

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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ALINORM 87/22

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
17TH SESSION
ROME, 28 JUNE - 10 JULY 1987
REPORT OF THE
NINETEENTH SESSION OF THE
CODEX COMMITTEE ON FOOD LABELLING
OTTAWA, CANADA, 9-13 MARCH 1987

INTRODUCTION

1. The Codex Committee on Food Labelling held its 19th Session in Ottawa, Canada, from the 9 to 13 March 1987 by courtesy of the Government of Canada. The Session was chaired by Mr. R.H. McKay, Director, Consumer Products Branch, Consumer and Corporate Affairs Canada. The session was attended by delegates from the following 24 countries: Argentina, Australia, Brazil, Canada, China, Cuba, Denmark, Finland, France, Federal Republic of Germany, Indonesia, Ireland, Italy, Japan, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, Thailand, United Kingdom, United States, and Zimbabwe.

Observers were present from the following international organizations:

- Confédération des Industries Agro-Alimentaires de la CEE (CIAA)
- European Association of Advertising Agencies (EAAA)
- European Economic Community (EEC)
- International Assembly of Food and Grocery Manufacturers Associations (IFGMA)
- International Atomic Energy Agency (IAEA)
- International Dairy Federation (IDF)
- International Hydrolyzed Protein Council (IHPC)
- International Organization of Consumers Union (IOCU)
- World Federation of Advertisers (WFA)

A list of participants, including the Secretariat and officers from FAO and WHO, is contained in Appendix I to this report.

AGENDA ITEM 1 - OPENING OF SESSION

2. The session was opened by the Honourable Harvie Andre, Minister of Consumer and Corporate Affairs, who welcomed delegates to Ottawa. He highlighted the most important aspects of the work of this Committee and its efforts to elaborate internationally applicable guidance in labelling matters to safeguard consumer interests as well as ensure fair trade practices. The Minister emphasized the important developments in consumer education and in changing expectations concerning the quality and presentation of foods. He expressed satisfaction with the work of the

Committee which was responding very efficiently to these changes by elaborating guidelines on such matters as nutrition labelling or claims. Furthermore, international work on the labelling of foods processed with new technologies such as irradiated foods had beneficial effects on the acceptability of these processes.

3. The Chairman extended a special welcome to delegates who attended for the first time. He regretted that Dr. Anne Brincker, Vice-Chairman of the Commission, had recently retired for health reasons and was unable to participate at this session. The Chairman and the Committee sent their best wishes to Anne Brincker in recognition of the valuable contributions to the work of the Committee over the past years.

AGENDA ITEM 2 - ADOPTION OF AGENDA

4. The Committee noted that additional working papers had been issued as addenda to CX/FL 87/2 and 87/3 and that matters arising from recently held sessions of Codex Committees were made available as conference room documents for the relevant agenda items.

5. The Committee further noted that the report of the Ad-Hoc Working Group on Methodology for the Determination of Nutrients (CX/FL 87/6) had not been prepared prior to the session but would be issued during the meeting after the Working Group had met.

6. The Committee agreed with the Chairman's proposal to establish a Working Group under the Chairmanship of the delegation of Australia (Mr. L. Erwin) to examine in detail the paper on the Revision of the Guidelines on Claims which had been prepared by the delegation of Australia for the previous session of this Committee and revised by the Canadian Secretariat to incorporate the comments from governments (CX/FL 87/5).

7. It was agreed that the reports of the two Working Groups would be discussed under the relevant agenda items.

8. The Committee noted that items 4 and 5 both dealt with reports from Codex Committees on the revision of labelling provisions in their standards consequential to the adoption of the revised General Standard. It was pointed out that working paper CX/FL 87/4 contained many matters of general concern which should be resolved prior to embarking on the endorsements. The Committee decided that item 4 should be taken after item 5 and adopted the Provisional Agenda for the Session (CX/FL 87/1) as amended.

AGENDA ITEM 3 - REVIEW OF MATTERS OF INTEREST ARISING FROM THE REPORTS OF THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

9. The Committee had before it working papers CX/FL 87/2 and CX/FL 87/2 Add. I and agreed that matters pertaining to specific agenda items would be taken up under those items.

Codex General Standard for the Labelling of Prepackaged Foods (Appendix IV of ALINORM 85/22A)

10. The Committee noted that the Commission, at its 16th Session, had adopted the above standard pending further review of Section 5.2 on the labelling of irradiated foods. The Secretariat informed the Committee that the second edition of Vol. VI of the Codex Alimentarius was now being printed which included the newly adopted Codex texts on labelling.

11. The Committee was informed that IAEA had been in contact with the Canadian Secretariat concerning further information relevant to the labelling of irradiated foods and that possibly a conference room document on this matter would be made available for discussion under item 9 (see paras. 204-207).

Guidelines on Labelling Provisions in Codex Standards (Appendix V of ALINORM 85/22A)

12. The Committee was informed that the section on non-retail containers (Section 5.3) of the above guidelines had contained an erroneous reference to Section 5.2 of the General Standard. This error had been corrected after consultation with the Chairman. The 16th Session of the Commission had adopted the draft guidelines which had been published in the 6th edition of the Procedural Manual.

13. It was also noted that the Commission had agreed with the criteria and the working procedure for the revision of labelling provisions in Codex Standards as proposed by the Committee (see paras. 142-143 of ALINORM 85/22A).

Codex Guidelines on Labelling of Non-Retail Containers

14. The Commission had concurred with the recommendation of this Committee not to continue with the elaboration of such guidelines at the present time (para. 195 of ALINORM 85/47).

Advertising

15. The Committee recalled the conclusions it had reached at its previous session after extensive discussion of the need and feasibility to elaborate a Code of Practice for Advertising. The conclusions of the Committee had been reflected in paras. 179 and 180 of ALINORM 85/22A which read as follows:

"(179.) The Committee decided to recommend to the Commission that there was no need, at this time, to continue with work on a Code of Practice. The delegations of Sweden, Norway, Finland and India expressed their reservations to this decision.

(180.) The Committee also agreed with the observation of the delegation of Canada, supported by the delegations of Argentina and Australia, that there was a need to revise the Guidelines on Claims and the review of claims should not be confused with work on a Code of Practice for Food Advertising."

16. The Committee noted that, at the 16th Session of the Commission, views had been expressed for and against the development of such a Code. Delegations in favour of the Code had pointed to the need of establishing ethical standards for food advertising, especially since transnational advertising was increasing.

17. The Commission had also noted that legal opinions of FAO and WHO had confirmed that such work was within the terms of reference of CCFL. Attention had also been drawn to the existence of the Code for Advertising established by the International Chamber of Commerce. Several delegations had been in favour of elaborating a detailed study on the matter.

18. Other delegations had reiterated their opposition to the establishment of a Code.

19. The Commission had not agreed to carry out a study at the present time but had requested this Committee to review comments referred to its attention and to report back to the Commission.

20. At the present session, the delegation of Sweden issued a brief conference room document (CRD No. 2) which outlined its country's position concerning Codex guidance on advertising. The delegation proposed to extend the scope of the Codex General Guidelines on Claims to cover advertising in general. To the extent that the character and requirements of advertising differ from those of labelling, different solutions might be considered.

21. The delegation drew attention to the favourable view expressed at the 5th Session of the Coordinating Committee for Asia on establishing ethical standards in food advertising for the benefit of consumer protection as well as fair trade practices (para. 45 of ALINORM 87/15).

22. The Swedish proposal was supported by several delegations who indicated their agreement in principle, subject to detailed discussions under item 6.

23. The delegation of the U.S.A. cautioned against any duplication of Codex work concerning advertising vis-à-vis the Code of Advertising of the International Chamber of Commerce and the U.N. Guidelines for Consumer Protection which dealt adequately with the major aspects of commercial advertising.

24. The Committee decided to defer further discussion to item 6.

Codex Definition of "Food Additive"

25. The Committee noted an error in para. 10 of CX/FL 87/2 and was informed that the Commission had amended the English version of the definition to align it with the French and Spanish versions.

Labelling of Bulk Containers for Export/Import in Relation to Use of Pesticides

26. The Committee recalled that at its previous session the delegation of India had drawn attention to difficulties (analytical and economic) arising from the fact that bulk containers of staple foods and especially cereals which had been treated with pesticides did not carry an indication of the pesticides used.

27. The same matter had been discussed at the 16th Session of the Commission and referred to CCPR (paras. 252-254 of ALINORM 85/47). The 18th Session of CCPR discussed the proposal by the delegation of India that pesticides likely to be present in food commodities should be mentioned on the label or in documents accompanying food consignments for export. CCPR held the view that such declarations were not practical in general; however, information on post-harvest pesticide residues in staple foods might be given in certain cases, even as a part of contracts between trading partners. CCPR agreed to refer the matter to the next session of the Commission and was of the opinion that it might lead to a proposal to amend the FAO Code of Conduct on the Distribution and Use of Pesticides (paras. 10-15 of ALINORM 87/24).

28. The Committee agreed that it should be kept informed of further developments in this area and supported the proposal of CCPR to amend the FAO Code of Conduct on the Distribution and Use of Pesticides.

Labelling Provisions for Processed Meat Products with regard to Islamic Religious Requirements

29. The Committee recalled the discussion on the above labelling requirements in connection with the revision of the General Labelling Standard. It noted that the work was being continued in several Islamic centres in cooperation with WHO. It was noted that the 33rd Session of the Executive Committee had considered the elaboration of a Code of Practice for the preparation and labelling of foods according to Islamic requirements. The Secretariat had been requested to compile the existing documents and to report back on the matter. The Committee requested to be kept informed of further developments.

Class Names and International Numbering System

30. The Committee noted that the CCFA was continuing its work on an international numbering system for food additives and on class names (paras. 113-140 and Appendix IV of ALINORM 87/12).

31. The delegation of the Netherlands pointed out that several class names, such as humectants, firming agents, bulking agents and colour retention agents were under consideration and that CCFA would appreciate advice on the suitability of such class names. The delegation also requested, on behalf of the Chairman of CCFA, a discussion on the need and the conditions of the procedures to be followed for the addition of class names to the General Labelling Standard. The delegation of Australia informed the Committee that a large number of other class names had been proposed in response to a circular letter and would be considered at the forthcoming Session of the CCFA.

32. The Committee concurred with the view of the Australian delegation that CCFA would have to come to an agreement on a reasonable number of class names for functional reasons after which this Committee would decide on their suitability for labelling purposes.

33. The Committee was informed that any addition to the class names in Section 4.2.2.3 would follow the amendment procedure.

34. The Committee agreed with the proposal of CCCPL to reinstate the term "flour treatment agents" instead of "flour improvers" since it had agreed that "bleaching agents" were food additives and belonged to the above class together with "flour improvers".

35. The Committee noted that the 17th Session of CCFFP had, as advised by CCFA and CCFL, given further consideration to the class name "water-binding agent" to cover phosphates and alginates.

36. As the former name or term had not been acceptable to CCFA and CCFL, the CCFFP, recognizing the concerns of the two Committees, had proposed the terms "phosphates" and "alginates" as class names.

37. The delegation of Norway gave a detailed explanation of the particular function of the additives in certain fish products and indicated the need to arrive at a class name which was meaningful to the consumer. Lack of an appropriate class name would require a detailed declaration of the chemical names.

38. The delegation of Denmark supported Norway concerning the class name for phosphates for similar technological reasons, in processed meat and poultry products. It was proposed to include in the General Labelling Standard the class name "phosphates"

together with a footnote limiting the use of the class name to fish-, meat and poultry-products.

39. The Committee noted that CCFA could not agree to the class name "phosphates" and also agreed that "phosphates" were not informative to the consumer since these substances had many different functional properties.

40. It was agreed to recommend to CCFFP and CCPMPP to consider the term "water retention agent" as a suitable class name. Pending agreement by the two Committees, and further technological considerations by CCFA, this Committee would request the Commission to authorize amendment of Section 4.2.2.3 of the General Standard.

Codex Committee on General Principles (8th Session) - Matters related to the General Standard for the Labelling of Prepackaged Foods

41. The Committee noted with satisfaction that CCGP had recommended a regular review of standards and, in particular, had emphasized the importance of the General Labelling Standard to be accepted as such by governments and as the basic document for the revision of labelling sections in Codex Standards. CCGP had also expressed the view that since the revised text of the General Standard was taking into account recent labelling philosophy, it should be possible to keep deviations to a minimum. Governments should be urged to adhere, as close as possible, to the standards.

42. The Committee noted that CCGP had elaborated guidelines for the acceptance of Codex Standards to assist governments (paras. 19-26 of ALINORM 87/33).

43. The observer of the EEC stated that the EEC welcomed the adoption of the General Standard for the Labelling of Prepackaged Foods to the development of which it had actively contributed. The adopted standard resembled closely EEC legislation. Once officially circulated, the EEC would look favourably on the matter of acceptance, as far as possible.

44. The Committee was reminded of its decision to request the advice of the CCGP on the problem which arose in international trade from additional requests concerning the presentation of mandatory labelling declarations.

45. The Secretariat recalled that this matter had been under discussion for at least ten years, at a time when the original Labelling Standard was much less detailed. The Committee agreed with the Secretariat that the revised text already covered many aspects of concern. Nevertheless, a paper had been prepared (CX/GP 86/7) which had contained a proposal to add a footnote to the "Scope" section of the General Labelling Standard requesting governments to indicate additional mandatory requirements which could not be considered as specified deviations. If notifications on acceptance showed substantive differences, a further revision of the General Standard could be considered.

46. This was noted by the Committee which emphasized, however, that countries should be urged to refrain from stipulating additional requirements.

47. The observer of the EEC agreed to the above principle, pointed out, however, that the existing Codex Standards included additional or different provisions specific to these products. The EEC was moving away from vertical legislation to horizontal provisions and might consider including specific requirements for individual foods in the EEC labelling directive, having regard to the relevant provisions in Codex Standards.

Nutritional Considerations in the Future Work of the Codex Alimentarius Commission (paras. 66-70 of ALINORM 87/33)

48. The Committee was informed that the 16th Session of the Commission had accepted the offer of the United Kingdom to prepare a paper on the above subject for consideration by CCGP.

49. The Committee noted that the paper (CX/GP 86/11) dealt with a number of very important proposals on how to increase nutritional aspects in Codex work. The Committee agreed that most of these issues were of immediate concern to CCFSDU.

50. It was also agreed, however, that several matters, such as the development of RDAs for labelling purposes, should be considered by this Committee which was responsible for the Guidelines on Nutritional Labelling.

51. The Committee noted that the 15th Session of CCFSDU had strongly supported the idea of setting up a Joint FAO/WHO Expert Committee on Nutrients to provide scientific advice as required. CCFSDU had been informed of the financial difficulties of the two organizations which might prevent the establishment of such a body in the near future and had proposed, as an alternative, that the two organizations convene a more informal consultation to advise on RDAs for labelling purposes. The Chief of the Joint FAO/WHO Food Standards Programme, Mr. J.R. Lupien, gave an explanation of the factors involved in determining the programme of work of the two organizations and assured the Committee that every effort would be made to provide the expert advice required.

52. This proposal was strongly supported by the Committee. Several delegations expressed concern that the RDAs presently listed could mislead the users of the guidelines and that an explanatory footnote would be appropriate.

Methodology for the Determination of Gliadin in Gluten-Free Foods - Consequences for Labelling (paras. 103-104, ALINORM 87/26)

53. The Committee was informed that a reliable method for the determination of gliadin was now available. Gliadin had been identified as the causative agent of gluten intolerance in coeliac patients. It had been pointed out that the present ingredient listing as required by the General Standard was not sufficient to provide these persons with suitable information on gluten-containing ingredients.

54. The Committee agreed that similar problems could arise from other food constituents causing allergic reactions or food intolerance and decided to consider the matter in general at some future meeting.

Labelling Provisions (Name of the Food) in the Draft Guidelines for the Utilization of VPPs in Foods - Matters arising from the 4th Session of the Codex Committee on Vegetable Proteins (CCVP)

55. The Committee had before it a conference room document (CRD 4) which provided information on the discussions concerning the name of the food in the above guidelines which had taken place at the recently held 4th Session of the CCVP.

56. The Committee also noted that the 16th Session of the Commission had discussed, in detail, such labelling provisions (para. 7 of CX/FL 87/2).

57. The Committee was informed that CCVP had made an effort to come to an agreement on the wording of Section 7.5 of the above guidelines for which alternative proposals had been made previously.

58. The Committee recalled that one proposal represented the viewpoint that the name of a standardized food of animal origin could also be used for products in which part of the animal protein had been substituted by VPP, provided that the name of the food was appropriately qualified. The second proposal had prohibited the use of the standardized name of the product of animal origin for substituted products.

59. The 4th Session of the CCVP had considered a compromise proposal prepared jointly by the delegations of the United Kingdom and the United States and after exhaustive discussion agreed to an amended version of Section 7.5 which reads as follows:

"7.5 When VPP partially substitutes for the protein of an animal product, the following nomenclature criteria should apply:

- (i) The presence of the VPP should be indicated in the name of the product.
- (ii) The name of the substituted product should describe the true nature of the product; it should not mislead the consumer; and it should enable the substituted product to be distinguished from products with which it could be confused.
- (iii) In cases where the substitution results in an amount of the animal protein product lower than that required by a Codex or National Standard, the name of the standardized animal food should not be used as part of the name of the substituted product unless properly qualified.
- (iv) The provisions of a Codex Standard or a national compositional standard should be taken into full account when determining the name of a food."

60. The delegations of Cuba, the United States, Denmark and Canada were in support of the above provisions.

61. The delegation of Norway indicated that it wished to retain its reservation on the following last three words of subsection (iii): "unless properly qualified", that is, the delegation did not support the use of the name of the standardized food in substituted products.

62. This view was supported by the delegation of Sweden and the IOCU observer who expressed concern that consumers could be misled if such names were used.

63. The delegation of the Netherlands expressed the opinion that the percentage of the VPP component should be declared as was the case in the Netherlands national regulations. The delegation was also in favour of deleting the words quoted above.

64. The delegation of Switzerland wished to place on record that, in Switzerland, names of meal products established by law could not be used for replacement products.

65. The Committee decided to bring the above comments to the attention of CCVP to be further discussed together with government comments on the guidelines at Step 6.

AGENDA ITEM 5 - CONSIDERATION OF REPORTS FROM CODEX COMMITTEES CONCERNING THE REVIEW AND REVISION OF LABELLING PROVISIONS IN CODEX STANDARDS

66. The Committee had before it working paper CX/FL 87/4 which contained reports on the above review and specific matters identified by Codex Committees requiring the advice of the Committee.

67. The Committee recalled the criteria for the review and revision of the labelling provisions in Codex Standards set up by this Committee and approved by the Commission to align them with the revised General Standard for the Labelling of Prepackaged Foods (para. 208 of ALINORM 85/47).

Review carried out on Standards of Committees which had adjourned sine die

68. The Committee noted that the Swiss Secretariat of the Codex Committee on Soups and Broths in cooperation with the Codex Secretariat, had prepared proposals for revised labelling provisions in the Codex Standard for Bouillons and Consommés and had requested comments on the provisions in CL 1986/32.

69. The Committee noted that the comments received had generally been in favour of the proposed amendments except for some minor differences. The two Secretariats would continue the exercise and submit the revised provisions to this Committee for endorsement in due course.

70. The Committee agreed that this model should be followed for other Codex Committees which had adjourned sine die and requested the Codex Secretariat to contact the national Secretariats concerned.

Codex Committee on Processed Fruits and Vegetables (18th Session paras. 7, 101-105 and Appendix VII of ALINORM 87/20)

71. The Committee noted that CCPFV had reviewed the labelling provisions of all standards elaborated by the Committee and had decided on the principles to be applied to the revised provisions in general. Due to the large number of adopted standards, the Committee had not elaborated in detail the revised provisions. The Committee was of the opinion that, under these circumstances, it could not endorse the revised provisions in the Codex Standards for Processed Fruits and Vegetables.

72. The Committee noted, however, that similar provisions in standards were still under elaboration by the Committee and would be considered under item 4.

73. Concerning the list of ingredients, the Committee noted that inclusion of a provision be reference to Section 4.2 of the General Standard, the provision (Section 8.2.2) concerning a specific declaration of L - ascorbic acid was not any more necessary and agreed that it should be deleted from the standards concerned.

Drained Weight

74. The Committee was informed that, after a lengthy discussion on the technical details on the declaration and determination of drained weight, the CCPFV had agreed that drained weight should be declared on the label of processed fruits and vegetables, where appropriate.

75. CCPFV had requested this Committee to clarify whether the footnote to Section 4.3.1 of the General Standard, that is:

"The declaration of net contents represents the quantity at the time of packaging and is subject to enforcement by reference to an average system of quantity control."

was also applicable to Section 4.3.3.

76. CCPFV was of the opinion that the declaration of drained weight on the label should be based on average.

77. Several delegations stated that they could agree with the averaging principle; however, it was not feasible to apply the first half of the footnote which specified the determination at the time of packaging since it was known that the equilibrium between the solid and liquid phases was established only after a certain period of time which was of different duration depending on the nature of the product.

78. The Committee recalled the lengthy discussion on the subject at its earlier sessions and its decision that, at the present time, no generally acceptable solution could be found to this problem.

79. The Committee decided that the following footnote should accompany Section 4.3.3:

"The declaration of drained weight is subject to enforcement by reference to an average system of quantity control."

80. The Committee decided that this was an amendment to the General Standard of an editorial nature only, and that the Commission should be requested to adopt the amendment.

Labelling of Non-Retail Containers

81. The Committee noted that CCPFV and other Committees had considered the application of Section 5 of the Guidelines on Labelling Provisions dealing with non retail containers and that difficulties on several points, including the definition, had arisen which required resolution by this Committee.

82. The Committee agreed to have a general discussion on this section (see paras.97-107).

Codex Committee on Cereals, Pulses and Legumes (5th Session, paras. 39-67 of ALINORM 87/29)

Labelling of Irradiated Foods

83. The CCCPL had reviewed the Codex Standard for Wheat Flour which did not include irradiation as a permitted process and the other Codex Standards for Maize and Maize Products which did not have the above limitations. The CCCPL had been of the opinion that unless a commodity standard excluded food that had been irradiated, the standard should provide for labelling of the irradiated food. Objection had been raised to such labelling provisions on the grounds that they could be seen as promoting the irradiation of food.

84. The CCCPL had agreed that having provisions for the labelling of irradiated foods acknowledged the possibility that these did exist but did not constitute an endorsement.

85. The delegation of France reiterated its view on the labelling of foods containing irradiated ingredients and drew attention to the fact that Section 5.2.2 and indeed the whole of Section 5.2 remained under review; and suggested that it might, therefore, be premature to apply these sections in individual standards.

86. The Committee agreed with the proposal of CCCPL on the inclusion of a specific section for irradiated foods, recognizing, however, that certain food products might not be suitable for irradiation treatment.

87. The Committee, therefore, recommended to all Codex Committees to consider inclusion of a section on irradiated food, provided the Standard did not exclude the

irradiation process or the food was not suitable for irradiation. In the latter case, the Committee wished to have an explanation of why the food was not suitable.

88. The Committee also agreed that foods such as unprocessed grains were also covered by the above decision.

89. In the context of the discussion, the Committee was reminded that the General Standard for Irradiated Foods contained a specific labelling section (Section 6 of CODEX STAN 106-1983).

90. For prepackaged foods, the labelling provision consisted of a cross-reference to Section 5.2 of the General Standard. For foods in bulk, the provision required a declaration of the treatment on the shipping document. Furthermore, Section 6.1.1 required disclosure and identification of the irradiation source.

91. The Committee recognized that over the past years a large number of documents containing general labelling guidance had been elaborated or revised, not only by this Committee but by other Committees with specific expertise such as CCFA and CCFSDU. It had, therefore, become very difficult to ensure consistency and there was a danger that contradictory provisions could, in certain cases, be endorsed.

92. The Committee agreed that, in order to achieve coherence, a paper should be prepared setting out the relationship between and the implications of the major labelling texts as this would enable the Committee to carry out its endorsement function and to eliminate possible contradictions. The Chief of the Joint FAO/WHO Food Standards Programme supported the decision by the Committee and assured the Committee that we would look further into this matter.

Action Taken by Other Committees

93. The Committee noted that the 17th Session of the Codex Committee on Fish and Fishery Products had decided that a working paper on labelling provisions be prepared for consideration at its next session (para. 36 of ALINORM 87/18).

94. The Committee also noted that the Coordinating Committee for Europe had agreed on the same action concerning the existing European Regional Standards (paras. 29-30 of ALINORM 87/19).

95. It was noted that the Joint ECE/Codex Alimentarius Group of Experts on Standardization of Fruit Juices and the Joint FAO/WHO Expert Committee on the Code of Principles concerning Milk and Milk Products had reviewed, at their 17th and 21st Sessions respectively, the labelling provisions in their standards and had agreed in a general way on the amended texts of certain provisions. Subsequently, the Secretariats of the two Committees had prepared the detailed revised labelling provisions and submitted them to the Committee for endorsement under item 4.

96. The Committee agreed to review the remaining sections of this paper in connection with the additional papers under item 4.

General Consideration of Labelling of Non-Retail Containers

97. The Committee was reminded that it had been requested by the 15th Session of the Commission to evaluate the specific need for the labelling of non-retail containers and that it had agreed at its previous session that there was no need for such guidelines at the present time.

98. Codex Committees had, however, included provisions for bulk or non-retail containers in standards and had requested advice from this Committee on specific requirements for the labelling of these containers.

99. The previous session of this Committee had, therefore, included in its Guidelines on Labelling Provisions a definition for non-retail containers and are commended model for such a provision.

100. In the above guidelines, no differentiation had been made in the labelling requirements for the wide variety of non-retail containers, ranging from outer containers of prepackaged foods to freight containers of a permanent structure.

101. Codex Committees had a choice on the type of labelling declarations and on whether they be placed on the containers or in the accompanying documents, except for certain specified information which had always to be declared on the container. Several Codex Committees had found it difficult to establish provisions which covered the whole range of containers and had selected the type of container which it wished to regulate (e.g. outer container for prepackaged food in the case of the Codex Committee on Fats and Oils).

102. The Committee recognized the difficulty outlined above and agreed that a third footnote be added to provision 5.3 of the guidelines authorizing Codex Committees to select the type of container(s) to which the labelling of non-retail containers should apply and requesting them to provide a justification for the choice made.

103. Having regard to the concerns expressed by CCPFV concerning the labelling of containers holding small units (see Section 6 of the General Standard), the Committee considered that the existing definition for "container" covered this type of package.

104. CCPFV wished to be advised on labelling requirements for clear shrink-wraps holding more than one individual package, the labels of which were clearly legible.

105. The delegation of Japan informed the Committee that its food sanitation law required appropriate labelling of shrink-wraps with an exemption for transparent wraps. These regulations covered prepackaged foods as well as non-retail containers.

106. The Committee agreed that for prepackaged foods the labelling of such packages were provided for in Section 8.1.3 of the General Standard and decided to include reference to that section into the preamble of Section 5.3 of the Guidelines on Labelling Provisions in Codex Standards.

107. It was noted that these guidelines had been developed outside the Step Procedure and the Commission was, therefore, requested to approve the two amendments outlined above.

AGENDA ITEM 4 - ENDORSEMENT OF LABELLING PROVISIONS IN CODEX STANDARDS AND CODES OF PRACTICE

108. The Committee had before it working paper CX/FL 87/3 and Addendum I there to containing labelling provisions submitted for endorsement.

109. The following documents were also made available: MDS 86/8 Rev. I containing the revised labelling provisions in the standards for Milk Products and CRD No. 3 containing observations of the International Dairy Federation (IDF) on those standards; CRD No. 1 contained labelling provisions in Standards for Fats and Oils elaborated by the recently held 13th Session of the Codex Committee on Fats and Oils.

Draft Standard for Wheat Gluten (Step 8) (Appendix VII of ALINORM 87/30)

110. The Committee was informed that the 4th Session of the CCVP had revised the labelling section of the above standard so as to comply with the provision of the General Standard and the labelling of non-retail containers.

111. The Secretariat was requested to introduce into the section the amendments concerning non-retail containers decided earlier in the session (see paras. 97-107).

112. The Committee agreed to endorse the above provisions.

Draft European Regional Standard for Vinegar (Step 8) (Appendix II of ALINORM 87/19)

113. The Committee noted that the labelling provisions of the above standard had already been endorsed and it was before the Committee for endorsement of the revision only. The revised provisions were in conformity with the General Standard.

114. The delegate of the United Kingdom asked whether the simple reference in this standard to the requirements of Section 4.2 of the General Standard as regards the list of ingredients meant that a single ingredient food had also to carry such a list. The Secretariat replied that a reference to Section 4.2 also carried with it automatically the exemption from ingredient listing has single ingredient foods contained in Section 4.2.1 of the General Standard.

115. The Committee endorsed the labelling section. Concerning the Committee's decision on the labelling of irradiated ingredients, see para. 151.

Proposed Draft European Regional Standard for Mayonnaise (Step 5) (Appendix III of ALINORM 87/19)

116. The Committee noted that the Coordinating Committee for Europe had not yet finalized Section 8.1 - "name of the food" and that government comments had been requested on (a) two different versions of Section 8.1.1 and (b) on whether Section 8.1.2 concerning accompanying description terms should be mandatory or optional.

117. The Committee further noted that the remaining provisions followed the recommendation of this Committee concerning irradiated food.

118. The Committee recommended to the Coordinating Committee for Europe to consider the need for specific labelling provisions on irradiated foods and non-retail containers having regard to the decisions of the Committee in paras. 83-92 (151) and 97-107.

119. The Committee also noted that there was no provision for date marking in this standard and that this matter should be further considered by the Committee.

120. The Committee decided to endorse the labelling provisions in the above standard pending finalization of the sections mentioned above.

Codex Standard for Food Grade Salt (CODEX STAN. 150-1985)

121. The Committee noted that the above standard had been adopted at Step 8.

122. The text published in Supplement 1 to Volume XII did not fully reflect the amendment made by this Committee at its previous session (paras. 198-206 of ALINORM 85/22A).

123. It was also noted that CCFA had elaborated a section for bulk packs which, in principle, reflected the provisions in Section 5.3 of the Guidelines on Labelling Provisions.

124. The Committee requested CCFA to:

- (a) include the amendment decided at the 18th Session of this Committee; and
- (b) to revise the labelling to align it with the General Standard and the amended text of Section 5.3 of the Guidelines on Labelling Provisions.

Draft Standard for Honey (Step 8) (Appendix IV of ALINORM 87/20)

125. The Committee noted that the above world-wide standard had been developed from the European Regional Standard for Honey and that Sections 6.2-6.7 were in accordance with the General Standard.

126. The Committee agreed with the view of CC PFV that Sections 6.1.2-6.1.4 should be retained as optional provisions since they provided useful information to the consumer.

127. The question was raised whether Section 6.1.5 was needed, and if so, whether it should be mandatory.

128. The delegation of Australia explained to the Committee that in Australia and New Zealand, some honeys had quite particular characteristics related to the floral source and that appropriate information was useful to the consumer. The delegation felt that such a provision was appropriate in a Standard of world-wide coverage.

129. The Committee agreed that 6.1.5 could be retained.

130. Concerning date marking, the delegation of Japan was of the opinion that it would be very difficult to determine a minimum durability date, but felt that it would be appropriate to declare the date of manufacture since it provided very useful information to consumers, that is, it enabled the consumer to identify when the product had been manufactured.

131. The observer of the EEC informed the Committee that the question of date marking of this particular product was at present under discussion in the Community and that no decision had been taken.

132. With regard to Section 6.8.3 concerning outer containers for small units, the delegation of the United Kingdom felt that the present wording was unnecessarily restrictive and that the labelling of such containers should be in accordance with the labelling of non-retail containers.

133. The delegation of the Netherlands pointed out that the matter was complicated by the fact that the containers could be used in retail and non-retail trade.

134. The Committee agreed that, in accordance with the decision made earlier on this matter, provision 6.8.3 was superfluous and recommended deletion in this Standard and all other Standards developed by CC PFV.

135. The Committee advised CC PFV to take into account the decision of this Committee on non-retail containers and irradiated foods in this standard and all other Standards developed by CC PFV (see paras. 83-92 (151) and 97-107).

136. The Committee endorsed the labelling provisions pending consideration of the above instructions.

Draft Standard for Canned Mangoes at Step 8 (Appendix V of ALINORM 87/20)

137. The Committee noted that the provisions were in accordance with the General Standard and that Section 7.1 was identical to that endorsed in other standards for Canned Foods with the exception of 7.1.3.11.

138. Several delegations expressed concern with the above section relating to negative claims which had been introduced for the first time in the standard. It was pointed out that these claims could trigger full nutrition labelling and have other implications for additional labelling declarations.

139. The Committee agreed that this provision was a case for clarification as discussed in para. 138 and deleted the provision 7.1.3.11 from the standard; Section 7.11.3 was also deleted.

140. The Committee endorsed the labelling provisions as amended (see also para. 135).

Draft Standard for Mango Chutney (Step 8) (Appendix VI of ALINORM 87/20)

141. The Committee endorsed the labelling provisions in the above standard subject to the decision taken in para. 135 above.

Revised Text of Codex Standard for Table Olives (Step 8) (Appendix II of ALINORM 87/28)

142. The Committee noted that the revision of the above standard was carried out in cooperation with the International Olive Oil Council (IOOC) in an attempt to align the Codex Standard with the IOOC Trade Standard.

143. The Committee noted that provision 9.3.2 on drained weight contained an erroneous reference to Section 4.3.1 of the General Standard. This was deleted and it was pointed out that the new footnote to Section 4.3.3 of the General Standard covered the average concept in the declaration of drained weight.

Section 9.9 - Exemptions and Additional Provisions

144. The above provisions concerned the position on the container where specific label declarations had to be placed.

145. Several delegations expressed the view that these additional provisions were more restrictive than the General Standard and should therefore not be permitted, especially in view of the advice given by the Codex Committee on General Principles.

146. The delegation of Spain presented the view of the IOOC and wished to retain the provision which were included in the already adopted Trade Standard. The requirement also represented marketing practice in producer countries.

147. The Committee decided to delete Section 9.9 and endorsed the labelling provisions of this standard as amended.

Date Marking Provisions in Standards for Fish and Fishery Products (paras. 59-60 and Appendix XII of ALINORM 87/18)

148. The Committee was informed that the CCFFP had confirmed its previous view on date marking in Codex Standards for Fish and Fishery Products and had agreed to consider the question of date marking of canned salmon at its next Session in the context of the general revision of the labelling provision in the Codex Standards for Fish and Fishery Products (see also para. 93).

Draft General Standard for Fruit Nectars Preserved Exclusively by Physical Means not covered by Individual Standards (Step 8) (Appendix II of ALINORM 87/14)

149. It was noted that the Group of Experts had brought the labelling provisions of the standard into line with the General Standard, as applicable. Several delegations pointed out that Section 8.2.2 on the specific provisions for the declaration of L - ascorbic acid was contradicting the relevant provisions in the General Standard (Section 4.2.2.3). The Committee agreed to delete this section since the declaration of food additives was fully covered by Section 4.2 of the General Standard. The Committee also agreed to replace the first sentence of 8.2.1 by reference to Section 4.2 of the General Standard.

150. The delegation of Switzerland expressed its opposition to Section 8.8.1 and proposed to set up minimum requirements.

Labelling Provisions for Irradiated Ingredients

151. The Committee noted that the standard did not permit irradiation treatment of the finished products. It considered the view of the Group of Experts that some of the ingredients used in fruit nectars could have undergone irradiation treatment and should be labelled accordingly. The Committee did not agree with the view of the Group of Experts that introduction of such a provision was premature since the intent of the footnote to Section 5.2 of the General Standard was only to indicate the Committee's further interest in this provision. The Committee requested the Group of Experts to introduce a specific section to require irradiated ingredients be labelled in accordance with Section 5.2.2 of the General Standard.

152. The delegation of France drew attention to its earlier remarks concerning the labelling of irradiated ingredients (see para. 85).

153. The Committee endorsed the labelling provisions of the above standard as amended and decided that the same decisions should also be applied to the Codex Standards for individual fruit nectars (see para. 164).

Proposed Draft General Standard for Fruit Juices Preserved Exclusively by Physical Means not covered by Individual Standards (Step 5) (Appendix III of ALINORM 87/14)

154. The Committee noted that Section 8.1.1 contained different options which required further consideration by the Group of Experts.

155. The delegation of Switzerland was of the opinion that there should be no general authorization of the addition of sugars as provided for in this standard. Furthermore, any addition of sugars should be declared on the label.

156. The delegation of Japan stated that, if the addition of sugar(s) amounts to more than 50 g/kg, the product could be denominated "juice". If the amount of sugar(s) added does not exceed 50 g/kg, the product had to be labelled "sugar(s) added" although the quantity or the specific names of the sugar(s) need not be given even in cases where the amount of sugar(s) added does not exceed 15 g/kg, appropriate labelling was required.

157. The Committee agreed that the above comments were of technical nature and should be submitted to the Group of Experts.

158. The delegation of Switzerland reiterated its reservation with respect to Section 8.8.1.

159. The Committee endorsed the above provisions as amended and requested the Group of Experts to take into account the decisions of this Committee concerning the

labelling of irradiated foods and non-retail containers. The Committee further agreed that the above decisions should also apply to the other fruit juice standards.

Draft Standard for Certain Pulses (Step 8) (Appendix II of ALINORM 87/29)

160. It was noted that the above standard covered a number of pulses and was actually a group Standard. The Committee agreed with the wording of Section 7.1 (the name of the food) subject to the introduction of a footnote requiring governments to provide information on the names required in their country.

161. The Committee endorsed the labelling provisions as amended and requested the Secretariat to make the necessary editorial amendments to reflect the decisions of that Committee on several of the provisions.

Draft Standard for Sorghum Grains (Step 6) (Appendix III of ALINORM 87/29)

Draft Standard for Sorghum Flour (Step 5) (Appendix IV of ALINORM 87/29)

Codex Standard for Wheat Flour

Codex Standard for Maize (Corn)

Codex Standard for Whole Maize (Corn) Meal

Codex Standard for Degermed Maize (Corn)

Meal and Maize Grits

(Appendix XI of ALINORM 87/29)

162. The observer of the EEC stated that the remark made in para. 131 was also valid for these products.

163. The Committee endorsed the labelling provisions in the above standards and instructed the Secretariat to make the same amendments as indicated in para. 161 above.

Revised Texts of the Labelling Provisions in the Codex Standards for Fruit Juices, Concentrated Fruit Juices and Fruit Nectars (CX/FL 87/3 Add. 1)

164. The Committee confirmed that these provisions should be brought into line with the decisions taken on the General Standard for Fruit Nectars and Fruit Juices (see para. 153).

Revision of Labelling Provisions in the Standards for Milk Products (MDS 86/8 Rev. 1)

165. The observer of IDF informed the Committee that the Milk Committee was scheduled to meet again in 1990. In the interim period, an Ad-Hoc Steering Group consisting of the Chairman, the two Vice-Chairmen, and the Secretariat was following up on matters under consideration.

166. The Milk Committee had, at its 21st Session, agreed, in principle, on the proposals for revised provisions which had now been included in MDS 86/8 Rev. I. Subsequently, comments had been requested on the revised document and IDF had prepared a document incorporating these comments (CRD No. 3). The Milk Committee had also identified a number of matters on which advice was needed from this Committee.

167. The observer of IDF proposed that, while it was desirable that these general matters be considered by this Committee, it was premature to request endorsement of the revised provisions.

168. The Committee agreed with the above proposal and requested the Steering Group which would meet in May this year, to take into account the decisions of this Committee on non-retail containers, the labelling of irradiated products and of small units. In this context, it was noted that additional comments to the circular letter could still be submitted for consideration by the Steering Group.

169. The Committee agreed that the problem raised by the Milk Committee concerning date marking of non-retail containers had been resolved by the decision of the Committee to include a third footnote in Section 5.3 of the Guidelines on Labelling Provisions (see paras. 97-107).

170. The Milk Committee was reminded that a justification should be provided on the choice of the specific date marking provisions (date of manufacture).

171. The delegation of Cuba supported the view that the date of manufacture should be declared on non-retail containers or on outer containers of milk products.

172. Concerning the declaration of country of origin, the observer of IDF pointed to a situation which was peculiar to cheeses: the country of origin of a cheese meant that country from which that type of cheese originated. However, the same type of cheese could now be produced in many countries and the country of manufacture would, therefore, be more informative for the consumer.

173. Several delegations indicated that they appreciated the difficulties explained by the observer of IDF, but felt that there was no justification for a deviation from the provisions on the country of origin in the General Labelling Standard. The Committee agreed that the Milk Product Standard should contain a provision concerning the country of origin only.

174. The delegation of Argentina expressed its opinion that declaration of the country of origin should be compulsory.

175. The "Milk Committee" had also noted that certain cheeses were sold whole to the consumer without being prepackaged. In IDF's view, such products were not adequately covered by the General Labelling Standard.

176. Several delegations were of the opinion that, since the General Labelling Standard was not applicable in these cases, the Scope section of the relevant cheese Standards might have to be adjusted to provide for these products.

Revision of Labelling Sections in Codex Standards for Edible Fats and Oils (Appendix XI of ALINORM 87/17)

177. The Committee noted with appreciation that the labelling provisions in the Standards for Fats and Oils had been revised in accordance with the General Labelling standard and Section 5.3 of the Guidelines on Labelling Provisions.

178. The Committee endorsed the revised provisions and requested the Secretariat to make the appropriate amendments to the provisions for non-retail containers. The delegation of the Netherlands reiterated that the labelling requirements for outer containers for prepackaged food differed with those for other non-retail containers since they contained fully labelled prepackages and that this is a general problem on which all Committees should be advised.

Revision of Labelling Provisions in the Codex Standards for Margarine and Minarine (Appendix XI of ALINORM 87/17)

179. The Committee endorsed the revised labelling provisions as for the other standards elaborated by the Committee on Fats and Oils (see para. 178 above).

180. The Committee noted that the two standards contained labelling prohibitions (Section 8.10) which did not permit declaration of any vitamins other than in a complete list of ingredients, unless the name or quality of the vitamin was stated on the label. It was noted that this provision had been introduced before the Guidelines on Nutrition Labelling had been developed.

181. The delegation of the Netherlands noted that in some countries the amounts of vitamins added had to be declared; this was one of the reasons for this paragraph. This was not covered by the guideline and, therefore, the section should be amended accordingly.

182. The Committee decided that this type of provision was in fact covered by the Nutrition Labelling Guidelines and could be deleted from the standard.

183. The delegation of Australia proposed to replace Section 8.10 by a requirement that the declaration of nutrients should comply with the Guidelines on Nutritional Labelling.

184. The Committee was of the opinion that the Australian proposal went beyond the present provision and decided to delete Section 8.10.

Revision of Codex Standard for Olive Oil, Virgin and Refined, and for Refined Olive -Pomace Oil (Codex STAN 33-1981)

185. The Committee endorsed the labelling provisions with the proviso indicated for other fats and oils (see para. 178).

Draft Standard for Specified Vegetable Fat Products (Step 8) Draft Standard for Specified Animal or Mixed Animal and Vegetable Fat Products (Step 8) (Appendix XII of ALINORM 87/17)

186. The Committee endorsed the labelling provisions in the above standards with the proviso to delete Section 8.10 and 8.10.2 respectively, and to introduce the editorial amendments agreed to for other standards for fats and oils (see paras. 178 and 180-184).

AGENDA ITEM 6 - CONSIDERATION OF AMENDMENT OF THE CODEX GENERAL GUIDELINES ON CLAIMS

187. The Committee had before it working paper CX/FL 87/5 Add. I, the report of the Working Group on Amendments to the Codex General Guidelines on Claims.

188. The Chairman of the Working Group, Mr. L. Erwin (Australia), introduced the report, adopted by the Working Group, which is contained in Appendix II to this report.

189. The Chairman of the Committee thanked the Working Group and its Chairman and rapporteur for the valuable work.

190. The Committee adopted the report of the Working Group and considered the Proposed Revised Version of the Codex General Guidelines on Claims which had been attached to the Working Group report.

191. The delegation of the U.S.A. stated that while its government was deeply committed to consumer protection, it wished to limit the guidelines to labelling only. The delegation therefore proposed to make the following amendments to the revised text of the Guidelines on Claims.

Section 1.1 - insert "labelling" before "claims".

Section 1.2 - replace "be described or presented" by "be labelled".

Section 4 - insert "labelling" before "claims".

Section 5.1 IV (c) - delete entirely or replace by the following wording: "Has not been substituted by another, giving the food qualities corresponding to that which the claim indicates have been reduced or removed, e.g. 'reduced sodium' claim would not preclude the addition of potassium chloride to maintain the flavour of the product; 'no sugar added' claim would not preclude the addition of a non-sugar sweetener (aspartame, cyclamate, saccharin) to maintain the sweetness of the product."

Section V (i) - insert "labelling" before "claim".

192. The delegation of the United States also expressed the opinion that this Committee might not have the authority to deal with advertising. The Committee was reminded that a legal opinion of legal counsels of FAO and WHO had confirmed that the Committee could deal with certain aspects of advertising (CX/FL 85/7, Appendix I and para. 197 of ALINORM 85/47). The observer of the International Assembly of Food and Grocery Manufacturers Associations (IFGMA) drew attention to a part of the conclusion of the legal opinion as follows: "Advertising has always been considered, both generally and by the parent organizations of the Commission, as a matter having aspects which are necessarily incidental and ancillary to the protection of the health of the consumers and the ensurance of fair practices of trade."

193. The delegation of Sweden and the observer of IOCU expressed their opposition to the amendments proposed by the delegation of the U.S.A.

194. The Committee agreed that the above comments should be placed in the report to give governments an opportunity to comment on them.

195. The delegation of the Netherlands referred to its comments on conditional claims (pages 4 and 5 of CX/FL 87/5) should also be further considered.

196. This view was supported by the delegations of Australia and Canada. The latter country drew attention to the fact that some of the definitions included in the Netherlands' comments had already been developed by CCFSDU and that there should be uniform criteria for such claims throughout the Codex system.

197. The view that the report should be sent out with the comments was also supported by the delegation of Denmark. The delegation stressed that was it was not in agreement with parts of the report of the Working Group.

198. The Committee decided to add the Netherlands' comments together with the remarks made by Canada to Appendix II of this report.

199. The Committee recalled that the 15th Session of the Commission had approved the revision of the General Guidelines on Claims and decided to inform the Commission that it was continuing with this revision.

200. The Committee also decided to request comments at Step 3 on the Proposed Draft Revision of the Codex General Guidelines on Claims as contained in Annex I to Appendix II to this report.

AGENDA ITEM 7 - REPORT OF THE AD-HOC WORKING GROUP ON METHODOLOGY FOR USE IN THE CODEX GUIDELINES ON NUTRITION LABELLING

201. The Committee had before it the report of the Working Group (CX/FL 87/6) which was introduced by the Chairman, Dr. J.N. Thompson of Canada (Appendix III to this report).

202. The Committee noted certain omissions from the table in Annex I and requested the Chairman to rectify the errors and omissions in the table of Recommended Methods of Analysis for Nutrition Labelling. The Committee adopted the above report of the Working Group and agreed with the recommendations contained therein.

203. The Chairman of the Committee expressed the Committee's appreciation to the Working Group and accepted the offer of the Canadian delegation to continue the coordination of the Working Group's programme.

AGENDA ITEM 9 - OTHER BUSINESS

Irradiated Foods

204. The observer of IAEA suggested that Section 5.2 (Irradiated Foods) of the General Standard for the Labelling of Prepackaged Food should be amended along the lines of the paper submitted by the International Consultative Group on Food Irradiation (FAO/WHO/IAEA). It was noted that this paper had not been distributed for the session.

205. The Committee noted with interest the proposals contained in the paper and decided to circulate the document in order to give member countries an opportunity to examine the document and to submit comments on it for consideration at the next session of the Committee. The observer of IAEA agreed to provide the French and Spanish revisions of the paper.

206. The observer of IOCU expressed that organization's interest in any advice which could be given by the Codex Alimentarius Commission on the labelling of irradiated foods, especially on more precise labelling terms and on second generation irradiated foods.

207. The delegation of the United Kingdom wished to place on record that, in its country, irradiation of food was still prohibited. The delegation was of the opinion that the use of a logo did not resolve the present problem concerning the labelling of these products and that current expert advice to the United Kingdom Government was that labelling requirements should extend to ingredients.

Declaration of Energy as "Calories"

208. The delegation of the U.S.A. proposed that Codex recommendations concerning the declaration of energy should permit the use of the term "Calorie" in addition to kcal and kJ since the former term was used in many countries including the U.S.A., Canada and several European countries and well understood by consumers.

209. The proposal was supported by the delegation of Canada which pointed out that the Codex Guidelines on Nutrition Labelling did permit flexibility in the manner of declaration of the nutrient content.

210. The delegation of Sweden informed the Committee that ISO had limited the units of measurement of energy to the use of kilojoules and recommended alternative measurements for transition periods only.

211. The observer of the EEC stated their Community legislation used kilojoules with a possibility to declare kcal in addition. This was confirmed by the delegation of the United Kingdom which indicated that appropriate consumer education could overcome the problem raised by the United States.

212. No further action was taken by the Committee at the present time.

Quantitative Declaration of Added Nutrients

213. The delegation of Canada proposed consideration of an amendment to the General Labelling Standard to require that the amounts present in the food of any added vitamins and minerals should be declared on the label. This proposal was supported by the delegation of the Netherlands.

214. The Committee agreed that the problem would have to be more precisely defined if this matter were to be further pursued.

AGENDA ITEM 8 - FUTURE WORK

215. The Committee agreed that its agenda for the next meeting should include the following items:

- Endorsements
- Matters referred to the Committee by the Commission and other Codex Committees
- Proposed Draft Revision of Codex Guidelines on Claims
- Progress Report of the Ad-hoc Working Group on Methodology for Use in the Codex Guidelines on Nutrition Labelling
- IAEA proposal for amendment to Section 5.2 of the General Standard including government comments
- Proposal on Quantitative Declaration of Added Vitamins and Minerals (Canada)
- Paper on Coordination of Labelling Documents within the Codex Framework

AGENDA ITEM 10 - DATE AND PLACE OF NEXT SESSION

216. The Committee was informed that the Government of Canada would continue to host this Committee and that it was envisaged that the next session of this Committee would be held in about two years time.

217. The exact date would be communicated in due course.

218. The delegation of Switzerland, speaking on behalf of the delegations present, expressed appreciation to the Government of Canada for providing excellent facilities for this Committee and its warm hospitality.

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**REPORT OF WORKING GROUP ON AMENDMENT OF
CODEX GENERAL GUIDELINES ON CLAIMS**

The Working Group met under the Chairmanship of Mr. L. Erwin (Australia) and Mr. C.A. Cockbill (United Kingdom) acted as rapporteur. Delegates from Australia, Brazil, Canada, China, Denmark, Finland, France, Ireland, Japan, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom, U.S.A. and Zimbabwe were present together with observers from CIAA, IDF EEC, WFA and IFGMA and the FAO Secretariat.

The Working Group had before it paper CX/FL 87/5 which contained a paper prepared for the previous session of the CCFL by Australia on which discussions had been deferred, and comments from the Governments of Canada, Chile, Cuba, Ireland, the Netherlands, Sweden, Switzerland, Thailand, Finland, New Zealand, Norway, U.S.A. and Australia. The Working Group also had before it Conference Room Document No. 2 on advertising submitted by Sweden. The Chairman reminded delegates that the General Principles behind the Guidelines on Claims were virtually identical to the General Principles contained in paragraph 3.1 of the General Standard on the Labelling of Prepackaged Foods. He suggested that the Working Group should examine the issue of negative claims, which was the principal matter contained in the discussion paper, and then go on to discuss other claims and the associated matter of food advertising.

Negative Claims

The Chairman drew attention to the six options, A to F, which were contained in the paper. He suggested that Government comments so far received indicated that discussion should concentrate on E and F and the other four options could be discarded. Most of the delegations who spoke during the ensuing debate favoured a combination of E and F, but a number drew attention to the need to incorporate that part of option D relating to the substances prohibited by law. The Netherlands favoured option D as a whole because its meaning was less subject to interpretation and thus easier of enforcement. Some delegations queried the precise meaning of paragraph (b) of option E which could prevent information being given where an ingredient thought less desirable by consumers had been replaced by a more desirable one (e.g. 'Sodium free' statements when sodium chloride had been replaced by potassium chloride). Norway favoured a prohibition of negative claims, unless accepted by health authorities, e.g. Options A and B. It was agreed that the favoured features of Option D should be combined with Options E and F and be inserted in the guidelines accordingly.

Negative Nutrient Claims

It was agreed that the following should also be included as a conditional claim in the Guidelines on Claims:

"Claims which highlight the absence or non-addition of one or more nutrients should be regarded as nutrition claims and therefore should invoke mandatory nutrient declaration in accordance with the Codex Guidelines on Nutrition Labelling."

Foods for Special Dietary Uses

It was agreed that it should be recommended that CCFSDU should consider whether the following section should be added to paragraph 2.5 (Claims) of the General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses:- "However

any statement which highlights the absence or non-addition of a substance and, as a consequence, implies that the food may be suitable for special dietary use shall constitute a claim under this standard."

Follow-up Action

It was agreed that the Proposed Draft Revision of the Codex General Guidelines on Claims be distributed at Step 3 of the Codex Procedure. It was also thought advisable to ask the Secretariat to prepare a paper for consideration at the next session of CCFL on the effects of all these proposed changes on the other Codex Standards. This would facilitate the discussion and adoption of these proposals at the next session.

Advertising

There was a majority amongst the delegations that the Guidelines on Claims, as revised as a result of the discussion, should apply equally to the advertising of food as much as to its labelling. The observer of WFA spoke strongly against this indicating that he thought the Working Group was confusing two separate issues; there were already adequate controls within the advertising industry and it was therefore unnecessary for Codex to build upon these. The U.S.A. supported this view, bringing to the attention of the Working Group a U.N. document entitled: "U.N. Guidelines for Consumer Protection" which it felt adequately dealt with the situation. Other delegations were, however, not persuaded by these arguments and pointed out that all the Working Group was recommending was that the rules for claims on food labels should logically cover parallel food advertisements. As a result of the discussions, it was agreed that some adjustments would need to be made to the Guidelines on Claims by the introduction of a Scope section and the deletion of the existing paragraph 1.2. It was also agreed that the Guidelines should forthwith stand in their own right and not be an adjunct to the General Standard on Food Labelling. These changes would divorce the Guidelines from the narrower field of food labelling and would allow governments to apply them to advertising when it seemed to them appropriate to do so.

A number of the textual changes to clarify meaning were suggested by the secretariat. A draft copy of the revised Guidelines on Claims, taking account of the Working Group's suggestions, is attached as Annex I.

**PROPOSED DRAFT REVISION OF THE
CODEX GENERAL GUIDELINES ON CLAIMS
(At Step 3)**

1. SCOPE AND GENERAL PRINCIPLES

1.1 These guidelines relate to claims made for a food irrespective of whether or not the food is covered by an individual Codex standard.

1.2 The principle on which the guidelines are based is that 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.

2. 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.

3. PROHIBITED CLAIMS

The following claims are prohibited:

3.1 Claims stating that any given food will provide an adequate source of all essential nutrients, 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.

3.2 Claims implying that a balanced diet of ordinary foods cannot supply adequate amounts of all nutrients.

3.3 Claims which cannot be substantiated.

3.4 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 unless they are:

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

or,

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

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

4. MISLEADING CLAIMS

The following claims are misleading:

- 4.1. Meaningless claims including comparatives and superlatives.
- 4.2. Claims as to good hygienic practice, such as "wholesome", "healthful", "sound".
- 4.3. Claims that the nature or origin of a food is "organic" or "biological".

5. CONDITIONAL CLAIMS

5.1 The following claims should be permitted subject to the particular condition attached to each:

- (i) 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 should be subject to legislation by the appropriate authorities.
- (ii) The terms "natural", "pure", "fresh" and "home made" when they are used, should be in accordance with the national practices in the country where the food is sold. The use of these terms should be consistent with the prohibitions set out in Section 3.
- (iii) 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.
- (iv) Claims which highlight the absence or non-addition of particular substances to food may be used provided that the substance:
 - (a) is not subject to specific requirements in any Codex Standard or Guideline;
 - (b) is one which consumers would normally expect to find in the food;
 - (c) has not been substituted by another giving the food corresponding qualities; and
 - (d) in the case where it is an ingredient not approved for use in the food, that fact is clearly and prominently indicated in the same field of vision as the claim.
- (v) Claims which highlight the absence or non-addition of one or more nutrients should be regarded as nutrition claims and therefore should invoke mandatory nutrient declaration in accordance with the Codex Guidelines on Nutrition Labelling.

**COMMENTS RELATED TO THE REVISION OF
THE CODEX GENERAL GUIDELINES ON CLAIMS**

The Committee decided to append the full text of the comments made by the Netherlands as contained in CX/FL 87/5 and the related comments by the delegation of Canada (see para. 195 of this report).

Comments made by the Netherlands

a. Negative claims

In answer to the request for comments on the Working Paper on Negative Claims (CL 1985/30), the Netherlands hold the view that negative claims often are a useful aid to inform the consumer on the absence or non-addition of substances. A general prohibition seems not warranted therefore. In some cases negative claims can be misleading to the consumer, for instance, when the absence or non-addition of a substance is mentioned when the legislation does not permit the presence or addition of that substance. In such cases the negative claim should be prohibited, as is suggested in Proposal D of the working paper on negative claims. Since many foodstuffs are not covered in any Codex Standard, the Netherlands would prefer to include in Section 5 of the Guidelines on Claims the following provision:

IV. Claims which highlight the absence or non-addition of particular substances to food may be used provided that the presence or addition of that substance is permitted.

b. Nutritional claims

The Netherlands recall the decision reported in para 255 of the report of the 18th Session of the Codex Committee on Food Labelling to include nutritional claims and inform the Committee as follows:

Regarding nutritional claims the Netherlands propose the following limitations:

- Claims as to the reduced amount of energy or fat, sugar(s), or salt and to the increased amount of protein, or dietary fibre in a food may only be used if the amounts are at least 33 per cent lower resp. higher than usual in such a food.
- Claims as to the low energy content of drinks and soups if the energy content is lower than 85 kJ (20 kcal) per 100 ml and for other foods if the energy content is lower than 210 kJ (50 kcal) per 100 g.
- Claims as to the low fat content if the fat content is lower than 5 per cent; for drinks, soups and liquid milk products this percentage has to be related to the total dry matter.
- Claims as to the low sodium content may only be used if the sodium content is lower than 20 mg per 100 g or 100 ml.
- Claims as to the high protein content if the protein content is at least 20 per cent; for drinks, soups and liquid milk products this percentage has to be related to the total dry matter.
- Claims as to the high dietary fibre content if the dietary fibre content is at least 10 per cent in the dry matter of the food for drinks, soups and liquid milk products this percentage must be related to the food ready for consumption.

- Claims as to the high content of a vitamin or a mineral may only be used if the estimated daily consumption of the food contains at least 20 per cent of the Reference Recommended Daily Amount for labelling purposes.
- Claims as to the increased content of polyunsaturated fat may only be used for foods of which the estimated daily consumption contains at least 5 g of fat and if the polyunsaturated fat content is at least twice that usual in the food, at least 30 per cent and exceeds that of the saturated fat content.
- Claims as to the high content of polyunsaturated fat may only be used if the estimated daily consumption of the food contains at least 5 g fat and if the polyunsaturated fat content is at least 60 per cent of the total fat and the saturated fat content is not higher than 25 per cent of the total fat.

In addition the Netherlands consider claims as to the absence or non-addition of sugar(s) or salt as nutritional claims as well as negative claims for which no quantitative limitations need to be laid down. They may only be used if no sugar(s) resp. salt have been added and in order to avoid confusion to the consumer, the number of expressions should be limited to: "no sugar(s)/salt added", "(prepared) "without sugar(s)/salt" or "unsweetened" resp. "unsalted".

Comments made by Canada

The delegation of Canada drew attention to the fact that some of the definitions included in the Netherlands' comments had already been developed by CCFSDU and that there should be uniform criteria for such claims throughout the Codex system.

**REPORT OF THE AD HOC WORKING GROUP ON
METHODOLOGY FOR USE IN THE CODEX GUIDELINES
ON NUTRITION LABELLING**

1. The Working Group consisted of representatives of Australia, Canada, Denmark, Finland, Norway, Sweden, Switzerland, U.S.A. and I.D.F. Dr. J.N. Thompson acted as Chairman and Miss P. Steele as rapporteur.
2. The Working Group met to
 - a) consider the methods of analysis listed in Alinorm 85/22A, Appendix VIII, Annex I;
 - b) consider problems of sampling and tolerance;
 - c) determine items to be included in a circular letter for comments by governments, and interested international organizations.
3. The Working Group noted that the identification of appropriate validated methods of analysis for nutritional labelling is a complex and difficult task involving many nutrients in a wide variety of foods. Some of the methods available at the present time have been validated only for limited groups of foods. The Working Group concluded that it would be necessary to rely heavily upon international organizations involved in the evaluation and validation of methods of analysis and the Codex Committee of Methods and Analysis and Sampling (CCMAS).
4. It was agreed that an important role of the Working Group was to specify the substances which should be measured by analytical methods used in nutrition labelling, as exemplified by the measured parameters listed in Annex I.
5. It was agreed that methods other than those listed in the Table to Annex I should be considered, provided they were in reasonable agreement with or represented an improvement over those already listed.
6. The Working Group agreed that sampling plans for nutrition labelling had special requirements since allowances must be made for the wide variations which occur with naturally occurring nutrients. The delegate of Sweden pointed out that Codex has adopted a sampling plan originally developed within the Committee on Processed Fruits and Vegetables. Both Denmark and the U.S.A. have statistical sampling plans designed specifically for nutrient analyses for nutrition labelling.
7. The Working Group agreed that the method of sampling should comply with the principles outlined in Section 3.4 of the Codex Guidelines on Nutrition Labelling. It was decided that countries would be asked to provide information on existing sampling plans and that a paper would be prepared by Canada, U.S.A., Denmark, Norway and I.D.F. for the next session of CCMAS requesting their advice and guidance.
8. The Working Group agreed that governments and international organizations should be requested to suggest additional methods of analysis. The responses will be sent to the Chairman of the Working Group for coordination and preparation of a summary document. In the case of nutrients for which no acceptable methods are available, it was suggested that these could be referred to the organizations participating in the Interagency Meeting for advice.
9. The Working Group recommends that a circular letter be sent to governments and interested international organizations requesting:
 - 1) comments on the Table in Annex I to this Report;

- 2) information on additional method of analysis;
- 3) information on sampling plans suitable for use in nutrition labelling.

RECOMMENDED METHODS OF ANALYSIS FOR NUTRITION LABELLING

Nutrient	Parameter to be measured	Method	Type
Energy value	Available energy	By calculation from the amounts of protein, carbohydrate, fat, alcohol and organic acids using the following conversion factors: - (a) Protein - 4 kcal/g or 17 kJ/g (b) Available Carbohydrate - 4 kcal/g or 17 kJ/g (c) Fat - 9 kcal/g or 37 kJ/g (d) Alcohol - 7 kcal/g or 29 kJ/g (e) Organic Acid(s) - 3 kcal/g or 13 kJ/g	I
Protein	Total Kjeldahl Nitrogen x 6.25 unless a different factor is given in a Codex standard or a Codex Method of Analysis for that food.	AOAC 1984, XIV, 2.057	I & II
Fat	Total Lipid	AOAC 1984, XIV, 43.275 - 43.277	I
Polyunsaturated Fat	Fatty acids with <u>cis-cis</u> methylene interrupted double bonds	To be established.	
Saturated Fat		To be established	
Available Carbohydrate	Available carbohydrate is determined from the results of the determination of total fat, ash, protein, loss on drying, and where appropriate, dietary fibre		
Dietary Fibre	Edible plant and animal material not hydrolyzed by endogenous enzymes of the human digestive tract	AOAC 1984, XIV, Supplement 43.A14 - A20	
Sugars	Total sugars, (mono-&disaccharides)	To be established	
Alcohol	Ethanol	AOAC 1984, XIV, 9.020 - 9.037 (spirits)	

		10.023-10.033 (beers) 11.005-11.006 (wines)	
Organic Acids		To be established	
Ash		AOAC 1984, XIV, 7.009 ¹	I
Loss on Drying		AOAC 1984, XIV, 7.003-7.008	I
Vitamin A	Content of retinol and its derivatives and B-carotene, all expressed as retinol equivalents (RE) on the basis of the following relationships: (i) 1 RE = 1 microgram retinal (ii) 1 RE = 6 microgram B-carotene	HPLC method for retinol isomers and carotenes to be established	
Vitamin D	Content of cholecalciferol and ergocalciferol	AOAC 1984, XIV, 43.235-43.249 AOAC 1984, XIV, 43.110-43.127	III
Vitamin E	Content of <u>d</u> -alpha-tocopherol (RRR-alpha-tocopherol) and <u>dl</u> -alpha-tocopherol and their derivatives, expressed in milligrams on the basis of the following relationship: (i) 1 milligram <u>d</u> -alpha-tocopherol = 1 milligram Vitamin E (ii) 1 milligram <u>d1</u> -alpha-tocopherol = 0.74 milligram Vitamin E	AOAC 1984, XIV, 43.129-43.137; 43.147-43.151 HPLC method to be established	III
Vitamin C	Content of L-ascorbic acid and L-dehydroascorbic acid and their derivatives, calculated in milligram equivalents of L-ascorbic acid	AOAC 1984, XIV, 43.076-43.081; 43.064-43.068	III
Thiamin	Content of thiamin	AOAC 1984, XIV, 43.024-43.030; 43.031-43.034; 43.035-43.038	III
Riboflavin	Content of riboflavin	AOAC 1984, XIV, 43.039-43.047; 43.209-43.217	III
Niacin	Content of niacin and its derivatives	AOAC 1984, XIV, 43.048-43.059;	III

calculated in milligrams of nicotinic acid, 43.167-43.174; 43.191-43.199 plus the content of tryptophan calculated in milligrams and divided by 60, and this total expressed as niacin equivalents (NE)

For the purpose of subparagraph (i) the content of tryptophan shall be estimated

- A- in the case where the protein originates from any food except milk, meat, poultry, fish and egg, as constituting 1.1 per cent of that protein,
- B- in the case where the protein originates from milk, meat, poultry or fish, as constituting 1.3 per cent of that protein, and
- C- in the case where the protein originates from egg, as constituting 1.5 per cent of the protein; or
- D- in the case of a food containing proteins from more than one source, as constituting 1.1 per cent of that protein

Vitamin B6

Content of pyridoxine, pyridoxine and pyridoxamine and their derivatives, calculated in milligram equivalents of pyridoxine and expressed as milligrams

AOAC 1984, XIV, 43.229-43.234
HPLC method to be established

III

Folic Acid

Content of folic acid (pteroylmonoglutamic acid) and related compounds exhibiting the biological activity of folic acid, calculated in microgram equivalents of folic acid

Microbiological assay method to be established

Vitamin B12	Content of cyanocobalamin and related compounds exhibiting the biological activity of cyanocobalamin calculated in microgram equivalent of cyanocobalamin	AOAC 1984, XIV, 43.175-43.182	III
Calcium, Iron, Zinc and Magnesium	Content of each element	Atomic absorption method AOAC 1984, XIV, 7.096-7.100	III
Phosphorus	Content of element	AOAC 1984, XIV, 7.123-7.128	III
Iodine	Content of element	AOAC 1984, XIV, 47.003-47.008 Further method to be established	III

¹ A lower temperature of 550°C is recommended for ashing of products which have a high content of calcium and sodium. Methodology similar to the one recommended for estimation of ash in condensed milk.