accompanies the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal.”
3. Labelling of a food is considered only after the food has undergone appropriate assessments to deem it safe for human consumption. Codex has adopted several texts which address the safety aspects of GM/GE foods and are available to Member Countries for this purpose¹¹.
4. The Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants (CAC/GL 45-2003) states that the “transfer of genes from commonly allergenic foods . . . should be avoided unless it is documented that the transferred gene does not code for an allergen . . .”.
5. The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in section 4.2.1.4 shall be declared. When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed (section 4.2.2, GSLPF).

¹¹ Guideline for the Conduct of Food Safety Assessment of Foods Derived from Recombinant-DNA Plants (CAC/GL 45-2003); Guideline for the Conduct of Food Safety Assessment of Foods Produced Using Recombinant-DNA Microorganisms (CAC/GL 46-2003).

6. When the physical, chemical, or functional characteristics of a food are significantly altered through any means (production or processing), the labelling of such food be appropriately modified from its traditional labelling to ensure that the food is described or presented in a manner that is truthful and not misleading and not likely to create an erroneous impression regarding its character in any respect. The traditional name of such food may need to be changed or qualified with additional words or phrases to describe the true nature of the food and to avoid misleading or confusing the consumer.
7. In cases where GM/GE modifications result in a claim related to the nutritional properties of the food, the claim language should be consistent with the Guidelines for Use of Nutrition and Health Claims.
8. The provisions in existing Codex texts can be applied to labelling statements related to GM/GE foods.
9. Codex labelling texts apply to representation used to provide information to enable consumer choice about the food they purchase and/or when used by marketers to indicate that a food meets certain consumer preferences.
10. Any representations made on the label or in the labelling of GM/GE foods should be consistent with the GSLPF (Codex Stan 1-1985) and the General Guidelines on Claims (CAC/GL 1-1979).

Table 1. Provisions in existing Codex labelling texts that apply to the labeling of GM/GE foods

Section	Mandatory Labelling Provisions
<i>General Standard for the Labelling of Prepackaged Foods</i>	
3.1	Prepackaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.
3.2	Prepackaged food shall not be described or presented on any label or in any labelling by words, pictorial or other devices which refer to or are suggestive either directly or indirectly, of any other product with which such food might be confused, or in such a manner as to lead the purchaser or consumer to suppose that the food is connected with such other product.
4.1.1	The name [of the food] shall indicate the true nature of the food and normally be specific and not generic.
4.1.2	There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, such additional words or phrases as necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food including but not limited to the type of packaging medium, style, and the condition or type of treatment it has undergone; for example, dried, concentrated, reconstituted, smoked.
4.2.2	The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in section 4.2.1.4 shall be declared. When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed.

Section	Voluntary Labelling Provisions
<i>General Standard for the Labelling of Prepackaged Foods</i>	
7.1	Optional labelling – Any information or pictorial device written, printed, or graphic matter may be displayed in labelling provided that it is not in conflict with the mandatory requirements of this standard and those relating to claims and deception given in section 3 – General Principles.
<i>General Guidelines on Claims</i>	
1.2	The principle on which the guidelines are based is that no food should be described or presented in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.
1.3	The person marketing the food should be able to justify the claims made.
2	Definition – For the purpose of these guidelines, a claim is any representation which states, suggests, or implies that a food has particular characteristics relating to its origin, nutritional properties, nature, production, processing, composition or any other quality.
3.3	Prohibited claims – Claims which cannot be substantiated.
3.5	Prohibited claims – Claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.
4.1	Potentially misleading claims – Meaningless claims including incomplete comparatives and superlatives.
5.1(iii)	Conditional claims – Terms such as “natural,” “pure,” “fresh,” “home made,” “organically grown,” and “biologically grown” when they are used, should be in accordance with the national practices in the country where the food is sold. The use of these terms should be consistent with the prohibitions set out in Section 3.
5.1(v)	Conditional claims – Claims that a food has special characteristics when all such foods have the same characteristics, if this fact is apparent in the claim.
5.1 (vi)	Conditional claims – Claims which highlight the absence or non-addition of particular substances to food may be used provided that they are not misleading and provided that the substance: (b) is one which consumers would normally expect to find in the food; (d) is one whose presence or addition is permitted in the food.
<i>Guidelines for Use of Nutrition and Health Claims</i>	

PROJECT DOCUMENT
PROPOSAL FOR NEW WORK
**PROPOSAL TO AMEND THE GUIDELINES FOR THE PRODUCTION, PROCESSING,
LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS**

Purposes and scope of the proposed standard.

The purpose is to delete “preparations of Rotenone from *Derris elliptica*, *Lonchocarpus*, *Thephrosia* spp.” from Table 2 of Annex 2 or include “the substance should be used in such a way as to prevent its flowing into waterways” in conditions for use.

Its relevance and timeliness.

Rotenone is obtained from the roots of several tropical and subtropical plant species belonging to the genus *Lochancarpus* or *Derris*. The substance is very toxic to aquatic organisms.

Removing Rotenone from Table 2 of Annex 2 or regulating the condition for use is in line with the primary objective of an organic production system to enhance biological diversity within the whole system.

The main aspects to be covered.

Japan proposes to delete “preparations of Rotenone from *Derris elliptica*, *Lonchocarpus*, *Thephrosia* spp.” from Table 2 of Annex 2 or to restrict its use to prevent its flowing into waterways.

An assessment against the *Criteria for the Establishment of Work Priorities*.

The proposal is consistent with the general criterion as follows:

Ensuring fair practices in the food trade: Some national standards for organically produced foods allow the use of Rotenone, but some do not. There are different regulations on the use of Rotenone, which may cause international disputes.

Relevance to Codex Strategic Objectives.

The proposal is consistent with:

- a. Promoting sound regulatory framework; and
- b. Promoting maximum application of Codex standards.

Information on the relation between the proposal and other existing Codex documents.

The proposal is an amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Food*. It does not affect existing Codex documents.

Identification of any requirement for and availability of expert scientific advice.

New Zealand Department of Conservation published a report on the toxicity and use of Rotenone in 2003.¹² The International Programme on Chemical Safety published an evaluation on Rotenone as “the Poisons Information Monograph 474.”

Identification of any need for technical input to the standard from external bodies so that this can be planned for.

none

¹² Ling, N. “Rotenone – a review of its toxicity and use for fisheries management,” Science for Conservation 211, January 2003, New Zealand Department of Conservation

The proposed timeline for completion of the new work, including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

If accepted by the 36th CCFL and agreed to undertake through Accelerated Procedure by the 31st CAC, it is expected that a proposed draft will be discussed at Step 4 at the 37th CCFL and adopted at Step 5 of the Accelerated Procedure by the 32nd CAC in 2009.

PROJECT DOCUMENT**PROPOSAL FOR NEW WORK ON IMPLEMENTATION OF THE WHO GLOBAL STRATEGY
ON DIET, PHYSICAL ACTIVITY AND HEALTH (WHA, 2004)****Purpose and the scope of the project****A. Undertake a revision of Section 3.2 and a review of Section 3.1 on the Guidelines on Nutrition Labelling using a phased approach.**

Part a - The Committee will undertake work to revise the Guidelines on Nutrition Labelling and will examine the list of nutrients that are always declared on a mandatory or voluntary basis in light of the recommendations in the WHO Global Strategy on Diet, Physical Activity and Health.

To assist deliberations the following questions will be addressed:

- (i) which nutrients are appropriate to be considered at an international level, taking into account, regional dietary patterns; and
- (ii) what other factors should be taken into account in developing the list of nutrients, including the rationale for including or excluding certain nutrients.

The Committee will also prepare a discussion paper outlining the issues and concerns raised during the discussions of the Committee related to mandatory nutrition labelling, taking into consideration the experiences of member countries.

Part b - Once a revised list of nutrients has been identified, consideration of the requirements for mandatory nutrition labelling, will be undertaken, including consideration of appropriate nutrients and products and taking into account the issues raised in the discussion paper and the flexibility needed to address the issues surrounding the implementation of mandatory nutrition labelling.

B. Develop criteria or principles for legibility and readability of nutrition labelling.

CCFL proposes to undertake new work to develop general criteria or principles to be included in the Guidelines for Nutrition Labelling that would be applicable to both mandatory and voluntary nutrition labelling to enhance the legibility and readability of the information. In developing this work, the Committee recognizes that universal symbols or simplified labelling is not a part of the scope or mandate of this work.

To assist deliberations, the following questions will be asked:

- (i) what general principles or criteria should be considered regarding the legibility and readability of nutrition labelling?
- (ii) what specific elements should be considered with respect to the legibility and readability of nutrition labelling? For example, the format, order of information, contrast between text and background, and clarity may be some aspects of the presentation to be considered.

The comments will be summarized and general criteria or principles will be proposed for discussion by the Committee.

Its relevance and timeliness

The work is in line with the Terms of Reference for the CCFL, specifically (a) to draft provisions on labeling applicable to all foods.

The work is timely since it is in response to the proposed action items for the implementation of the Global Strategy on Diet, Physical Activity and Health contained in the FAO/WHO Draft Action Plan for Implementation of the Global Strategy on Diet, Physical Activity and Health (CL 2006/44-CAC).

Food is recognized as an important environmental influence on nutritional health and well-being; appropriate food choices aid in reducing the risk of developing non-communicable diseases. Food label information, its availability, and consumer understanding all contribute to the individual's capacity to adopt eating habits that reduce health risks.

Food label information has to be sufficient and understandable. In particular, as stated in Article 40 of the Global Strategy, "*information for consumers should be sensitive to literacy levels, communication barriers and local culture, and understood by all segments of the population*". Item (4) of Article 40 states with regard to labelling, "*Consumers require accurate, standardized and comprehensible information on the content of food items in order to make healthy food choices*".

Importantly, nutrition labelling has been demonstrated to provide an incentive for the reformulation of processed foods to improve their nutritional quality, in particular with respect to the nutrients that are required to always appear on the label.

The main aspects to be covered

The work would involve:

- A. Undertaking a revision of Section 3.2 and a review of Section 3.1 on the Guidelines on Nutrition Labelling using a phased approach;
- B. Developing criteria or principles for legibility and readability of nutrition labelling.

An assessment against the criteria for the establishment of work priorities

The proposed new work would assist governments in protecting consumers from health hazard due to consumers' lack of knowledge regarding the nutrient content of foods, particularly with respect to nutrients of public health significance. Consumers require accurate, standardized and comprehensible information on the content of food items in order to make healthy food choices.

The new work would also lessen impediments to international trade by providing clear guidance on considerations that need to be addressed when dealing with any of the above.

Relevance to the codex strategic objectives

The proposed new work is consistent with the Strategic Plan 2008–2013 for the Codex Alimentarius Commission. It would contribute to: Goal 1 - Promoting sound regulatory frameworks, specifically Activity 1.3 "Review and develop Codex standards and related texts for food labeling and nutrition".

Information on the relation between the proposal and other existing codex documents

None foreseen.

Identification of any requirement for and availability of expert scientific advice

None foreseen.

Identification of any need for technical input to the standard from external bodies so that this can be planned for

None foreseen.

The proposed time-line for completion of the new work, including the start date, the proposed date for Step 5 and the proposed date for adoption by the commission: the time frame for developing guideline should not normally exceed five years

Subject to approval, the new work could commence following the 31st Session of the Codex Alimentarius Commission meeting (2008).

Proposed amendments to the Guidelines on Nutrition Labelling regarding the list of nutrients and legibility of information could be circulated for government comments at Step 3 for consideration by the 37th Session of the CCFL (2009). It is anticipated that the 38th or 39th Sessions of the CCFL (2010; 2011) could advance the document to Step 5, and the 40th or 41st Sessions of the CCFL (2012; 2013) could advance the document to Step 8.

Pending the outcome of the revisions to the list of nutrients, proposed amendments to the Guidelines on Nutrition Labelling regarding the requirements for mandatory nutrition labelling could be circulated for government comments at Step 3 in 2012 following the 39th Session of the CCFL (2011). It is anticipated that the 40th or 41st Sessions of the CCFL (2012; 2013) could advance the document to Step 5, and the 42nd or 43rd Sessions of the CCFL (2014; 2015) could advance the document to Step 8.