



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

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COMMENTS FROM PANAMA

Panama appreciates the work carried out by the Committee and the electronic and in-person working groups in preparing the documents submitted for consideration. It also acknowledges the efforts of the Codex Secretariat, the Food and Agriculture Organization of the United Nations, and the World Health Organization in the ongoing strengthening of international food labelling provisions.

2. MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER SUPPORT BODIES

Panama appreciates the information presented on the matters referred by the Codex Alimentarius Commission, the Executive Committee of the Codex Alimentarius Commission and the various Codex auxiliary bodies.

It also recognizes the importance of maintaining coherence, harmonization and complementarity among the various Codex committees, particularly on issues related to food labelling, consumer information, allergen management and provisions related to international food trade.

Note is taken of the progress made in the review and adoption of texts related to allergen labelling, electronic commerce, the use of technologies to provide food information and the provisions applicable in emergency situations, considering that this work contributes to strengthening consumer protection and modernizing food information systems.

We consider it essential that future provisions and guidelines continue to be based on scientific principles, transparency, technical feasibility and international harmonization, seeking an appropriate balance between the protection of public health, the facilitation of trade and practical application by the competent authorities and the food industry.

Regarding the work on the labeling of the country of harvest and country of origin in spices and culinary herbs, Panama recognizes the importance of continuing technical discussions with the aim of achieving clear and harmonized approaches that are legally robust, in order to reduce possible divergent interpretations and thus strengthen adequate information for consumers and regulatory authorities.

We value positively the efforts aimed at strengthening the participation of members in the electronic working groups and other Codex collaboration mechanisms, recognizing their contribution to the transparent and inclusive development of international food standards.

2.1 THE USE OF "COUNTRY OF HARVEST" IN ADDITION TO THE MANDATORY DECLARATION OF THE COUNTRY OF ORIGIN ON THE LABELLING OF SPICES

Panama appreciates the extensive technical work carried out by the electronic working group and acknowledges the efforts made to identify areas of convergence and possible mechanisms to improve the clarity and application of labelling provisions related to the country of origin and the country of harvest in spices and culinary herbs.

Panama also agrees on the importance of promoting clear, truthful and non-misleading labelling, in accordance with the General Standard for Labelling of Prepackaged Foods (CXS 1-1985) and the General Guidelines on Declarations (CXG 1-1979), while ensuring consistency between the different horizontal texts of the Codex.

It is considered relevant to continue strengthening the understanding and harmonized application of the concept of "change in the nature" of food, because divergent interpretations can generate regulatory inconsistencies and possible difficulties in the application of the provisions on country of origin.

It is recognized that the discussions developed show that, in most cases, the country of harvest and the country of origin of the spices tend to coincide, particularly when the operations carried out in another country

correspond only to activities such as classification, selection or packaging, which generally do not modify the nature of the food.

Panama considers that, in this particular case, the mandatory declaration of the country of origin established in CXS 1-1985 continues to be the main and determining element to provide information to the consumer, and considers it important to avoid duplication of information or requirements that may be redundant or generate unnecessary confusion for trade and regulatory implementation.

Panama recognizes that voluntary information related to the country or region of harvest can constitute a valid tool for commercial differentiation, but could also lead to misinterpretations by both the consumer and the authorities; therefore, such verifiable information should not mislead either party.

It is recommended to continue analyzing situations related to spice blends from multiple origins, as this aspect may require greater clarity in the application of general labeling provisions to strengthen transparency and prevent deceptive practices.

Panama also recognizes the importance of the work carried out by the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) on traceability, prevention of food fraud and official control, noting that these instruments adequately complement the horizontal labeling provisions.

Panama supports the continuation of technical discussions within the CCFL and the CCSCH in order to promote harmonized, technically viable approaches consistent with the general principles of the Codex, favoring transparency for the consumer, fair practices in the food trade and the effective application of labelling provisions.

3. MATTERS OF INTEREST TO THE FAO AND WHO

Panama recognizes and values the work carried out by the FAO and WHO in the areas of food allergen risk assessment, food labeling, nutritional profiling, and the promotion of healthy diets, considering that the activities presented in document CX/FL 26/49/3 represent important scientific and technical support for strengthening the international standards and guidelines of the Codex Alimentarius. The country particularly highlights the progress related to food allergen risk assessment and the development of evidence-based frameworks to justify precautionary allergen labeling, as well as the technical recommendation on the 4 mg gluten reference dose. Panama believes that these approaches can contribute to improving the protection of consumers with celiac disease and food allergies, promote clearer communication, and reduce the unnecessary use of precautionary statements, always taking into account analytical feasibility, implementation capacities, and the needs of developing countries.

We take note of the principles of adequacy, variety, balance and moderation contained in the joint FAO/WHO statement on healthy diets, recognizing their voluntary usefulness as a reference for public policies, food education and regulatory strategies.

Panama welcomes the scientific and technical work related to updating nutritional needs for infants and young children, food composition, food databases, protein quality, foods made from plant-based proteins and other alternative sources, as well as activities aimed at strengthening sustainable food systems. The country believes that these initiatives provide relevant technical foundations for the development of nutrition policies, nutritional labeling, and the evaluation of innovative foods. Panama also emphasizes the importance of ensuring that future discussions on foods made from plant-based proteins and other alternative sources are based on robust scientific principles, considering aspects of food safety, nutritional composition, accurate consumer information, and fair trade practices.

Panama takes note of the WHO's activities related to reducing nutrients associated with non-communicable diseases, including sodium, trans fatty acids, food marketing aimed at children, healthy school food environments, and alcoholic beverage labeling. The country recognizes the relevance of these actions for protecting public health and considers it important to continue promoting technically justified, transparent, risk-proportionate, and internationally harmonized regulatory measures, avoiding unnecessary barriers to trade. Panama reaffirms its commitment to strengthening national food safety, nutrition, and food labeling systems, as well as to continuing the work of the Codex Alimentarius based on science, international cooperation, and effective consumer protection.

4. REVIEW OF LABELLING PROVISIONS IN DRAFT CODEX STANDARDS (RATIFICATION)

Panama recognizes and values the importance of maintaining consistency between product-specific standards and the general labeling provisions established in the General Standard for the Labelling of Prepackaged Foods CXS 1-1985 and the General Standard for the Labelling of Food Containers Not Intended for Retail Sale CXS 346-2021. In this regard, Panama supports the ratification of the labelling provisions submitted to the Codex Committee on Food Labelling (CCFL) by the CCFFV, CCASIA, CCNE, and CCSCH committees, considering that they are aligned with the Codex Procedural Manual and adequately address the specific characteristics of the products subject to standardization.

Panama considers the proposed labeling provisions for fresh curry leaves, quick-frozen ravioli, and maamoul appropriate, as they incorporate essential consumer information and facilitate transparent business practices. In particular, the mandatory inclusion of the specific product name, the country of origin, and, where applicable, storage instructions and identification of the product type or filling are viewed positively. Panama believes these provisions strengthen traceability, promote accurate consumer information, and help prevent misleading or deceptive practices.

Regarding the standards developed by the Codex Committee on Spices and Culinary Herbs (CCSCH), Panama supports the specific provisions proposed for vanilla, cardamom, coriander, and sweet marjoram, considering them consistent with the harmonized template adopted by the committee. Panama finds the inclusion of elements such as presentation, country of origin, region, and harvest year (on an optional basis), as well as the possibility of declaring the scientific or commercial name, particularly useful, as these elements can provide relevant information for commercial differentiation, authenticity, and transparency in the international trade of spices and culinary herbs.

Panama reiterates the importance of continuing to promote the international harmonization of labeling requirements within the Codex Alimentarius, avoiding unnecessarily divergent provisions among product standards. Panama believes that the proposals presented in document CX/FL 26/49/4 fulfill the objective of complementing existing general standards without creating regulatory duplication, thereby contributing to facilitating international trade, strengthening consumer protection, and promoting the uniform application of labeling provisions across different food sectors.

5. ANNEX TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS (CXS 1-1985): GUIDELINES FOR THE USE OF PRECAUTIONARY ALLERGEN LABELLING (PROCEDURE 7).

Panama highlights the significant progress made in developing the "Guidelines for the Use of Precautionary Allergen Labelling (PA)" project as an annex to the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985), emphasizing that these guidelines strengthen public health protection through a harmonized, transparent, and risk-based approach. It is considered essential that PA be used only in scientifically justified situations, avoiding both the excessive use of precautionary statements and their use as a substitute for effective preventive controls in food allergen management. In this regard, Panama supports the principle established in Section 4.3, according to which PA should only be used when it is demonstrated that the unintentional presence of a food allergen cannot be reduced to a level equal to or lower than the corresponding action level through the application of good hygiene, manufacturing, and preventive food safety practices.

Panama supports the use of internationally harmonized reference doses based on scientific evidence generated by FAO/WHO expert consultations, including the incorporation of the 4 mg gluten reference dose for gluten-containing cereals and for unintentional gluten exposure. Panama considers it important that the text adequately reflect the distinction between gluten and IgE-mediated allergies specifically associated with wheat, thus promoting more accurate and understandable risk communication for consumers. Furthermore, Panama supports the provision included in Section 4.3.3, which states that when a product uses an EPA claim for gluten-containing cereals, it should not simultaneously use the claim "gluten-free," in order to avoid contradictory messages that could be misleading or pose risks to people with gluten sensitivity or wheat allergies.

Regarding the presentation of the EPA (Alcohol-Based Food Declaration), Panama supports the provisions proposed in Section 5 aimed at harmonizing the placement, wording, and visibility of these declarations with the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985). It is considered appropriate that the EPA appear as a separate declaration, immediately below or near the list of ingredients, and that in cases where there is no list of ingredients, the declaration be prominently displayed on the label. Likewise, the use of the expression "May contain" or equivalent words that maintain the same meaning and do not lead to ambiguous interpretations by the consumer is supported. The importance of footnotes related to the gluten declaration is also recognized, particularly in situations where the specific origin of the gluten cannot be determined through risk assessment, thus promoting greater clarity and consistency in communication to the consumer.

Panama believes that the effective implementation of the EPA requires complementary educational and informational programs led by the relevant authorities, as proposed in Section 4.4. These programs are considered essential to strengthen the understanding and proper use of the EPA by consumers, food business operators, health professionals, and other stakeholders. Panama also recognizes the importance of the training and capacity-building activities developed by FAO/WHO on food allergen risk assessment and encourages the continuation of technical cooperation initiatives that facilitate the harmonized application of these guidelines among Codex members.

6. AMENDMENTS TO THE GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS (CXS 1-1985): PROVISIONS RELATING TO JOINT AND MULTI-PACK FORMATS (STEP 4).

The proposals contained in Item 6 represent a positive step toward clarifying the application of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) to foods marketed in multipacks and bundles. Panama acknowledges that, although the NGEAP already includes general principles applicable to these products, the proposed clarifications will contribute to a more uniform interpretation among Codex Alimentarius members and will facilitate both regulatory implementation and international trade. Panama supports maintaining a focus on the labelling of the outer packaging and not extending its scope to internal units not intended for individual sale.

Regarding the new Section 8.1.3.1, Panama favors flexible wording that ensures mandatory information is easily legible and understandable for consumers, whether on the outer packaging or on at least one representative unit of each food type contained in the package. Panama considers it appropriate to avoid overly prescriptive requirements, such as mandatory transparent packaging, provided that clear access to the required information is ensured. Furthermore, the country agrees that creating new definitions within the NGEAP is unnecessary, as this could generate unforeseen regulatory implications and affect the consistency of the standard.

Regarding the provisions on net content, date marking, and ingredient lists, Panama supports the revised proposals, considering them to offer sufficient flexibility for different types of products and national regulatory systems. Panama deems it appropriate to allow different forms of net content declaration, provided the information is not misleading and is clearly understandable to the consumer. Similarly, the country supports requiring the outer packaging to indicate the earliest applicable date among the internal units, especially when there are differences between quality dates and food safety dates, thus contributing to consumer protection and the reduction of food waste.

Regarding ingredient lists and allergen declarations, Panama considers it important to maintain consistency with the current structure of the NGEAP and avoid duplication or contradictory interpretations with the provisions of Section 8.3. In this regard, the country supports the elimination of specific references to allergen declarations within the proposed Section 4.2.1, while maintaining that these provisions continue to be regulated in the corresponding section on allergen labeling. Overall, Panama favors a balanced approach that strengthens regulatory clarity, facilitates trade, and ensures that consumers receive clear, legible, and useful information for making informed decisions.

7. GUIDELINES ON THE APPLICATION OF FOOD LABELLING PROVISIONS IN EMERGENCY SITUATIONS (STEP 4)

Panama recognizes the importance of developing guidelines on the flexible application of food labeling provisions in emergency situations, considering recent experiences stemming from pandemics, natural disasters, logistical disruptions, and other crises that have affected food supply chains worldwide. It is considered positive that the document maintains a high-level approach, based on general principles and risk management, allowing competent authorities to act proportionately and temporarily to ensure the availability of safe and adequate food during emergencies, without compromising consumer protection.

Panama supports the application of labeling flexibilities only in exceptional circumstances, clearly justified, limited in time, and supported by risk assessments.

We consider it essential to maintain food safety as a top priority, especially regarding allergens, gluten, instructions for use, and other critical public health information. Panama also appreciates that the bill emphasizes that flexibilities should not mislead consumers or create undue competitive advantages for businesses.

Panama considers it appropriate to include provisions related to communication, transparency, monitoring and traceability during the implementation of authorized flexibilities.

The country also recognizes the usefulness of promoting technological tools to facilitate access to food information during emergency situations, provided that these are accessible and do not limit the right of consumers to receive clear and understandable information.

In this regard, it would be appropriate to consider the validation of digital labels as equivalent means when physical printing is not feasible, making digital traceability possible and providing access to accurate and reliable food information for both the consumer and other stakeholders.

Panama emphasizes the importance of cooperation between exporting and importing countries, particularly when flexibilities are applied to products destined for international trade.

We believe the text strikes a reasonable balance between flexibility and practical guidance, while maintaining consistency with the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985) and other

relevant Codex texts. In this regard, Panama supports the document's continued progress through the Codex development process, subject to minor editorial adjustments to further enhance its clarity and consistency.

8. FUTURE WORK AND EMERGING ISSUES

Panama considers it important that the Codex Committee on Food Labelling (CCFL) maintain an up-to-date inventory of future work and emerging issues, as this allows for anticipating regulatory challenges and strengthening international harmonization in food labelling. Panama recognizes that several of the identified issues reflect new consumer trends, technological innovation, and public health concerns, making it appropriate to keep them under technical analysis within the Codex Alimentarius framework.

Regarding the new work proposals, Panama is observing with interest the discussions on the labeling of alcoholic beverages and the indicative definition of "small containers." Regarding the labeling of alcoholic beverages.

Regarding the labeling of alcoholic beverages, Panama considers it relevant to evaluate only the inclusion of clear information for the consumer, such as alcohol content and pertinent warnings. We reiterate our rejection of including considerations that tend toward nutritional labeling in alcoholic beverages; their inclusion or consideration would create a false perception of nutritional benefit, contravening the principle of not misleading consumers.

Panama also takes note of the emerging debates surrounding industrially processed foods, sustainability claims, added sugars, and trans fats. The country believes these issues require comprehensive scientific and technical analysis, particularly given the differing regulatory approaches and the challenges associated with harmonized definitions and verifiable criteria. Panama believes any future progress in these areas must be based on sound scientific evidence, regulatory impact assessments, and the need to avoid confusion or potentially misleading practices for consumers.

8.1 PROPOSAL FOR NEW WORK ON THE APPLICATION OF FOOD LABELLING PROVISIONS TO ALCOHOLIC BEVERAGES.

Panama recognizes that alcoholic beverages are included within the definition of "food" in the Codex texts and, therefore, considers it pertinent that the Codex Committee on Food Labelling (CCFL) continue to evaluate whether the provisions in force in the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985), the Guidelines on Nutrition Labelling (CXG 2-1985) and the Guidelines for the Use of Nutrition and Health Claims (CXG 23-1997) adequately address the particularities of alcoholic beverages.

We take note of the discussions held by the CCFL since 2016, as well as the growing recognition of the need to improve international coherence and harmonization in this area, particularly regarding mandatory information on alcoholic content, the presentation of warnings and the prevention of potentially misleading statements.

Panama considers it important that any potential new Codex work remain strictly within the mandate of the CCFL and the fundamental principles of the Codex Alimentarius, ensuring a proper balance between protecting consumer health, preventing deceptive practices, and facilitating international trade. In this regard, Panama believes that any revision of Codex texts should be based on sufficient scientific evidence, appropriate risk analyses, and assessments of regulatory and commercial feasibility, taking into account the diverse regulatory realities and implementation capacities of members, particularly developing countries and small-scale producers.

Panama notes that the document identifies multiple regulatory gaps and proposes potential amendments related to alcoholic strength by volume, nutritional and health claims, health warnings, nutrition labeling, harmonized definitions, and the use of digital tools. However, Panama considers it necessary to clearly define the scope of future work, avoiding duplication with other international organizations and ensuring that any provisions eventually developed are technically justified, proportionate, applicable, and compatible with WTO principles, particularly regarding the avoidance of unnecessary barriers to trade. Furthermore, Panama believes it is important to carefully analyze the potential economic and operational impact of new labeling obligations on the industry, especially for micro, small, and medium-sized enterprises.

Panama supports continuing technical discussions on this topic within the CCFL and considers it useful to further develop proposals through an electronic working group open to members and interested observers. Panama favors a gradual and structured approach, as proposed in the draft document, initially prioritizing the review of CXS 1-1985 before considering modifications to the guidelines related to nutrition claims and nutrition labeling. Panama also emphasizes the importance of maintaining a transparent, inclusive, and consensus-based process that allows for the development of harmonized, practical, and scientifically sound guidelines, preserving both consumer protection and fair practices in the international food trade.

8.2. PROPOSAL FOR NEW WORK ON A GUIDING DEFINITION FOR A MORE UNIFORM APPLICATION OF LABELLING PROVISIONS TO “SMALL PACKAGES” AND THEIR RELATED EXEMPTIONS SET FORTH IN EXISTING CODEX TEXTS.

Panama urges the definition of 'small container/package' based on the total labelable surface area, harmonizing it with the nutritional exemptions of the current RTCA (Regulations for the Regulation of Food and Commercial Products) and considering that there are currently multiple national and regional regulatory approaches that use different criteria for surface area, presentation, and applicable exemptions. This diversity can lead to differences in the implementation of labeling requirements, particularly in the context of nutritional labeling, e-commerce, and the use of digital technologies to provide food information to consumers.

Panama considers it pertinent that any future work of the Committee on Food Labelling (CCFL) clearly differentiate the concepts of “**small unit**” Panama emphasizes the importance of avoiding indirect modifications to the existing provisions regarding "small units," whose interpretation has already been consolidated in the 2024 revised version of the NGEAP. This definition is already established in Section 6 of the General Standard for the Labelling of Prepackaged Foods (CXS 1-1985), and the concept of "small container/package" is used in other Codex texts.

Panama supports gathering additional information from Codex members and observers through a circular letter, prior to developing a possible indicative definition. This information would aim to understand the various existing regulatory approaches, the areas used, and associated exemptions. Such a collection would allow for a technical and objective assessment of the feasibility of moving toward greater international convergence, taking into account the regulatory, commercial, and consumer protection realities of different countries.

Panama believes that any future guidelines should be based on a proportionality and differentiated risk management approach, maintaining sufficient flexibility to adapt to national contexts and avoiding unnecessary regulatory burdens, especially for micro, small, and medium-sized enterprises. However, this flexibility should not lead to a relaxation of food safety or consumer protection standards. Consequently, facilitation measures should focus on simplifying and streamlining compliance procedures, ensuring that essential information on food safety, allergens, and security remains complete, accessible, and accurate, regardless of package size, producer scale, or the medium used to provide the information.

It is advisable that this new work be addressed within the framework of an Electronic Working Group formally established by the CCFL presidency and, as far as possible, led by one of the member countries.

Panama agrees with the approach and treatment of this issue.