

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION OF THE UNITED
NATIONS

WORLD HEALTH ORGANIZATION

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ALINORM 79/22

CODEX ALIMENTARIUS COMMISSION Thirteenth Session, 1979

REPORT OF THE THIRTEENTH SESSION OF THE CODEX COMMITTEE ON FOOD
LABELLING

Ottawa, July 16-20.1979

INTRODUCTION

1. The 13th Session of the Codex Committee on Food Labelling, hosted by the Government of Canada, was held in Ottawa, Canada, 16-20 July, 1979. The Session was opened by Dr. G. Post, Deputy Minister, Department of Consumer and Corporate Affairs, Mr. R.S. McGee, Director, Consumer Fraud Protection Branch, Consumer and Corporate Affairs Canada was Chairman.
2. Representatives from 23 countries and from FAO were present. Observers were present from 6 countries and International Organizations (see Appendix I for List of Participants).

ADOPTION OF THE AGENDA

3. In view of the complex nature of certain items to be considered, the Chairman proposed to establish working groups on the General Guidelines on Claims, the Guidelines on Labelling of Bulk Containers and the General Standard for Irradiated Foods. It was agreed that the above working groups should be set up to examine the working documents concerned, propose appropriate amendments to them and report back to the plenary. The reports of the three working groups are contained in Appendices III, V and VI. The Committee unanimously adopted the Provisional Agenda for the Session.

MATTERS ARISING FROM REPORTS OF THE CODEX ALIMENTARIUS
COMMISSION AND OF CODEX COMMITTEES

4. The Committee had before it document CX/FL 79/2 dealing with matters of interest arising from the report of the 12th Session of the Codex Alimentarius Commission and of other Codex Committees.
5. The Chairman drew attention to the revision of the programme of work and working procedures of the Codex Alimentarius Commission which had been carried out by its 12th Session. The Committee noted the view expressed by the Commission that the work of the General Codex Committees, including that of the Committee on Food Labelling, were ongoing and essential to the aims of the Codex Alimentarius Commission.
6. The Committee further noted that the Commission had accepted the Guidelines on Date Marking for the use of Codex Commodity Committees (Alinorm 78/22 Appendix II) and had agreed in principle with the General Guidelines on Claims, referring them back to this Committee for clarification of some aspects related to Sections 1, 2.3 and 4.2 (see also paragraphs 85 to 94).

7. The Chairman outlined the major subjects which awaited consideration by this Committee including nutrition labelling and a revision and updating of the General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969).
8. The Committee was informed by the Secretariat that the Codex Alimentarius Commission had endorsed the Committee's views that the phrase "in accordance with the law and custom of the country in which the product is sold" should be used sparingly and had requested the Codex Committee on General Principles to recommend how information pertaining to the above phrase should be requested from countries accepting Codex standards which contain this phrase.
9. The Committee noted that many Commodity Committees had considered the need for date marking provisions in standards elaborated by them and had either introduced the relevant new sections or were elaborating a concept on their specific requirement for date marking. The Committee stressed the need to harmonize as much as possible the wording used in identical provisions by the different Committees. The Secretariat indicated that, for the next Session, a progress report on date marking would be prepared which would summarize the work undertaken by Commodity Committees and outline divergencies in the actual wording of the provisions. The Committee agreed that the best approach to this would be on a Committee-by-Committee basis. The delegation of Australia indicated that they had prepared an information paper on date marking and the Committee decided that it would be considered under "Other Business" (see paragraph 129).
10. The delegation of Sweden, supported by the delegation of Australia, expressed the view that it was of fundamental importance to establish agreed definitions for principal terms in food standardization work to ensure that countries attributed the same meanings to these terms. The delegation of Australia drew attention to a list of definitions in the food hygiene field which it had elaborated, and which had been discussed in general terms at the recent (25th) Session of the Executive Committee of the Codex Alimentarius Commission.
11. The Secretariat informed the Committee that WHO's Technical Terminology Service was preparing glossaries of terms in various fields and that a glossary of terms and definitions, in the food hygiene and food safety fields, was under preparation in WHO. The Committee agreed that the delegation of Sweden should indicate to the Codex Secretariat what terms and concepts required defining, and that the Codex Secretariat should pass this request to the WHO Technical Terminology Service. In due course, the results of WHO'S work could be put before the Codex Committee on General Principles.
12. The delegation of Norway enquired on the progress of work on the elaboration of a Code for the Advertising and Marketing of Infant Foods which had been referred to the Committee on Food for Special Dietary Uses by this Committee at its 12th Session. The Committee agreed to defer discussion to agenda item "Other Business" (see paragraph 128).
13. Under the above item, the Committee agreed also to discuss a revision of class titles for food additives and food ingredients to ensure consistency between class titles incorporated into the General Standard for the Labelling of Prepackaged Foods and those used by, for example, the Committee on Food Additives (see paragraphs 130 and 131 and Appendix IX).

14. The Committee noted that the Codex Committee on Food Additives had been requested by the 12th Session of the Codex Alimentarius Commission to advise on the practical application of the carry-over principle to Codex standards (paragraphs 445, 446 of Alinorm 79/41). The Committee on Food Additives had agreed with the proposal by this Committee that additives carried over in accordance with Section 4 of the principle would be treated like food additives. The Committee on Food Additives had indicated that additives carried over into a food in accordance with Section 3 of the principle, that is, in very small quantities and without technological function in the food, would not need to be declared in the list of ingredients (paragraphs 13-27 of Alinorm 79/12). The Committee on Labelling endorsed the above view.

15. The Committee was informed that, at its 11th Session, the Committee on Food Additives had considered a definition of processing aids and the status of processing aids in Codex standards (paragraphs 112-118 of Alinorm 79/12). The Committee noted the recommendation made by the Committee on Food Additives that processing aids should be treated, for the purpose of labelling, as contaminants and should not be recorded on the label.

16. Taking into account that the definition of processing aids, as proposed "by the Committee on Food Additives, had not yet been adopted by the Codex Alimentarius Commission, this Committee endorsed in principle the recommendation of the Committee on Food Additives concerning the labelling of processing aids and indicated that it would review its decision after the Commission had adopted a definition for processing aids. The delegation of Finland considered the action taken by this Committee premature and reserved its position on the Committee's decision.

NUTRITION LABELLING

17. The Committee had before it document CX/FL 79/5, consisting of a working paper on the above topic and draft guidelines on nutrition labelling and written comments on it from several countries. The document had been prepared by three consultants, namely Dr. S.J. Darke, Principal Medical Officer (Nutrition), Department of Health and Social Security, United Kingdom; Mrs. J. Hayfron-Quaye, Scientific Officer, Ghana Standards Board, Ghana; and Dr. J.E. Vanderveen, Director, Nutrition Division, Office of Nutrition and Consumer Sciences, Bureau of Foods, Food and Drug Administration, U.S.A. The consultants had discussed this topic with a number of FAO staff members and had been assisted in their work by Dr. D.G. Chapman, Scientist, Food Safety, Environmental Health Criteria and Standards, Environmental Division, WHO, and by the Codex Secretariat. The consultants had considered that the term "nutritional labelling" should be replaced by the term "nutrition labelling".

18. The Committee wished to place on record its appreciation of the excellent document which had been prepared by the consultants and of the very thorough and comprehensive way the subject had been treated in the document.

19. Several general comments were made by various delegations on different aspects of the paper. The view was expressed by a number of delegations that the paper was timely as several countries in the world had now either introduced nutrition labelling or were in the process of, or contemplating, doing so and thus, it would be useful to try and harmonize the different approaches to this topic. This would be of benefit to consumers and would facilitate international trade. On the other hand, one delegation expressed doubts concerning the validity of some of the advantages of nutrient labelling, as set forth in the paper, and recommended the exercise of great

caution in any work of this subject at the international level, lest such work result in the disruption of trade or create non-tariff barriers to trade.

20. Several delegations stressed the importance of the need for simplicity in the presentation of nutrition information on labels, in order to avoid confusing the consumer, whose knowledge and appreciation of this subject varied not only from country to country but within a country. Some delegations pointed out that it was important that nutrition labelling of foods should not lead the consumer to confuse ordinary foods with foods for special dietary uses. Another view put forward was that it was premature, at this point in time, to proceed with nutrition labelling at the international level and that it would be more advisable to await the development of better consumer education in the nutrition field before proceeding. The Secretariat informed the Committee of comments on document CX/FL 79/5 which had been made by officers in the Food Policy and Nutrition Division of FAO working in the field of nutrition in developing countries. The comments were to the effect that nutrition labelling would have to take account of the existence of certain limitations in many developing countries, and this would be a constraining factor in terms of the significance of this subject in those countries. The Secretariat also informed the Committee that the view had been expressed that energy should be expressed in kilocalories and kilojoules.

21. The International Organization of Consumers Unions (IOCU) indicated that there was wide variation in the knowledge of consumers on this subject and also wide variation in demands from the public for information. Even though there might be a lack of consumer education generally in this field, it would be useful to try and reach common agreement on how nutrition information should be presented to the consumer.

22. The Committee did not discuss in detail the part of CX/FL 79/5 containing the working paper as it considered that the document reflected the views of the consultants on the subject and should therefore not be reviewed by the Committee. After a further exchange of opinions, the majority view of the Committee was to proceed to consideration of the draft guidelines for nutrition labelling, as contained in Appendix I to CX/fl 79/5, with the general understanding that it was important to aim at simplicity in the presentation of information concerning the nutrient content of foods.

23. An exchange of view took place concerning the status which might be given to the draft guidelines on nutrition labelling. Some delegations preferred to proceed with the development of the guidelines on an informal basis, i.e. outside the Procedure for the Elaboration of World Wide Codex Standards, which applied also to the elaboration of codes of practice and, as determined by the Commission, to other texts of a non-mandatory nature. Given the importance of the subject dealt with by the guidelines and the need for ensuring the widest possible consideration of this subject by the many countries which could not "be represented at this Committee's sessions, the majority view was that it would be better for the guidelines to be developed within the Procedure for the Elaboration of Codex Standards. The Committee noted that in paragraph 2 of the Introduction to the Procedure, it was stated that the procedure applied "mutatis mutandis to the elaboration of codes of practice, and, as determined by the Commission, to other texts of a non mandatory nature". The Committee agreed to request the Commission to determine that the relevant provisions of the Procedure for the Elaboration of Codex Standards apply to the draft guidelines for nutrition labelling, since this is the wish of the Committee and since the draft guidelines fall within the ambit of "other texts of a non-mandatory nature". In anticipation of the agreement of the Commission that the draft guidelines be developed within the Procedure, the Committee agreed to regard its present first consideration of the draft guidelines as consideration at Step 2, it being

understood that a request for government comment on the draft guidelines at Step 3, would need to await the Commission's decision concerning their status at its forthcoming session in December, 1979.

24. The Committee discussed the Draft guidelines on Nutrition Labelling as contained in Appendix I to CX/FL 79/5 and decided that, in order to facilitate government comments on the subject the above text should also be appended to this report (see Appendix VIII). (Secretarial Note: Appendix VIII will be issued separately from this report).

CONSIDERATION OF THE DRAFT GUIDELINES FOR NUTRITION LABELLING

(References to particular sections given below would apply to the draft guidelines as contained in Appendix I to CX/FL 79/5).

Purpose

25. Some delegations thought that Section 1 (a) (ii) should be listed first, since they considered this to be the main objective of the guidelines. Another suggestion was the Sections 1 (a) (ii) and 1 (a) (iii) should be combined and the other two sections deleted. A further view was that the four Sections were correctly placed and that the reference in Section 1 (a) (i) to public health justified this Section being Used first. The delegation which expressed this view referred to the importance attached to health protection in the Statutes of the Codex Alimentarius Commission. Another delegation referred to the importance given in the Statutes of the Commission to the need for ensuring fair practices in the food trade and, in the current discussion, to the need for ensuring that nutrition labelling was not misleading. The Committee agreed to place the four Sections 1 (a) (i) to 1 (a) (iv) in square brackets and to request government comments on how these Sections should be drafted and on their order of priority.

26. Section 1 (b) was amended in response to the view that information which was not significant should not appear on the label.

DEFINITION

27. During the discussion of the definition in Section 2.1, it was proposed that the main or significant nutrient content should be mentioned rather than the nutrient content unqualified and also that there should be a specific reference to energy content. After some discussion in which attention was drawn to the problem of who would decide what constituted significant nutrient content, the Committee agreed to replace the definition in Section 2.1 by a definition which had been proposed by the delegation of Denmark in its written comments.

28. Concerning Section 2.2, the Committee's attention was drawn to the French translation of 2.2 (b) - "educational nutrition information" - which was considered to be in need of improvement. The suggestion was made that this text might read as follows: "Informations nutritionnelles de caractère éducatif".

SCOPE

29. Concerning Section 3.2, the Committee decided to delete the third sentence which reads as follows: "This optional educational information, if given, would vary from one country to another, depending on national economic and educational policies, and within countries would vary from one target consumer group to another, depending on the nutritional knowledge of these particular groups". The Committee thought that the commentary contained in the above sentence was more appropriate to the body of the report rather than to the guidelines themselves. In this connection, the Secretariat

indicated that some of the material in the guidelines, more especially material which was in the nature of commentary or amplification of other provisions, had been left in the guidelines by the consultants, in order that the Committee and governments would have a better appreciation of the thinking of the consultants concerning certain aspects. The Committee agreed to amend the first sentence of Section 3.2 to provide for the inclusion of reference to energy content. One delegation proposed the deletion of the second sentence of Section 3.2, but this proposal was not accepted by the Committee.

30. Concerning Section 3.3 a number of delegations wished to see a specific statement in the guidelines which would indicate that they do not apply to prepackaged foods for special dietary uses. Other delegations, however, were of the view that the guidelines should be considered to be basic and applicable to all foods. Thus, for example, the Codex Committee on Foods for Special Dietary Uses could develop more detailed provisions in the case of foods for special dietary uses. After some discussion, the majority view in the Committee was that the guidelines should apply to all foods, prepackaged and non-prepackaged. In line with this decision, Section 3.3 was amended to read as follows: "These guidelines apply to all foods. For foods for special dietary uses, more detailed provisions may be elaborated". There was an alternative proposal made by the delegation of the United States aimed at expressing the Committee's decision in a different way. That proposal, which received the support of the delegation of Italy, was to delete Section 3.3, so that by implication the guidelines would then apply to all foods. The view which prevailed, however, was that it would be preferable to amend Section 3.3 in the way indicated above. The delegation of the United States and Italy wished to be recorded as having been in favour of the deletion of Section 3.3.

NUTRIENT LABELLING

31. Concerning Section 4.1.1 "Principles for Nutrient Labelling", the Committee agreed to adopt, with some modification, a text which had been prepared by the delegation of the United States, in place of the existing text of Section 4.1.1. The Committee thought that, on the whole, the proposed text by the United States was more suitable, but it deleted reference in the proposed text to the concept of recommended minimum and maximum quantities of nutrients because that concept was not Universally accepted.

32. The delegation of the federal Republic of (Germany stated that nutrient labelling should not be presented in a manner which would imply that a particular food, as such, had a slimming effect.

33. The Committee agreed to delete the first sentence of Section 4.1.2. on the grounds that it was in the nature of commentary and not essential to the text. As regards Section 4.1.3. the Committee decided to delete this Section in its entirety, taking the view that it was a combination of commentary and exhortation. In connection with the above two decisions, the Secretariat recalled what the consultants had in mind in providing such material (see also paragraph 29 above).

34. Concerning Section 4.1.4. the Committee also had before it alternative wording for this Section prepared by the delegation of the United States. One delegation questioned the philosophy and order of priorities in the text of Section 4.1.4. as it appeared in the document prepared by the consultants. A number of delegations thought that neither the original version of Section 4.1.4 nor the alternative version proposed by the delegation of the United States should appear in the guidelines. The delegation of the Netherlands, however, was not in favour of the deletion, as it considered that there was some useful information in Section 4.1.4 and furthermore, there were composite or

novel foods the nutrient contents of which were not known to the consumer. After further discussion, it was decided to delete Section 4.1.4 from the guidelines.

35. It was also decided not to include in the guidelines the United States alternative wording of Section 4.1.4 proposed by the delegation of the United States, but to indicate in the report of the session, majority support for the basic idea in the proposed revision which read as follows:

"4.1.4 Labelling of the nutrient content of processed foods should take precedence over the nutrient labelling of minimally processed foods or unprocessed traditional foods. This would provide nutrient information on food products whose composition is affected most by the food processor. There should be no prohibition of labelling for any foods even though experience should tell consumers that the nutritional value of traditional foods is assured even when these foods are not labelled. Nutrient labelling of all foods should, therefore be permitted on a voluntary basis",

36. The observer from IOCU stated that it was important to ensure that the provision of more information about nutrients in processed foods to consumers did not lead to a situation where there might be a tendency for consumers to move away from traditional foods. The observer from IOCU pointed out that Section 4.1.4 took cognizance of this consideration.

SECTION 4.2 APPLICATION OF NUTRIENT LABELLING

37. Doubts were expressed as to whether it was appropriate to use the term "mandatory" in a guideline, i.e. in a text which was of an advisory nature. The delegation of Sweden felt the term per se should not be used in guidelines because of its specific legal connotations and proposed to substitute the wording "in the first hand".

38. It was pointed out, however, that the meaning of the first sentence in Section 4.2.1 was of an advisory nature and represented a recommendation concerning the type of foods for which nutrient labelling should be obligatory. The delegation of Canada proposed to place the term in brackets. The majority of the Committee agreed to retain the term "mandatory" in Section 4.2.1, but to place it in brackets in order to draw attention of governments specifically to this provision. The delegation of New Zealand suggested that the view of governments also be sought on whether Section 4.2.1 should be obligatory.

39. A number of delegations expressed the view that they could agree with Section 4.2.1 (a), i.e. that it should be recommended to apply always nutrient labelling to foods for which a nutritional claim was made. The delegation of the Federal Republic of Germany proposed to amend provision 4.2.1 (a) to include energy claims.

40. Several delegations stated that they would agree in principle with Section 4.2.1 (a) but felt that there was a need to define the term "nutritional claims" to give a more precise guidance to users of the guidelines.

41. The Committee decided to introduce a definition for nutritional claims into Section 2 - Definitions. It was agreed that the Secretariat should elaborate the above definition, taking into account the General Guidelines on *i* Claims and government comments which would be requested specifically on this matter.

42. The Committee further agreed to amend Section 4.2.1 (a) to include a reference to energy claims in brackets and to request government comments on the above amendment.

43. The Committee discussed at length whether the guidelines should recommend application of nutrient labelling of a mandatory nature to foods covered by the provisions of Sections 4.2.1 (b) and (c). The majority of delegations expressed the view that, for the present time, addition or deliberate removal of nutrients should not trigger the obligatory application of nutrient labelling, as this would place an undue burden on small food manufacturers and national food control and inspection authorities.

44. It was further pointed out that there was currently no need to prescribe the declaration of the full nutrient profile if one micro nutrient had been added to a foods

45. Several delegations expressed the view that voluntary nutrient labelling was sufficient for foods covered under 4.2.1 (b) and (c).

46. The Committee decided to retain Section 4.2.1 (b) but to place it in brackets to indicate that governments should comment specifically on the matter and to delete Section 4.2.1 (c).

47. The Committee considered that, in the light of changes made to Section 3.3, there was no need anymore for Section 4.2.2 and decided, therefore, to delete Section 4.2.2 entirely.

48. The view was expressed that the statement contained in Section 4.2.3 of the guidelines could be deleted since it could be deduced by implication that the nutrient content of all foods not covered by Section 4.2.1 could be declared on a voluntary basis. The Committee agreed, however, that Section 4.2.3 contributed to the better understanding of the guidelines and retained Section 4.2.3 unchanged.

SECTION 4.3 - NUTRIENTS WHICH MUST BE LISTED WHEN NUTRIENT LABELLING IS APPLIED

49. The Committee agreed that the term "must" was not an appropriate wording for the purpose of a guideline and amended the title to read "Nutrients to be Listed".

50. The Chairman pointed out that Section 4.3.1 contained criteria for the selection of nutrients which, in his opinion, should not appear in the guidelines itself but should be included in the report. It was recognized that the consultants had included these criteria in the document to provide information on the rationale which led to the selection of nutrients in Section 4.3.2.

51. The Committee agreed in principle with the criteria set out in Section 4.3.1 which read as follows:

"The criteria for selection of nutrients are:

- (i) nutrients which are known to be of concern to public health in relation to world food consumption patterns;
- (ii) consumer demand for information about nutrients where this is based on accepted scientific hypothesis;
- (iii) economic considerations.

52. It was pointed out, however, that in addition to world food consumption patterns mentioned in Section 4.3.1 (i), also regional data were of importance and that Section 4.3.1 (ii) should be amended to refer to consumer needs.

53. The Committee decided to delete Section 4.3.1 from the guidelines.
54. In discussing Section 4.3.2 of the draft guidelines, the Committee noted that the document contained five essential factors. The first was that ten specified macro and micro nutrients and total food energy must be declared. Secondly, when a food made a significant contribution to fat intake, certain detailed additional information relating to fatty acid composition and cholesterol content should be declared. Thirdly, when a food made a significant contribution to carbohydrate intake, certain detailed information, relating to sugars, sugar alcohols, starch and other complex carbohydrates, should be declared. Fourthly, the amount of protein, was to be listed using certain quality factors in its calculation. Finally, if a claim was made for any other essential nutrient, that nutrient must also be declared.
55. Concerning the declaration of the ten essential nutrients and energy, the Committee agreed that only the macro nutrients (protein, carbohydrate, fat), and energy value needed to be declared on a mandatory basis if nutrient labelling was applicable.
56. The delegation of Switzerland, supported by the delegations of the Federal Republic of Germany, expressed the view that declaration of micro nutrients should only be mandatory when claims pertinent thereto were made.
57. The delegation of Denmark expressed the view that the declaration of any vitamin and mineral should be optional with the exception of those for which a claim was made, but could accept the proposition that the issue of mandatory vs. optional declaration be subject to additional government comments.
58. The majority of delegations supported the view of the delegation of Denmark concerning the non-mandatory nature of vitamin and mineral declaration.
59. The delegations of the United States of America and the Netherlands were of the view that due account should be taken of the fact that expert consultants had identified ten nutrients of importance in human nutrition and had recommended that these nutrients be subject to mandatory declaration. The delegation of the Netherlands also expressed the view that it would be necessary to proceed with great caution in deviating from the guidelines drafted by the expert consultants before inviting the first round of government comments.
60. The delegation of the Netherlands, supported by the delegation of the United States expressed the view that, in addition to the ten identified nutrients, government comments should be invited with respect to declaration of sodium. The Committee decided to invite comments on the list of micro nutrients.
61. Following a discussion of what the declared value for a nutrient should represent, the Committee agreed that it should refer to the average value of a lot of the product in question. It was made clear that this was not meant to be the average value of an entire year's production. It was agreed to include this provision under Section 4.3.4.
62. With regard to the proposed detailed declarations relating to fat and carbohydrates several delegations felt that the degree of detail was far in excess of consumer need or understanding. The observer from the IOCU was in general agreement with this view, but thought that caution should be exercised, lest this view discourage further initiatives, which might, in time, produce a simplified scheme of benefit and use to consumers.
63. The majority in the Committee did not share the view of the expert consultants that the mere fact that a food was a "significant" source of fat, carbohydrates or protein

should trigger detailed information regarding these nutrients. The Committee concluded that such detailed information was only pertinent when certain claims were made.

64. Furthermore, the Committee concluded that merely listing nutrients in accordance with Section 4.3.1 (a) did not constitute a claim,

65. In order to clarify the issues, the Committee requested that a working document be drafted outlining those amendments to Section 4.3 which had been agreed upon up to that point in time.

66. The Committee reviewed in detail the document which was presented to the Committee by the Chairman and the revised version as agreed to by the Committee was included in Section 4.3 of Appendix VII.

67. In reviewing the document, the Committee agreed with the suggestion of the Chairman to amend the title of Section 4.3.1 to "If nutrient labelling is applied the following should be declared". Similarly, the Committee agreed with a suggestion to remove the adjective "total" which was used to modify the worlds "food energy".

68. The Committee also agreed to amend the title of Section 4.3.2 to "If nutrient labelling is applied, the following [should][may] also be listed in accordance with Section 4.3.4".

69. Concerning the question of special labelling relating to fat or carbohydrate, the Committee agreed to delete the statements relating to "food making a significant contribution" of these substances and replace them with statements relating to claims made about these substances.

70. Regarding protein calculations, a number of delegations agreed with the view expressed by the delegation of Norway that the reference to the method involving biological assessment be deleted. The delegation of Australia questioned the adherence to the single nitrogen factor of 6.25 in determining protein content. The delegation of the Federal Republic of Germany reserved its position on the whole matter.

71. The Committee agreed to reposition Section 4.3.2 (d) into Section 4.3.4.

72. The Committee further agreed with the Chairman's suggestion that all matters in Section 4.3.2 relating to micro nutrients, fat, carbohydrate and protein, be placed in square brackets.

73. The Committee agreed to delete the entire Section 4.3.3 as it was considered to be redundant.

74. At the request of the Chairman the Committee did not discuss Sections 4.3.4 and 4.3.5 and went directly to Section 4.4.

SECTION 4.4 - PRESENTATION OF NUTRIENT CONTENT

75. The Committee agreed that nutrient content should be expressed on a numerical basis in metric units per 100 grams for solids and per 100 ml for liquids. Any other method of declaring nutrient content (e.g. related to household measures) should be supplementary and not a substitute for the mandatory metric declaration.

76. With regard to declarations of nutrient content per "convenient household standardized measure", the Committee recognized the imprecision of such a statement. Such measures might vary from country to country. The delegation of Switzerland suggested that Section 4.4.1 (c) to be placed in square brackets to reflect this fact.

77. Several delegations noted that the basic declaration per 100 grams or 100 ml should relate to the product as sold and any reference to servings should be on the basis of product as ready to consume.
78. The delegation of the United States of America suggested that the terms "servings or portions in standardized household measure" be added to Section 4.4.1 (b) (ii).
79. The delegation of the United States stated that with regard to portion sizes, they subscribed to the concept of nutrient content expressed as a percentage of Recommended Daily Allowances (KM). The delegation of Denser* supported the delegation of the United States on this position, but suggested it be a declaration made in addition to the numerical disclosure.
80. The observer delegate from the IOCU agreed that the numerical approach might be sufficient for developed countries, but was concerned that rigid adherence to this policy might impede development of alternative methods such as graphic disclosure. The delegation of Switzerland supported this viewpoint. The Committee agreed that Section 4.4.1 (a) should be amended to incorporate the principle that the use of graphics should not be excluded as a means of presentation.
81. The delegation of the Federal Republic of Germany suggested that a new Section, 4.4.1 (b) (iii), be added as follows:
- "For products contained in portion packs or where portion quantities are mentioned, the indications shall be related to one portion of the food ready for consumption".
82. The majority of the Committee agreed that further discussion of these guidelines would profit from additional government comments and agreed to terminate the discussion at this point. In particular, reference was made to the need for government comments on Section 5, "Educational Information in Nutrition Labelling".
83. The guidelines, as amended, are contained in Appendix VII. The sections indicated by an asterisk are those that have not yet been discussed by the Committee. (Secretariat Notes Appendix VII will be issued separately from this Report).
84. The observer from the International Dairy federation indicated the intention of his organization to become more active in the work of the horizontal Codex Committees. He outlined the long association between IDF and the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products and drew particular attention to the fact that the "Code of Principles for Milk and Milk Products" had been accepted by 72 countries. He then noted that his organization had established a working group to study nutrient labelling and would forward substantive comments to the Secretariat of the Committee as they become available. The Committee expressed its appreciation to the International Dairy Federation and other international organizations for their continuing interest in the work of the Committee and the constructive assistance they continued to provide.

RECONSIDERATION OF DRAFT GENERAL GUIDELINES ON CLAIMS

85. The Committee had before it the above guidelines as contained in Appendix III to Alinorm 78/22, government comments on these guidelines in document CX/FL 79/3 and the report of a working group (see Appendix III). (Secretariat Motet Appendix III will be issued separately from this Report).

86. The Committee noted that the 12th session of the Codex Alimentarius Commission had examined the General Guidelines on Claims and had agreed with most of its provisions with the exception of sections 1, 2.3 and 4.2 for which clarification was being sought from this Committee. Furthermore, the Commission had requested this Committee to consider the question of responsibilities for substantiating claims.

87. The Committee had agreed to the proposal by the Chairman to establish a working group which should examine comments received on the above sections and revise the relevant provisions of the guidelines in the light of these comments. Members of the delegations of Australia, Canada, Federal Republic of Germany, Finland, Norway, Sweden, Switzerland, the United States and the observers of ISDI and the EEC participated in the working group which appointed Dr. C. Hudson of Australia as Chairman and Dr. N.C. Cheney of Canada as Rapporteur. The report of the Working Group, as contained in Appendix HI, was discussed by the Committee.

88. The Committee confirmed its decision taken at the previous session that the General Guidelines on Claims should apply to all foods and agreed with the amended text of Section I as proposed by the working group and continued in paragraph 5 of its report.

89. With regard to Section 2.3 dealing with health related claims, the Committee agreed in principle with the proposal of the working group that the use of such claims should be prohibited in general but that provision should be made to permit deviations from this rule in the case of either foods for special dietary uses or of foods which, in the absence of Codex standards or guidelines, were subject to specific national laws and regulations. It was noted that the amended Section 2.3 represented, in fact, a merger with the provisions contained in Section 4.2 (see paragraphs 6 and 7 of the report of the working group). Several delegations were of the opinion that the philosophy pertaining to provision (b) of Section 2.3 was contrary to the aims of the Codex Alimentarius Commission as it permitted countries to stipulate requirements different from those contained in the General Guidelines on Claims and was also contrary to the Committee's view endorsed by the Commission concerning reference to national laws in Codex documents (see paragraph 8). The representative of the SBC recalled the declaration made by his organization at the Twelfth Session of the Codex Alimentarius Commission with respect to claims concerning properties of natural mineral waters which are favourable to health (paragraph 171 of Alinorm 79/41)

90. The Committee concluded that the revised provision reflected the present situation concerning the availability of regulations and standards and agreed to the amended text of Section 2.3 and the consequential deletion of Section 4.2 of the guidelines,

91. The delegation of Norway, supported by the delegation of Australia, expressed concern about the increasing use of negative claims. Several delegations agreed that this was a matter of concern. The delegation of the Federal Republic of Germany considered that there could not be a complete prohibition on such claims as some were justifiable. Furthermore, it proposed that negative claims were already covered by the definition of claims in the general guidelines and this was agreed by the Committee.

92. The delegation of Sweden was of the opinion that the matter concerning responsibility for controlling claims was of a general nature and could be looked into by the Committee on General Principles.

93. The Committee considered the matter of responsibility for substantiating claims and decided that this matter should be left to countries themselves since the legal set-up in different countries involved different authorities in the control mechanisms for claims.

94. The Committee expressed its appreciation for work carried out by the working group and decided to submit the amended text of the General Guidelines on Claims for adoption to the 13th Session of the Codex Alimentarius Commission. The General Guidelines on Claims are contained in Appendix H to this Report.

DRAFT GENERAL GUIDELINES FOR THE LABELLING OF BULK CONTAINERS

95. The Committee had before it document CX/FL 79/4 entitled "Consideration of Draft General Guidelines for the labelling of Bulk Containers". The document recalled the historical background to the subject of developing the general guidelines, and included the views of certain countries on this subject, which had been made available in response to circular letter CL 1977/25. The document also included two alternative versions of the general guidelines, contained in its Appendices I and II.

96. The Committee decided to have a general exchange of views on this subject in plenary before asking the working group which it had established to consider the subject in depth. Some delegations thought that, just as there was a general standard for the labelling of prepackaged foods, it would be appropriate to have a general standard for the labelling of bulk containers. These delegations considered that the proper labelling of bulk containers of food was no less important than the proper labelling of prepackaged foods. Other delegations were opposed to having a general standard, but could accept the idea of developing guidelines. Still others questioned the need even for guidelines, taking the view that manufacturers and processors were capable of making their own arrangements without the need of statutory intervention. The delegation of Denmark drew attention to the need to identify for whom the information on labels of bulk containers were intended since the receivers of such information would have widely different needs. The point was also made that, as there was no evidence of difficulties in the international trade in bulk containers of food, there seemed to be no reason for developing the guidelines.

97. One delegation pointed out that many of the Codex standards contained, in their labelling sections, provisions relating to bulk containers and that this was a factor which had led to a demand for guidelines for the labelling of "bulk containers. Another delegation made the point that most food moved in international trade in bulk containers and that, therefore, it was important to lay down some guidelines which would lead to an agreed international approach to the labelling of bulk containers and facilitate food control procedures. Another delegation referred to the risk of loss of accompanying documents as a factor in favour of appropriate labelling of bulk containers. The majority view in the Committee was that there was a need for some international rules or guidelines for the labelling of bulk containers.

98. There was also discussion in the Committee regarding the term "bulk container". A number of delegations indicated that the meaning of the term was not self evident and clear, especially for countries whose mother tongue was not English. Attention was also drawn to the fact that there had been some difficulty in conveying the intended meaning of this term in French. The suggestion was put forward that "non-retail containers" might be a more suitable term than "bulk containers".

99. The Committee requested the working group to examine the above matters further and to prepare a report for consideration by the Committee. Members of the

delegations of Australia, Canada, Denmark, France, Sweden, Switzerland, the United Kingdom and the United States participated in the working group which appointed Mr. L.J. Erwin (Australia) as Chairman and Mr. P. Maydom (United Kingdom) as Rapporteur.

100. The report of the working group on Guidelines for the Labelling of Bulk Containers, which was attached as Appendix V to this report, was introduced by the Chairman of the working group. He drew the Committee's attention to the main features of the report. The majority of the working group had agreed that it would be more appropriate, at this stage, to develop guidelines rather than a standard and that Version 2 of the proposed guidelines, given in document CX/FL 79/4, should form the basis of the discussion. The working group had agreed to substitute the terra "non-retail containers" for "bulk containers". Other amendments agreed to by the working group included the incorporation in Version 2 of the four definitions of bulk containers in Version 1.

101. Another point drawn specifically to the Committee's attention by the Chairman of the Working Group was the recommendation that, in revising the General Standard for Prepackaged Foods, consideration should be given to the labelling of containers of food to retailers for the purpose of re-sale in smaller quantities, since such sales would appear to be more appropriate to that standard.

102. Details of the amendments agreed to by the working group are set forth in the revised version of the draft guidelines.

103. The Committee took note of the report of the working group. Concerning Section 5.9 of the revised draft guidelines, the delegation of Sweden drew attention to the fact that freight containers should not be exempted from the labelling provisions for handling and storage instructions.

104. The Committee agreed that the draft Guidelines for the Labelling of Non-Retail Containers, as they appear in Appendix IV to this report should be sent to governments for their comments. (Secretariat Note: Appendices IV and V will be issued separately from this Report).

ENDORSEMENTS OF LABELLING PROVISIONS ON CODEX STANDARDS

DRAFT GENERAL STANDARD FOR THE LABELLING OF FOOD ADDITIVES WHEN SOLD AS SUCH AT STEP 8 (Alinorm 79/12, Appendix IX)"

105. The Committee endorsed the above draft standard.

DRAFT GENERAL STANDARD FOR IRRADIATED FOODS AT STEP 8 (Alinorm 79/12, Appendix X)

106. The Committee established a working group to examine the labelling provisions contained in the above standard and matters related to it as set forth in paragraphs 139 to 152 of Alinorm 79/12. Members of the delegations of Australia, the Netherlands and the United States and the Canadian Secretariat participated in the work of the group which was chaired by Mr. A. Feberwee (Netherlands). The Canadian Secretariat acted as Rapporteur. The Committee received the report of the working group on the labelling provisions in the Draft General Standard for Irradiated Foods (see also paragraph 3) and thanked the working group for its excellent work.

107. The Committee agreed with the proposal of the working group to amend Section 5 - Labelling - of the above standard as set out in paragraph 10 of the report of the working group. The proposal was to include into Section 5 (a) more precise wording indicating the nature of the treatment to which the foods had been subjected.

108. It was further agreed that the proposed wording "processed by ionizing irradiation" or "processed by_____ radiation" were meant to be examples only and did not preclude the use of other appropriate terms.

109. The Committee endorsed the labelling provisions in the Draft General Standard for Irradiated Foods as amended. The amended text of the above provision is contained in paragraph 10 of the report of the working group (see Appendix VI). (Secretarial Note: Appendix VI will be issued separately from this Report).

110. The Chairman of the working group informed the Committee that the group had also considered the need for labelling provisions for irradiated foods which were destined for further processing or which were used as ingredients (paragraph 144 of Alinorm 79/12).

111. The Committee agreed with the proposal of the working group concerning labelling provisions of ingredients which had been subjected to irradiation treatment which are set forth in paragraph 11 of the report of the working group.

PROPOSED DRAFT STANDARD FOR THE LABELLING OF AND CLAIMS FOR PREPACKAGED FOODS FOR SPECIAL DIETARY USES AT STEP 5 (Addendum to Alinorm 79/26 - CX/FSDU 80/3).

112. Taking into account the linkage between the General Guidelines on Claims and Section 5 - Claims - of the above standard, the Committee had requested the working group on Claims to examine also the provisions on claims in the standard for foods for special dietary uses. (See also paragraph 87 for composition of Working Group).

113. The Chairman of the working group informed the Committee that the working group had examined the provisions of Section 2 on Definitions and Section 6 on Claims and had made proposals for amendments to these sections.

114. The Committee agreed with the amendments proposed by the working group as set forth in paragraph 8 of the report of the working group except for the recommendation contained in the last sentence of the paragraph. With regard to Section 6.1.4 it was agreed that a recommendation be made that this section be deleted. It was agreed that the last sentence of paragraph 8 should be reworded to read as follows: "If the section is to be retained, it is recommended that the concept of the words in brackets should be retained. If the concept is not retained, the section presents a total restriction on the claims covered". Furthermore, it was agreed to include "particular" physiological conditions in Section 6.1.4.

115. The Committee pointed out that in case the Codex Committee on Foods for Special Dietary Uses would wish to retain the section on Definitions, this could be done by reference to the relevant section of the General Standard for the Labelling of Prepackaged Foods. In any case, the definition for claims should be consistent with the definition contained in the General Guidelines on Claims.

116. The Committee endorsed the proposed draft General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses subject to the modifications outlined in paragraph 8 of the working group report as amended in paragraph 114 above.

HARMONIZATION OF NON-TECHNICAL DETAILS ON A LINGUISTIC BASIS

117. The Committee had before it a document on the above topic which had been prepared by the delegation of Norway, The document was introduced by the delegation of Norway, which drew attention to difficulties being encountered in the international food

trade by exporting countries as a consequence of various countries developing unilaterally detailed labelling regulations, which contain requirements additional to those, or amplified in more detail than those, set forth in the General Standard for the Labelling of Prepackaged Foods. These detailed regulations related mainly to how labelling information should be presented. The delegation of Norway inquired whether other countries had been encountering difficulties in this way and requested that the Committee give consideration as to how best to deal with this problem. The delegation of Norway also indicated that this topic had been raised at the recent 11th Session of the Coordinating Committee for Europe.

118. A number of delegates agreed that the problem to which the delegations of Norway had drawn attention was a real one and that these additional detailed labelling requirements, several examples of which were given in the Norwegian paper, did indeed constitute non-tariff barriers to trade. A suggestion was made that perhaps a first attempt at dealing with this problem could be made at the regional level within the framework of the Regional Coordinating Committees.. Another suggestion was that guidelines to the implementation of the General Standard for the Labelling of Prepackaged Foods be developed. The observer from IOCU also considered that action should be taken to deal with this problem. The view was also expressed that it might be possible to tackle the problem in the course of the work of revising the General Standard for the Labelling of Prepackaged Foods, The observer from the EEC drew attention to Section 4.1 of the General Standard for the Labelling of Prepackaged Foods relating to presentation of mandatory information on the label. The observer from the EEC thought that governments should be invited to comment on how Section 4.1 could best be amended or expanded with a view to the development of a revised Section 4.1 which would help to resolve some of the difficulties brought to attention by Norway.

119. In conclusion, the Committee expressed its concern about the difficulties for international trade in food arising from unilateral development and imposition of detailed food labelling regulations, additional to the requirements set forth in the General Standard for the Labelling of Prepackaged Foods. The Committee hoped that these difficulties could be dealt with to some extent during the course of the revision of the General Standard for the Labelling of Prepackaged Foods. The Committee recognized, however, that the revision of the General Standard would take time. The Committee considered, therefore, that in the meantime the problem highlighted by the Norwegian delegation should be brought specifically to the attention of the Commission at its next session. It was agreed that the Commission should be asked for its views on how best the problem could be tackled. The Norwegian paper on this subject is attached as Appendix X to this report. (Secretarial Notes Appendix X will be issued separately from this Report).

REVISION OF THE RECOMMENDED INTERNATIONAL GENERAL STANDARD FOR THE LABELLING OF PREPACKAGED FOODS (CAC/RS 1-1969)

120. The Committee had before it a background paper outlining matters pertinent to a revision of the above standard (CX/FL 79/7). The Committee had also before it information papers on the subject prepared by the delegation of Australia and the observer of the EEC which had been presented as conference documents.

121. The Committee was informed of the proposal made by the Chairman of the Codex Alimentarius Commission at its 12th session that the Committee on Labelling might wish to consider a revision of the General Standard for the Labelling of

Prepackaged Foods in the light of developments with regard to food labelling during the last ten years.

122. The background document contained some indications of labelling matters which could be considered for inclusion in a revised standard such as date marking, bulk containers, lot identification, etc. Furthermore, it was suggested that some provision at present contained in the standard could be up-dated to reflect the current thinking of member governments.

123. Several delegations pointed out that the General Labelling Standard for Prepackaged Foods had greatly influenced the development of labelling regulations in a large number of countries and had been used extensively in drawing up national regulations for food labelling.

124. The observer of the EEC stated that the EEC Directive on labelling which had been finalized in December 1978 had widely used the expertise provided by the Codex standard although other labelling concepts had also been incorporated into the EEC Directive.

125. Taking into account the importance of the standard, the Committee thought that it was timely to revise the General Standard for the Labelling of Prepackaged Foods.

126. In view of the complexity of the matter, it was considered appropriate that a consultant should be engaged to prepare a working paper for the next full session of the Committee. The Secretariat was requested to investigate whether it would be possible to make provisions for the recruitment of a consultant. The paper should be based on the background and information papers prepared for this session of the Committee, on notifications of acceptances received from member countries and on a survey of national labelling regulations.

127. It was further agreed that the paper prepared by the consultant should be sent to governments for comments prior to the next full session of the Committee.

OTHER BUSINESS

PROPOSED CODE OF ETHICS ON THE MARKETING AND ADVERTISING OF INFANT FOODS

128. Farther to the inquiry of the delegation of Norway concerning progress in the development of the above code of ethics, the Secretariat informed the Committee that this topic had been considered by the Executive Committee at its recent 25th session (see also paragraph 12). The Committee took note of action underway on this subject from the extract given below from the report of the Executive Committee.

"Proposed Code of Ethics on the Marketing and Advertising of Infant Foods

The representative of North America informed the Executive Committee that he had been requested by the government of Canada to seek a clarification of the work proposed to be undertaken by the Codex Committee on Foods for Special Dietary Uses, the World Food Council, the ACC Sub-Committee on Nutrition and a Joint WHO/UNICEF Meeting, on the development of a Code of Ethics for the Marketing and Advertising of Infant Foods. The Executive Committee noted that the World Food Council attached particular importance to such a Code being developed within the Codex framework in order to provide governments with a Code or Guideline which they could consider for enforcement by regulatory authorities rather than voluntary compliance by industry. At the request of the Codex Committee on Foods for Special Dietary Uses, the ACC Sub-Committee

on Nutrition, whose membership comprised all the agencies of the UK System concerned with nutrition, had endorsed the view that these practices should be considered in the widest possible context by the Joint WHO/UNICEF Meeting on Infant and Young Child Feeding scheduled to be held at WHO Headquarters 9-12 October, 1979. Following this meeting, arrangements would be made to provide the Codex Secretariat with a draft Code for further elaboration by the Codex Committee on Foods for Special Dietary Uses at its next session in 1980 and a finalized proposed Code would be put before the Codex Alimentarius Commission for adoption at its 14th Session. The Executive Committee considered that in view of the importance attached to this matter by the World Food Council and to urgent needs expressed by delegations from developing countries for the early elaboration of a Codex Code of Practice, that progress in this matter should be reported to the Commission at its next session and an opportunity afforded to the members of the Commission to discuss these matters. It was agreed to provide for this under item 8 of the Provisional Agenda of the Commission's 13th Session."

DATE MARKING

129. The delegation of Australia introduced, as a Conference Room Document, a paper which it had prepared on this topic entitled "Discussion Paper on the Standardizing of Wording for Date Marking Requirements in Codex Standards" (CX/FL 79/9). The delegation of Australia indicated that the main idea behind the paper was to illustrate the need to harmonize date marking requirements in Codex Standards. The delegation of Australia was requested to prepare, for the forthcoming November 1979 session of the Committee, a progress report on action taken to-date in the various Codex Commodity Committees on the subject of date marking, based on its discussion paper mentioned above. The delegation of Australia undertook to prepare such a report, for which the Committee expressed gratitude.

CLASS TITLES FOR FOOD ADDITIVES

130. The delegation of Sweden, referring to existing class names listed in the General Standard for the Labelling of Prepackaged Foods indicated to the Committee that there was great interest in the Swedish food industry in the possibility of using one class name "consistency regulators" - as an alternative class title in place of the following: anti-caking agents, emulsifiers, stabilizers, thickening agents, and vegetable gums, all of which appeared as class titles in the General Standard for the Labelling of Prepackaged Foods. In the absence of any significant degree of support in the Committee for taking any action on this matter, the Committee proceeded no further with it.

131. The delegation of Australia drew attention to the discussion paper which it had proposed on the Recommended General Standard for the Labelling of Prepackaged Foods, and which it had submitted to the Committee as a Conference Room Document (CX/FL 79/7. Add. 1). Attention was drawn to Appendix I of the paper concerning class names applied to food additives. The paper drew attention to certain discrepancies between the list of class names for food additives appearing in the General Standard for the Labelling of Prepackaged Foods and class names recommended by the Codex Committee on Food Additives. There was some discussion of this topic, following which the Committee agreed that the matter of the discrepancies between the two lists could be brought to the notice of the Codex Committee on Food Additives at its next session, with a view to seeing what could be done to bring the two lists into harmony and make amendments as relevant. The delegation of the Netherlands indicated that it was not

convinced of the need for bringing the matter to the attention of the Codex Committee on Food Additives at this time. The two lists are attached to this Report in Appendix IX. (Secretarial Note: Appendix IX will be issued separately from this Report).

CODEX COMMITTEE ON FATS AND OILS

132. The Committee was informed by the Secretariat that the Codex Committee on Fats and Oils had requested advice as to how the recommendation of the Joint FAO/WHO Expert Consultation on Dietary Fats in Human Nutrition concerning the labelling of fats and oils could be applied in practice. The Committee agreed that the attention of the Codex Committee on Fats and Oils should be drawn to the fact that the Codex Committee on Food Labelling had commenced work on Guidelines on Nutrition Labelling. However, as the guidelines were in the early stages of development no precise guidance could be given at this point in time.

FUTURE WORK AND DATE AND PLACE OF NEXT SESSION

133. The delegation of Canada stressed the need for the Committee to devote its efforts principally to subject matters of high priority. The delegation expressed the opinion that because these priority matters were of a rather complex nature, there might be merit in elongating the period between sessions of the Committee to afford governments more time to study these issues. The Committee noted that its next session, which would be devoted to endorsement of labelling provisions in draft standards would be held in Rome 28 to 30 November 1979, immediately prior to the 13th session of the Commission.

134. Several delegations drew attention to the heavy workload on priority items before the Committee, and stressed the need for a full session of the Committee at a suitable time bet between the 13th and 14th session of the Commission. It was noted that the date of that session would be arranged between the Canadian authorities and the Codex Secretariat, taking into account the scheduling of other Codex sessions.

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APPENDIX II

GENERAL GUIDELINES ON CLAIMS

Section 1 Purpose

1.1 These guidelines are intended to provide examples of claims to which the following principle applies:

No food shall 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.

As far as prepackaged foods are concerned, these guidelines are an amplification of Section 2.1 (General Principles) of the General Standard for the Labelling of Prepackaged Foods.

1.2 General Definition

For the purpose of these guidelines, a claim is any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality.

2. Claims which should be prohibited

2.1 Claims stating that any given food will provide an adequate source of all essential nutrients are prohibited except in the case of well defined products for which a Codex Standard regulates the admissible claims or where appropriate authorities have accepted the product to be an adequate source of all essential nutrients.

Further, claims implying that a balanced diet of ordinary foods cannot supply adequate amounts of all nutrients are prohibited.

2.2 Claims which cannot be substantiated.

2.3 Claims as to the suitability of a food for use in the prevention, alleviation, treatment or cure of a disease, disorder, or particular physiological condition are prohibited unless they are:

(a) in accordance with the provisions of Codex standards or guidelines for foods under jurisdiction of the Committee on Foods for Special Dietary Uses, and following the principles set forth in these guidelines

(b) or, in the absence of an applicable Codex standard or guideline, permitted under the laws of the country in which the food is distributed.

2.4 Claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.

3. Claims which may be misleading

3.1 Meaningless claims including comparatives and superlatives.

3.2 Claims as to good hygienic practice, such as wholesome, healthful, sound.

3.3 Claims that the nature or origin of a food is "organic" or "biological".

4. Claims whose use should be controlled

4.1 An indication that a food has obtained an increased or special nutritive value by means of the addition of nutrients, such as vitamins, minerals and amino acids may be

given only if such an addition has been made on the basis of nutritional considerations, This kind of indication is subject to legislation of the appropriate authorities.

4.2 The terms "natural", "pure", "fresh" and "home made", when they are used, have to 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 2.

4.3 Religious or Ritual Preparation of a Food - may be claimed provided that the food conforms to the requirements of the appropriate religious or ritual authorities.

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirteenth Session, Rome. 3-14 December 1979

REPORT OF THE THIRTEENTH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING

Ottawa, Canada, 16-20 July 1979

Appendix III	REPORT OF THE WORKING GROUP ON GENERAL GUIDELINES ON CLAIMS AND THE GENERAL STANDARD FOR THE LABELLING OF AND CLAIMS FOR PREPACKAGED FOODS FOR SPECIAL DIETARY USES
Appendix IV	DRAFT GUIDELINES FOR THE LABELLING OF NON-RETAIL CONTAINERS OF FOOD
Appendix V	THE REPORT OF THE WORKING GROUP ON DRAFT GUIDELINES FOR THE LABELLING OF BOLE CONTAINERS OF FOODS
Appendix VI	REPORT OF THE WORKING GROUP ON THE LABELLING PROVISIONS IN THE DRAFT GENERAL STANDARD FOR IRRADIATED FOODS
Appendix VII	DRAFT GUIDELINES FOR NUTRITION LABELLING
Appendix VIII	APPENDIX 1 TO CX/FL 79/5 "NUTRITION LABELLING" CONTAINING DRAFT GUIDELINES FOR NUTRITION LABELLING
Appendix IX	GROUP NAMES APPLIED ON FOOD ADDITIVES
Appendix X	HARMONIZATION OF NON-TECHNICAL DETAIL ON LINGUISTIC BASIS

Report of the Working Group on General Guidelines on Claims and the General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses

1. Members of the delegations of Australia, Canada, Federal Republic of Germany, Finland, Norway, Sweden, Switzerland, the United States, observers of ISDI and the EEC and Mrs. B.M. Dix of the FAO Secretariat participated in the Working Group. The Working Group was chaired by Dr. C.B. Hudson, Australia.

2 The Working group had before it the following documents:

- Alinorm 78/22 Appendix III containing the above guidelines and comments thereon in CX/FL 79/3
- Alinorm 79/26, Add. 1 (CX/FSDU 80/3) and paragraphs 71 to 94 of Alinorm 79/26

3. The Working Group was responding to the request of the Codex Alimentarius Commission to review Section 1.1 and Sections 2.3 and 4.2 of the General Guidelines on Claims (Alinorm 78/22 App. III) (see paragraph 189 of Alinorm 79/141) and the request of the Thirteenth Session of the Codex Committee on Food Labelling to review the Draft General Standard on the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses (Alinorm 79/26, Add.1) in the light of the General Guidelines on Claims (see paragraph 112 of this report).

4. Review of Section 1.1 - General Guidelines on Claims

The Working Group agreed that the Guidelines should apply to all foods, rather than just prepackaged foods as originally intended.

5. Section 1.1 was reworded as follows:

Section 1-Purpose

The guidelines are intended to provide examples of claims to which the following principle applies:

No food shall 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.

As far as prepackaged foods are concerned, these guidelines are an amplification of Section 2.1 (General Principles) of the General Standard for the Labelling of Prepackaged Foods.

6. Section 2.3 was reworded as follows:

Section 2.3

Claims as to the suitability of a food for use in the prevention, alleviation treatment or cure of a disease, disorder, or particular physiological condition are prohibited unless they are:

- (a) in accordance with the provisions of Codex standards or guidelines for foods under jurisdiction of the Committee on Foods for Special Dietary Uses, and following the principles set forth in these guidelines
- (b) or, in the absence of an applicable Codex standard or guideline, permitted under the laws of the country in which the food is distributed.

Comment

1. "Physiological condition" was changed to "particular physiological condition" to remove normal physiological conditions such as hunger and thirst from the provisions of the guideline.
2. The Working Group recognized the need for control over claims. In the absence of Codex standards covering all classes of foods for special dietary use, the need for national authorities to control claims was recognized.
7. Section 4.2 was deleted as a result of rewording for Section 2.3 and consideration of the Draft General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses.

8. Draft General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses

Sections 2 and 6 were reviewed by the Working Group with the following comments:

Section 2 - Definition of Terms

- 1.1 Deletion of Sections 2.2 - 2.9 is recommended as these are defined in the General Standard of the Labelling of Prepackaged Foods.

If the Codex Committee on FSDU wishes to retain these sections, the definition of claims should be harmonized with that of the General Guidelines on Claims.

Section 6.1 - Claims

- 6.1.1 Any claims made for the foods covered by this Standard shall be in accordance with the General Guidelines on Claims elaborated by the Codex Alimentarius Commission.

Comment: Reworded to indicate that claims should be in accord with Guidelines, rather than just recommended to be so.

- 6.1.2 Where a claim is made that a food is suitable for "special dietary use" that food shall comply with all provisions of this standard except as otherwise provided for in a specific Codex Standard for Foods for Special Dietary Use.

Comment: The wording has been changed to "this standard" to clarify the meaning.

- 6.1.3 A food which has not been modified in accordance to Section 2.1 but is suitable for use in particular dietary regimes because of its natural composition, shall not be designated "special dietary" or "special dietetic", such a food, may, however, bear a statement on the label that "this food is by its nature X" (X means the essential distinguishing characteristic) provided that such a statement does not mislead the consumer.

A change from "naturally" to "by its nature" is recommended because the latter more accurately expresses the meaning to be conveyed.

6.1.4 The Working Group expressed concern about the overly restrictive nature of this section and suggests that consideration should be given as to whether a recommendation be made that the section be deleted. It was recognized, however, that a decision on this matter rested with the Codex Committee on Foods for Special Dietary Uses. If the section is to be retained, it is recommended that the wording in brackets should also be retained otherwise the section would represent a total restriction on the claims covered.

DRAFT GUIDELINES FOR THE LABELLING OF NON-RETAIL CONTAINERS OF FOOD

1. Purpose

The purpose of the Guidelines for the Labelling of non-retail Containers of Food is to provide advice on the labelling of all containers of food not subject to the provisions of the General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969) or to any other General Labelling Standard for Specified Prepackaged Foods adopted by the Codex Alimentarius Commission. Such advice should include, for example, information as appropriate

- (i) on storage and handling instructions
- (ii) on identity of the product
- (iii) for the control authority
- (iv) for the use of caterers and (v) for further processing.

2. Scope

2.1 These guidelines are intended to apply to the labelling of containers which are not intended for direct retail sale; they are defined in Section 3 and will be named hereafter, "non-retail containers".

2.1.1 Non-retail containers may contain food destined for catering use, open sale in portions to the consumer, repackaging into consumer size packs and/or further industrial processing and raw materials used in vending machines.

3. Definitions

For the purpose of these guidelines: *

*"label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of food;

*"labelling" includes the label and any written, printed or graphic matter relating to and accompanying the food;

*"container" means any form of packaging of food for sale as a single item, whether by completely or partially enclosing the food, and includes wrappers;

*"prepackaged" means packaged or made up in advance, ready for retail sale, in a container; packaged" means enclosed or made up in advance, ready for its intended use, in a container;

*"ingredient" means any substance; including a food additive, used in the manufacture or preparation of a food and present in the final product.

*"non-retail containers" means:

* same wording as in the Recommended International General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969)

- Immediate containers in which food or food material is transported or stored principally for catering use or repackaging into consumer size packs;
- Immediate containers in which food or food material is transported principally for further industrial processing;

- Outer containers for a quantity of prepackaged foods; and
- Freight containers being of permanent construction, designed for re-use and intended for handling and transport of large consignments without intermediate reloading

4. General Principles

The labelling of non-retail containers of food should be in accordance with the following General Principles:

4.1 Food in non-retail containers should 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.

4.2 Food in bulk containers should 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 to suppose that the food is connected with such other product.

5. Labelling of Non-Retail Containers

5.1 The Name of the Food

The following information should be given on the label of non-retail containers. 5.1.1 The name of the food should indicate the true nature of the food and normally be specific and not generic.

5.1.1.1 A common or usual name should be used if one exists.

5.1.1.2 Where no common name exists, an appropriate descriptive name should be used.

5.1.1.3 A "coined" or fanciful" name, however, may be used provided it is not misleading and is accompanied by an appropriate descriptive term.

5.1.1.4 Specific information related to processing or treatment may be stated in appropriate descriptive term in close proximity to the name of the food.

5.2 List of Ingredients

5.2.1 A complete list of ingredients should be declared on the label in descending order of proportion by weight, except that in the case of dehydrated' foods which are intended to be reconstituted by the addition of water or milk, the ingredients may be listed in order of proportion in the reconstituted product provided that the list of ingredients is headed by a statement such as "ingredients when reconstituted in accordance with the directions on the label".

5.2.2 Where an ingredient of a food has more than one component, the names of the components should be included in the list of ingredients.

5.2.3 A specific name should be used for ingredients in the list of ingredients except that class titles for ingredients may be used in accordance with General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969).

5.2.4 In the case of bulk containers which enclose a quantity of packaged foods already labelled with a list of ingredients, sub-sections 5.2.1 to 5.2.3 are optional.

5.3 Net Contents

5.3.1 The net contents should be declared in either the metric ("Système international" units) or avoirdupois or both systems of measurement as required by the country in which the food is sold. The declaration should be made in the following manner:

- (a) for liquid foods, by volume;
- (b) for solid foods, by weight, except that when such foods are usually sold by number a declaration by count may be made;
- (c) for semi-solid or viscous foods, either by weight or volume.

5.3.2 In the case of non-retail containers which enclose a quantity of packaged foods, a net quantity declaration (e.g. 20 x 2kg net packs) may be used as an alternative to the net contents declaration.

5.4 Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food should be declared.

5.5 Country of Origin

The country of origin of the food should be declared if its omission would mislead or deceive the purchaser.

5.6 Additional or Different Requirements

Where a Codex Standard has been established for the food, the declarations required in sections 5.1 to 5.5 with the exception of sections 5.2.4 and 5.3.2 should conform to the relevant provisions of that Standard.

5.7 Storage and Handling Instructions

Where specific conditions are to be observed for storage and/or handling of the food in non-retail containers to maintain the quality of the food, the appropriate storage and/or handling instructions should appear on the label.

5.8 Stock Rotation and Durability Information

All non-retail containers should carry easily understood information to enable stocks to be properly rotated. The outer container of a quantity of prepackaged food should bear the same date mark and storage instructions as the prepackaged food.

5.9 Exemptions

Where food in non-retail containers is destined solely for further processing and also in the case of freight containers the information required in sub-sections 5.2 to 5.6 may be replaced by an identification mark and given only in the accompanying documents, provided that such a mark is clearly identifiable with the accompanying documents.

6. PRESENTATION OF INFORMATION

Information should be given as follows:

6.1 General

6.1.1 Statements appearing on the label and/or the accompanying document should be clear, prominent and readily legible under normal conditions of purchase and use.

6.1.2 The statements referred to in sub-section 6.1.1 should not be obscured by designs or by other written, printed or graphic matter and should be in contrasting colour to that of the background.

6.1.3 The language used for the declaration of the statements referred to in subsection 6.1.1 should be a language acceptable to the country in which the food is intended for sale. If the language of the original label is not acceptable, a supplementary label containing the mandatory information in an acceptable language may be used instead of re-labelling.

The Report of the Working Group on Draft Guidelines for the Labelling of Bulk Containers of Foods

Composition of the Working Group:

Canada, Denmark, France, New Zealand, Norway, Sweden, Switzerland, U.K. and U.S.A.

The Working Group appointed Mr. L. Erwin (Australia) as its Chairman and Mr. P. Maydom as rapporteur.

A majority of the Working Group agreed that it would be more appropriate at this stage to develop guidelines rather than a standard and that version 2 of the proposed guidelines, given in document CX/FL 79/4, should form the basis of the discussion.

The Working Group agreed on the amendments as indicated in Annex 1 to this report. It further agreed that the following matters should be brought to the attention of the Committee.

- (i) As part of the revision of the International Recommended Standard for the Labelling of Prepackaged Foods, consideration should be given to the labelling of containers of food to retailers for the purpose of re-sale in smaller quantities since such sales would appear to be more appropriate to that standard.
- (ii) Some members of the group proposed that net content declarations should be restricted to the metric system.
- (iii) The inclusion of the gross weight was proposed but the Working Group doubted if this should be included.
- (iv) The Working Group agreed that the Committee should give consideration to the inclusion, as an appendix to the draft guidelines, of tables along the lines of those contained in version 1 (CX/FL 79/4, Appendix I, Section 3) which could detail the labelling requirements of each category of non-retail containers,
- (v) Some members of the Working Group were of the opinion that the country of origin should always be declared. However, the majority favoured the inclusion of the qualifying clause "if its omission would mislead or deceive the purchaser".

DRAFT GUIDELINES FOR THE LABELLING OF NON-RETAIL CONTAINERS OF FOOD

1. PURPOSE

The purpose of the Guidelines for the Labelling of Non-Retail Containers of Food is to provide advice on the labelling of all containers of food not subject to the provisions of the General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969) or to any other General Labelling Standard for Specified Prepackaged Foods adopted by the Codex Alimentarius Commission. Such advice should include, for example, information as appropriate:

- (i) on storage and handling instructions
- (ii) on identity of the product
- (iii) for the control authority
- (iv) for the use of caterers
- (v) for further processing

2. SCOPE

2.1 These guidelines are intended to apply to the labelling of containers which are not intended for direct retail sale; they are defined in Section 3 and will be named hereafter, "non-retail containers".

2.1.1 Non-retail containers may contain food destined for catering use, open sale in portions to the consumer, repackaging into consumer size packs and/or further industrial processing and raw materials used in vending machines.

3. DEFINITIONS

For the purpose of these guidelines:

* "label" includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, a container of food;

* "labelling" includes the label and any written, printed or graphic matter relating to and accompanying the food;

"container" means any form of packaging of food for sale as a single item, whether by completely or partially enclosing the food and includes wrappers.

* "prepackaged" means packaged or made up in advance, ready for retail sale, in a container;

"packaged" means enclosed or made up in advance, ready for its intended use, in a container;

* "ingredient" means any substance; including a food additive, used in the manufacture or preparation of a food and present in the final product

"non-retail containers" means:

- Immediate containers in which food or food material is transported or stored principally for catering use or repackaging into consumer size packs;
- Immediate containers in which food or food material is transported principally for further industrial processing;
- Outer containers for a quantity of prepackaged foods; and
- Freight containers being of permanent construction, designed for re-use and intended for handling and transport of large consignments without intermediate reloading.

* same wording as in the Recommended International General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969)

4. GENERAL PRINCIPLES

The labelling of bulk containers of food should be in accordance with the following General Principles:

4.1 Food in bulk containers should 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.

4.2 Food in bulk containers should 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 to suppose that the food is connected with such other product.

5. LABELLING OF NON-RETAIL CONTAINERS

The following information should be given on the label of non-retail containers.

5.1 The Name of the Food

5.1.1 The name of the food should indicate the true nature of the food and normally be specific and not generic.

5.1.1.1 A common or usual name should be used if one exists.

5.1.1.2 Where no common name exists, an appropriate descriptive name should be used.

5.1.1.3 A "coined" or "fanciful" name, however, may be used provided it is not misleading and is accompanied by an appropriate descriptive term.

5.1.1.4 Specific information related to processing or treatment may be stated in appropriate descriptive term in close proximity to the name of the food.

5.2 List of Ingredients

5.2.1 A complete list of ingredients should be declared on the label in descending order or proportion by weight, except that in the case of dehydrated foods which are intended to be reconstituted by the addition of water or milk, the ingredients may be listed in order of proportion in the reconstituted product provided that the list of ingredients is headed by a statement such as "ingredients when reconstituted in accordance with the directions on the label".

5.2.2 Where an ingredient of a food has more than one component, the names of the components should be included in the list of ingredients.

5.2.3 A specific name should be used for ingredients in the list of ingredients except that class titles for ingredients may be used in accordance with General Standard for the Labelling of Prepackaged Foods (CAC/RS 1-1969),

5.2.4 In the case of bulk containers which enclose a quantity of packaged foods already labelled with a list of ingredients, sub-sections 5.2.1 to 5.2.3 are optional.

5.3 Net Contents

5.3.1 The net contents should be declared in either the metric ("Système international" units) or avoirdupois or both systems of measurement as required by the country in which the food is sold. The declaration should be made in the following manner:

- (a) for liquid foods, by volume;
- (b) for solid foods, by weight, except that when such foods are usually sold by number a declaration by count may be made;
- (c) for semi-solid or viscous foods, either by weight or volume,

5.3.3 In the case of bulk containers which enclose a quantity of packaged foods, a net quantity declaration (e.g. 20 x 2 kg net packs) may be used as an alternative to the net contents declaration.

5.4 Name and Address

The name and address of the manufacturer, packer, distributor, importer, exporter or vendor of the food should be declared.

5.5 Country of Origin

The country of origin of the food should be declared if its omission would mislead or deceive the purchaser.

5.6 Additional or Different Requirements

Where a Codex Standard has been established for the food, the declarations required in sections 5.1 to 5.5 with the exception of sections 5.2.4 and 5.3.3 should conform to the relevant provisions of that Standard.

5.7 Storage and Handling Instructions

Where specific conditions are to be observed for storage and/or handling of the food in bulk containers to maintain the quality of the food, the appropriate storage and/or handling instructions should appear on the label.

5.8 Stock Rotation and Durability Information

All non-retail containers should carry easily understood information to enable stocks to be properly rotated. The outer container of a quantity of prepackaged food should bear the same date mark and storage instructions as the prepackaged food.

5.9 Exemptions

Where food in non-retail containers is destined solely for further processing the information required in sub-sections 5.2 to 5.6 may be replaced by an identification mark and given only in the accompanying documents, provided that such a mark is clearly identifiable with the accompanying documents.

6. PRESENTATION OF INFORMATION

Information should be given as follows:

6.1 General

6.1.1 Statements appearing on the label and/or the accompanying document should be clear, prominent and readily legible under normal conditions of purchase and use.

6.1.2 The statements referred to in sub-section 6.1.1 should not be obscured by designs or by other written, printed or graphic matter and should be in contrasting colour to that of the background.

6.1.3 The language used for the declaration of the statements referred to in sub-section 6.1.1 should be a language acceptable to the country in which the food is intended for sale. If the language of the original label is not acceptable, a supplementary label containing the mandatory information in an acceptable language may be used instead of re-labelling.

REPORT OF THE WORKING GROUP ON
THE LABELLING PROVISIONS IN THE
DRAFT GENERAL STANDARD FOR
IRRADIATED FOODS

MEMBERS OF THE WORKING GROUP

1. Mr. A. Feberwee - Netherlands (Chairman)
Dr. R. Weik - U.S.A.
Ms. Gloria Cox - U.S.A.
Mrs. W. Williams - Australia
Mr. B.L. Smith - Canadian Secretariat,
Mr. I. Campbell - Canadian Secretariat
2. The Working Group had before it the following documents:
 - Alinorm 79/12 - (Appendix X) and paras 143 and 144 of the report
 - CX/FL 79/IF - report by Dr. van Kooij re endorsement of labelling provisions in the draft general standard for irradiated food.
 - International Acceptance of Irradiated Food - Legal Aspects, specifically Article 20, the model regulation dealing with certification of irradiation for products involved in international trade.
 - and a proposal of the United Kingdom for revision of para. 5, Appendix X, Alinorm 79/12.

GENERAL, COMMENTS ON REVIEW OF AVAILABLE DOCUMENTATION

3. The author of CX/FL 79/IF limits his considerations to control of irradiated food and information for the trade. However, the working group recognized the responsibility of providing the consumer with information on foods treated with irradiation.
4. In Annex 2 to CX/FL 79/IF, Dr. van Kooij prepared a table based on Article 20 of the "Model Regulations for the Control of and Trade in Irradiated Food".
5. The Working Group could not accept the statement that the CCFL was either the responsible or the competent body to establish an international coding scheme for irradiation facilities.
6. The Working Group noted under item (7), page 68 of the document entitled "International Acceptance of Irradiated Food" that a recommendation was made that national and international coding schemes be developed for irradiation facilities. In this regard the Working Group requested the Codex Secretariat to ascertain the status of this recommendation.
7. The Working Group noted that the products approved so far for irradiation are not commodities subject to Codex Standards and are generally not sold in pre-packaged form.
8. The Working Group concluded that two distinct factors are present. Firstly, consumer information is required either on the label or at the point of purchase.

Secondly, documentation should accompany a shipment of food treated by irradiation to provide information for the trade and regulatory officials.

9. The Working Group considered that the only information which needs to be conveyed to the consumer is the fact that the product has been processed with ionizing radiation. The documents accompanying shipments should contain information such as date of treatment, code number of establishment, etc.

PROPOSED REVISION OF SECTION 5, APPENDIX X, ALINORM 79/12

10. Based on the deliberations outlined above, the Working Group proposes the following revision:

The name or description of foods which have been treated with ionizing radiation shall include a statement that they have been so treated, e.g. "processed by ionizing radiation" or "processed by radiation", the blank being filled by the type of radiation. Where labelling is not feasible, i.e. bulk containers of potatoes, this statement shall be made in accompanying documents and the consumer shall be so advised at the point of purchase. For all irradiated foods, the relevant documents shall give appropriate information to identify the registered facility which has irradiated the food, the date of treatment and lot identification.

CONSIDERATION OF PARA 14 4 OF ALINORM 79/12

11. In considering the use of irradiated foods as ingredients, the Working Group makes the following proposals:
 - the fact of irradiation should be declared in the list of ingredients only to the first generation of products manufactured. For example, flour made from irradiated wheat would declare that the wheat was irradiated. However, bread made from this flour would not declare that the source of the flour was irradiated wheat.
 - the fact that an ingredient has been irradiated should not be displayed as part of the common name (i.e. chicken stew made with irradiated chicken).

DRAFT GUIDELINES FOR NUTRITION LABELLING

1. Purpose

- (a) To ensure that nutrition labelling is effective:
 - [(i)] in encouraging the use of sound nutrition principles in the formulation - of foods which would benefit public health;
 - [(ii)] in providing the consumer with information about a food and in particular
 - [(ii)] in processed food so that a wise choice of food can be made;
 - [(iii)] in providing a means for conveying information of the nutrient content of a food on the label;
 - [(iv)] in providing the opportunity to include optional nutrition education information on the label.
- (b) To ensure that nutrition labelling does not describe a product or present information about it which is in any way false, misleading, deceptive or insignificant in any manner.

2. Definition

2.1 For the purpose of these guidelines nutrition labelling is a standardized description intended to inform the consumer of the nutritional value of a food.

2.2 Nutrition labelling consists of two components:

- (a) nutrient labelling;
- (b) educational nutrition information.

2.3 Nutrition claim (definition to be elaborated):

3. Scope

3.1 These guidelines cover recommendations about information concerning the nutrient content of foods which should be included on the label, as well as about other nutrition information which can be regarded as optional educational information.

3.2 The core information which is essential on the label should relate to the nutrient content and energy value of the product. Any other nutrition information on the label which could help in the assessment of the nutritional value of the food would be optional.

3.3 These guidelines apply to all foods. For dietary foods more detailed provisions may be developed.

4. Nutrient labelling

4.1 Principles for nutrient labelling

4.1.1 Information supplied on the label should be for the purpose of providing consumers a [suitable] profile of nutrients contained in the food. The information should not lead consumers to believe that there is exact quantitative knowledge of what individuals should eat in order to maintain health, but rather to convey an understanding of the quantity of nutrients contained in the product. A more exact quantitative delineation for individuals is not valid because there is no meaningful way knowledge about individual requirements can be used in labeling.

4.1.2 Processed foods are not neutral in any greater nutritional value than unprocessed or minimally processed food. Nutrient labelling should not imply that a

processed food which carries such labelling has necessarily any nutritional advantage over a food which is not so labelled.

4.2 Application of nutrient labelling

4.2.1 Application of nutrient labelling should be [mandatory] for

- (a) foods for which nutritional or [energy value] claims are made
- (b) [Foods in which nutrients have been added, for example, enriched or fortified foods, or]

4.2.2 Nutrient labelling should be voluntary for all foods

4.3 Nutrients to be listed

4.3.1 If nutrient labelling is applied, the following should be listed

- (a) food energy, protein, carbohydrate, fat
- (b) any other nutrient for which a claim is made

4.3.2 If nutrient labelling is applied the following [should]/ [may] be listed in accordance with subsection 4.3.3

- (a) [Vitamins A, B, B₂, Niacin, C, Calcium, iron]
- (b) when a claim is made regarding the fatty acid content of a food
[total fat,
percentage of saturated fatty acids,
" of cis-mono-unsaturated fatty acids
" of trans-and all cis-polyunsaturated fatty acids
cholesterol as mg/100g product when saturated animal fats are present;]¹
- (c) when a claim is made regarding the carbohydrate content of a food the following should be listed
[total sugars including monosaccharides, disaccharides and sugar alcohols, total starch including all complex carbohydrates;]¹

4.3.3 When nutrient labelling is applied, the amounts of vitamins and minerals considered to be of negligible importance need not be listed.

<u>Nutrient</u>	<u>Suggested amounts/100 g below which no information need be given</u>
Vitamin A	100 I.U. (30 µg retinal)
Vitamin B ₁	0.03 mg
Vitamin B ₂	0.03 mg
Niacin	0.4 mg
Vitamin C	1.0 mg
Calcium	20 mg
Iron	0.3 mg

In lieu of a value for any of these nutrients, the label may include a statement the nutrient(s) in question is (are) not present in amounts considered to be of nutritional Importance.

Calculation of Protein

the amount of protein to be listed should be calculated using the formula: protein = total nitrogen x [6.25] x [a factor for biological value] where: biological value is assessed as
NPU
PER
amino acid score

Lot Average Values

All calculation of nutrients shall be based on the average value of a lot and not that of an entire population of the product.

*4.3.4 In case where a product is subject to labelling requirements of a Codex standard, the provisions for nutrient labelling set out in that standard should take precedence over the provisions of 4.3.1 to 4.3.3 of these guidelines.

4.4 Presentation of nutrient content

4.4.1 (a) The presentation of nutrient content information should be numerical but the use of graphics as an additional means of disclosure should not be excluded.

(b) Numerical information should be expressed in metric units

(i) per 100 g, or per 100 ml.

(ii) per serving or portion in convenient standardized household-measure should be given.

[(c) Convenient household measures would be a cupful, tablespoon or teaspoonful of standard size.]

*4.5 Compliance or enforcement

4.5.1 (a) Tolerance limits should be set in relation to public health concerns, shelf-life, accuracy of analyses.

(b) Tolerance values for nutrient labelling will vary according to whether the food is highly processed, minimally processed or not processed.

(c) For highly processed foods it is suggested that nutrient content should be within 80% of the amount listed, for minimally processed foods within 70% and for non-processed food* within 60% of the amount of the nutrient stated on the label.

4.5.2 In those cases where a product is subject to a Codex standard, requirements for tolerances for nutrient labelling established by the standard should take precedence over these guidelines.

* 5. Educational information in nutrition labelling

5.1 Principles

(b) Except for food group symbols, educational information should be optional in addition to and not in place of nutrient labelling.

(c) The content of extra educational information will vary from one country to another and within any country from one target population group to another according to the educational policy of the country and the needs of the target groups.

5.2 Content of educational information may include:

- (a) relating nutrient content to concepts of nutritional value which may be:
 - (i) Recommended Daily Allowances, amounts or intake (RDAs/RDIs), or
 - (ii) Nutrient density;
- (d) relating nutrient content to food groups.

5.3 Expression of nutrient content in relation to recommended daily allowances, amounts or intakes (RDIs/RDIs)

5.3.1 The values for RDAs/RDIs may be different from country to country depending, for example on environment, activity level, etc. Not all countries have established RDAs/RDIs.

5.3.2 In countries where adopted, RDAs/RDIs represent the best estimate, to which a safety margin is added, of the nutrient needs for the population. The safety margin varies according to the relative degree of accuracy of the "best estimates" of needs.

5.3.3 RDA/RDI information should be given only for target populations who understand the concept.

5.3.4 When RDA/RDI information is given, consumers must be advised on the label that these figures apply to population groups and do not distinguish individual differences.

5.4 Expression of nutrient content in relation to energy (nutrient density)

5.4.1 If this concept is used, the following should be taken into consideration:

- (a) people who are engaged in hard manual labour or in very active sports may need increased amounts of food energy without an increase in, for example, protein;
- (b) infants, young growing children, and pregnant women have nutrient needs in relation to energy which are different from those of the rest of the population;
- (c) therefore the concept of nutrient density is only of use where energy expenditure and therefore energy needs is more or less uniform throughout the population;
- (d) use of this concept should be limited to target populations with knowledge of nutrient density concept,

5.4.2 When nutrient density information is given, consumers should be advised on the label that the amounts of nutrient in relation to energy will vary with level of activity and with growth.

5.5 Expression of nutrient content through the use of food group symbols

- (a) This is a convenient form of information for target populations who have a high illiteracy rate and comparatively little knowledge of nutrition;
- (b) the symbols used will vary from country to country depending on the local supplies or traditional foods;

- (c) the use of food group symbols on the label should be accompanied by nutrition education progresses.

*6. Periodic review of nutrition labelling

- (a.) Nutrient labelling should be reviewed periodically in order to maintain the list of nutrients to be included in composition information up-to-date and in accord with public health facts about nutrition.
- (b.) A review of optional information for nutrition education will be needed as target groups increase in literacy and nutrition knowledge.

* Indicates that these sections have not been discussed by the Committee

¹ The Committee is concerned that the majority of this material is too complex for consumers to understand

APPENDIX I to CX/FL 79/5 "NUTRITION LABELLING" CONTAINING
DRAFT GUIDELINES FOR NUTRITION LABELLING *

* see paragraph 24 of the Report

1. Purpose

- (a) To ensure that nutrition labelling is effective:
 - (i) in encouraging the use of sound nutrition principles in the formulation of foods which would benefit public health;
 - (ii) in providing the consumer with information about a food and in particular a processed food so that a wise choice of food can be made;
 - (iii) in providing a means for conveying information of the nutrient content of a food on the label;
 - (iv) in providing the opportunity to include optional nutrition education information on the label.
- (b) To ensure that nutrition labelling does not describe a product or present information about it which is in any way false or misleading or deceptive in any manner.

2. Definition

2.1 For the purpose of these guidelines, nutrition labelling is defined as the designation of the nutrient content of a food on the label in such a manner that consumers can apply their nutritional knowledge to make an informed choice about the food.

2.2 Nutrition labelling consists of two components:

- (a) nutrient labelling;
- (b) educational nutrition information.

3. Scope

3.1 These guidelines cover recommendations about information concerning the nutrient content of foods which should be included on the label, as well as about other nutrition information which can be regarded as optional educational information.

3.2 The core information which is essential on the label should relate to the nutrient content of the product. Any other nutrition information on the label which could help in the assessment of the nutritional value of the food would be optional. This optional educational information, if given, would vary from one country to another depending on national economic and educational policies, and within countries would vary from one target consumer group to another depending on the nutritional knowledge of these particular groups.

3.3 These guidelines apply to all labelled foods except medical foods ¹ and infant formula or other foods which are intended to provide the total diet.

¹ The Codex Committee on Foods for Special Dietary Uses has requested governments to comment on the following definition for medical foods which had been proposed by the delegation of the United States:
"Medical Foods are foods that are specially formulated or prepared products-consumed or administered enterally under direct or indirect medical supervision in the dietary management of individuals with specific diseases, disorders, or medical conditions in which the existence of associated special nutritional requirements is established by medical evaluation."

4. Nutrient labelling

4.1 Principles for nutrient labelling

4.1.1 Information supplied on the label should not lead consumers to believe that there is exact quantitative knowledge of what individuals should eat in order to maintain health. Because of the lack of knowledge about individual requirements for nutrients and about the bioavailability of nutrients, scientists do not know the exact proportions or quantities in which the nutrients of foods should be mixed in order to provide a healthy diet for the individual.

4.1.2 Processed foods are not necessarily of any greater nutritional value than unprocessed or minimally processed foods. Nutrient labelling should not imply that a processed food which carries such labelling has necessarily any nutritional advantage over a food which is not so labelled.

4.1.3 Nutrient labelling should not be used in any way which could imply that labelled processed foods should replace non-processed or minimally processed traditional foods which are not so labelled. It is possible to obtain a diet which will ensure health from traditional non-processed or minimally processed foods which carry no nutrient labelling provided that the supply of foods is sufficiently plentiful and varied.

4.1.4 Labelling of the nutrient content of unprocessed traditional foods or even of minimally processed foods is not advocated. The prohibition of such labelling could be considered as discriminatory against these foods even though experience should tell consumers that the nutritional value of traditional foods is assured even when these foods are not labelled. Nutrient labelling of all foods should therefore be permitted on a voluntary basis.

4.2 Application of, nutrient labelling

4.2.1 Application of nutrient labelling should be mandatory for:

- (a) foods for which a nutritional claim is made, and/or
- (b) foods in which nutrients have, been added, for example, enriched or fortified foods, and/or
- (c) foods from which nutrients have been removed.

4.2.2 Exemptions from these guidelines should be:

- (a) medical foods;
- (b) infant formula;
- (c) . other foods which are intended to provide a total diet.

4.2.3 Nutrient labelling is voluntary for all other foods.

4.3 Nutrients which must be listed when nutrient labelling is applied

4.3.1 (a) The criteria for selection of nutrients are:

- (i) nutrients which are known to be of concern to public health in relation to world food consumption patterns;
- (ii) consumer demand for information about nutrients where this is based on accepted scientific hypothesis;
- (iii) economic considerations.

4.3.2 Based on these criteria the following must be listed:

- (a) total food energy,
protein, carbohydrate, fat,
vitamins A, B₁, B₂, niacin, C
minerals, calcium and iron;
- (b) when a food makes a significant contribution to fat intake the following should be listed:
total fat,
percentage of saturated fatty acids,
" of cis- mono-unsaturated fatty acids
" of trans- and all cis-polyunsaturated fatty acids
cholesterol as mg/100 g product when saturated animal fats are present;
- (c) when a food makes a significant contribution to carbohydrate intake the following should be listed:
total sugars including monosaccharides, disaccharides and sugar alcohols,
total starch including all complex carbohydrates;
- (d) the amount of protein to be listed should be calculated using the formulas
protein - total nitrogen x 6.25 x a factor for biological value where:
biological value is assessed as $\frac{\text{NPU}}{\text{PER}}$
amino acid score
- (e) any other essential nutrient for which a claim is made.

4.3.3 Nutrient labelling, whether mandatory or whether voluntarily applied, should always include total food energy and the nutrients listed in paragraph 4.3.2(a). Information listed in paragraph 4.3.2(b), (c) and (d) must also be listed if relevant.

4.3.4 When nutrient labelling is applied, the amounts of vitamins and minerals considered to be of negligible importance need not be listed.

Nutrient	<u>Suggested amounts/100 g below which no information need be given</u>
Vitamin A	100 I.U. (30 µg retinol)
Vitamin B ₁	0.03 mg
Vitamin B ₂	0.03 mg
Niacin	0.4 mg
Vitamin C	1.0 mg
Calcium	20 mg
Iron	0.3 mg

In lieu of a value for any of these nutrients, the label may include a statement that the nutrient(s) in question is (are) not present in amounts considered to be of nutritional importance.

4.3.3 In case where a product is subject to labelling requirements of a Codex standard, the provisions for nutrient labelling set out in that standard should take precedence over the provisions of 4.3.1 to 4.3.4 of these guidelines.

4.4 Presentation of nutrient content

- 4.4.1 (a) The presentation of nutrient content information should be numerical.
- (b) It should be expressed in metric unites
- (i) per 100 g, or
 - (ii) per convenient household standardized measures. The total weight of the food per measure should to given.
- (d) Convenient household measures would be? a cupful, tablespoonful or teaspoonful of standard size.

4.5 Compliance or enforcement

- 4.5.1 (a) Tolerance limits should be set in relation to public health concerns, shelf-life, accuracy of analyses.
- (b) Tolerance values for nutrient labelling will vary according to whether the food is highly processed, minimally processed or not processed,
- (c) For highly processed foods it is suggested that nutrient content should be within 80% of the amount listed, for minimally processed foods-within 70% and for non-processed foods within 60% of the amount of the nutrient stated on the label.

4.5.2 In those cases where a product is subject to a Codex standard, requirements for tolerances for nutrient labelling established by the standard should take precedence over these guidelines.

5. Educational information in nutrition labelling

5.1 Principles

- (b) Except for food group symbols, educational information should be optional in addition to and not in place of nutrient labelling.
- (c) The content of extra educational information will vary from one country to another and within any country from one target population group to another according to the educational policy of the country and the needs of the target groupe.

5.2 Content of educational information may includes

- (a) relating nutrient content to concepts of nutritional value which may bet
- (i) Recommended Daily Allowances, amounts or intake (RDAs/RDIs), or
 - (ii) Nutrient density;
- (d) relating nutrient content to food groups.

5.3 Expression of nutrient content in relation to recommended daily allowances, amounts or intakes (RDAs/RDIs)

5.3.1 The values for RDAs/RDIs may be different from country to country depending, for example, on environment, activity level, etc Not all countries have established RDAs/RDIs.

5.3.2 In countries where adopted, RDAs/RDIs represent the best estimate, to which a safety margin is added, of the nutrient needs for the population. The safety margin varies according to the relative degree of accuracy of the "best estimates" of needs.

5.3.3 RDA/RDI information should be given only for target populations who understand the concept.

5.3.4 When RDA/RDI information is given, consumers must be advised on the label that these figures apply to population groups and do not distinguish individual differences.

5.4 Expression of nutrient content in relation to energy (nutrient density)

5.4.1 If this concept is used, the following should be taken into considerations

- (a) people who are engaged in hard manual labour or in very active sports may need increased amounts of food energy without an increase in, for example, protein.
- (b) infants, young growing children, and pregnant women have nutrient needs in relation to energy which are different from those of the rest of the population;
- (c) therefore the concept of nutrient density is only of use where energy expenditure and therefore energy needs is more or less uniform throughout the population;
- (d) use of this concept should be limited to target populations with knowledge of nutrient density concept.

5.4.2 When nutrient density information is given, consumers should be advised on the label that the amounts of nutrient in relation to energy will vary with level of activity and with growth.

5.5 Expression of nutrient content through the use of food group symbols

- (a) This is a convenient form of information for target populations who have a high illiteracy rate and comparatively little knowledge of nutrition;
- (b) the symbols used will vary from country to country depending on the local supplies or traditional foods;
- (c) the use of food group symbols on the label should be accompanied by nutrition education programmes.

6. Periodic review of nutrition labelling

- (a) Nutrient labelling should be reviewed periodically in order to maintain the list of nutrients to be included in composition information up-to-date and in accord with public health facts about nutrition.
- (b) A review of optional information for nutrition education will be needed as target groups increase in literacy and nutrition knowledge.

APPENDIX IX

- EXTRACT -

APPENDIX V OF THE 10TH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING
(ALINORM 76/22.)

GROUP NAMES APPLIED ON FOOD ADDITIVES

List in the General Standard on Food Labelling	Groups Recommended by the Codex Committee on Food Additives
	Acids, Bases and Salts
Anti-caking agents	Anti-caking agents
Anti-oxidants	Anti-oxidants and Anti-oxidant Synergists
Bleaching agents	Flour treatment agents*
	Carrier solvents
Colours	Colours
Emulsifiers	Emulsifiers
	Extraction solvents
Flavours	Flavours (Synthetic)
	Flavour Enhancers
Maturing agents	Enzyme preparations*
Preservatives	Preservatives
	Processing aids
Stabilizers	
Thickening agents (including modified starches)	Thickening agents
Vegetable gums	Non-Nutritive Sweeteners
	Miscellaneous

* Assumed to correspond partly or completely.

* Since this table was submitted by CX/FA, these terms *have* been further considered and definitions prepared.

HARMONIZATION OF NON-TECHNICAL
DETAIL ON LINGUISTIC BASIS

Prepared by the Norwegian Cannery Association
for the
Joint FAO/WHO Food Standards Programme
Codex Committee on
FOOD LABELLING

General

In the course of recent years a lot of new labelling regulations or amendments to old rulings have come into being, for example in the United Kingdom, USA, The Federal Republic of Germany, South Africa, Austria, Switzerland, Sweden and Australia to mention some of the important countries in international trade. The result of this has been more and more detailed regulations.

We also know that at the moment a great number of countries are reviewing their labelling regulations, and the tendency seems to be that the new regulations are in some aspects considerably different from one country to another. Looking at the new labelling regulations being issued in the various countries, we find that they may be in full compliance with the labelling requirements of the Recommended General Standard for the Labelling of Prepackaged Foods. When getting down to the designing of a label, however, the trade finds that because of the difference in detail, one label which complies with Codex and all regulations in one country is not satisfactory for another country, even if they use the same language.

The present trend therefore is that we shall soon need to have a special label for each country to which we are exporting our goods. This will of course require a time consuming and careful examination of the regulations in each country to ensure that the label complies with the laws of the respective country.

Further it will result in more expensive labels and consequently higher prices of the products, as the quantity to be printed with each text will be considerably reduced. It will also make mistakes and misbranding more likely, with the severe consequences to which this leads in many countries. In our opinion therefore, it is just as much of importance to get uniform detailed labelling regulations in the different countries as it is to provide an international standard for labelling, as the latter is being as it were undermined by the differences in the additional detailed requirements.

If it is not possible for the member countries to accept the labels when they are in accordance with the General Labelling Standard, we find it necessary, as the second best alternative, to ask the Committee to turn their attention to the question of uniformity in order to simplify the whole matter. This in order to provide cheaper labelling, to avoid mistakes and misbranding, to lighten the burdens of the producers and the exporters - and at the same time giving the consumer the necessary information about the product and in a uniform manner.

Below we wish to draw attention to some of the main elements which we find in most new labelling regulations in order to exemplify the points on which we find it of importance that the Labelling Committee elaborate more detailed guidelines.

General requirements

Paragraph 4.1. of the General Labelling Standard reads "statements... shall be clear, prominent and readily legible by the consumer under normal conditions of purchase and use". Several countries have a similar ruling, but with many different wordings.

Principal display panel

The same paragraph, last sentence, mentions "the name and the contents of the food shall appear on that portion of the label normally intended to be presented to the consumer at the time of sale". In different countries, however, we find more detailed regulations defining the term "principal display panel". In our opinion this is one of the points where the Committee ought to be able to reach an agreement on a general definition that can be accepted internationally. - Even an "Information Panel" is promulgated in the USA.

Statement of Weight

Most countries require the net weight to be marked on the label, in some countries to be given with an explanation as "net weight" or similar, but in some countries also forbidding any such explanation. The "drained weight" is required to be marked for some products which are not the same in the different countries. In some countries a drained weight declaration is even required for e.g. fish in oil, although oil must be considered to be an edible part of the contents. Furthermore, it is partly obligatory to declare the "volume" of the can on the label, in addition to "net weight" and "drained weight". The weight declaration must in some countries be given on the principal display panel. In other countries no such regulation can be found. The location for the weight declaration is given in different countries, e.g. in the USA on the lower 30% of the label, and in some countries with special space between this and other declarations, and also prescribing certain spaces between the different statements of the weight declaration. But also these rulings are different in the different countries.

Size of letters

In the General Labelling Standard, paragraph 4.1, it is said about letters in the name of the food that they "shall be in a size reasonably related to most prominent printed matter on the label". Different countries have similar rulings, but the size of the lettering is related not only to other words or figures, but for example to the size of the label, and this results in difficulties or impossibilities in designing a label which can be used also for other countries. As to the size of letters, we find rulings such as: letters of equal height and prominence - in letters of not less than - additional description in letters not less than one half the height of the letters for the name of the product - not less than 6 point face measurement etc. The statement of weight shall be for instance not less than 3/32. inch for one country, for other countries not less than 1/8 inch or 1/10 inch. or 1.5 mm. Even for giving the fractions of an ounce, for instance 3 3/4 oz., details are given in such a way that it is impossible to use a label for some other countries. For instance for one country the fraction was to be regarded as a whole, so that the stroke has to be printed horizontally, giving the fraction the same height as the other figures, whereas for another country each figure in the fraction is ruled to be half the size of the other figures, so that the fraction cannot be printed with one figure above the other, but with the stroke aslant giving a space for half size figures on the line.

Purposely the above mentioned examples are all taken from countries using the English language. It therefore should be quite natural that a label approved for one country,

should be acceptable for the others. It ought to be possible to get one common rule for the size of letters and figures stating the weight.

Repeated and different rulings

Some countries have rulings concerning one and the same matter in several regulations issued in pursuance of different acts, and with different wordings. This may result in doubt as to whether there is any real difference between the different wordings and if so which one is to be complied with when for instance designing a label.

For certain areas there seems to be special difficulties as for instance for crustaceans. They are sometimes considered not to be fish, only crustaceans, whereas elsewhere they are considered to be fish, thus included in different rulings.

Harmonization in food labelling regulations

The General Standard for the Labelling of Prepackaged Foods contains what the great majority of the members of the Codex Alimentarius Commission believe to be the minimum information required to adequately inform the consumers. According to the statutes of the Codex Alimentarius Commission the purpose of this work is also to ensure fair practices in the food trade. On this background we find it not only timely, but a matter of some urgency that a degree of harmonization and simplification be achieved at an international level in food labelling regulations. In our opinion this work must be done by following up on the basic provisions already agreed upon in the General Standard.

In order to give the different countries which are today in the process of reviewing current, or making new, food regulations, and also in order to make it possible for the consumer and the trade to reap the benefits from the work already done in the General Standard, the Committee should discuss the possibility of making a more detailed recommendation as to the practical implementation of the information required by the mandatory labelling section in the General Standard.

The first logical target would seem to be that at least countries using the same language should be able to reach a mutual agreement about definitions and specific requirements of the type mentioned above.