



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Thirty-ninth Session

Québec City, Québec, Canada, 9 - 13 May 2011

European Union comments on the Matters referred to the Committee

Agenda item 2

1- Critical review on GM labelling

The European Union and its Member States (EUMS) note that CCEXEC would recommend corrective action if work on GM labelling was not completed by 2011, which means that this 39th session should transmit a proposal for adoption to the CAC. This corrective action would very likely materialise in discontinuation of work.

The EUMS wish to underline that discontinuing work on such a major issue would be a huge failure for CCFL in particular and for Codex in general. It would be clear evidence that Codex had failed to meet the expectations of member countries, especially developing countries, most of which have repeatedly requested Codex guidance on this important topic.

The issue of recommendations to Codex members for the labelling of GM foods is not a secondary question; this is indeed a very important topic which concerns many governments and consumers all over the world. Codex does not waste its time when addressing such an important topic.

The EUMS therefore urge CCFL participants to do their utmost to advance in the direction of consensus on this issue and reach a final conclusion.

2- Matters referred by CCNFSDU: Proposed Draft Annex to the Codex Guidelines on Nutrition Labelling: General Principles for Establishing Nutrient Reference Values for Nutrients Associated with Risk of Non-communicable Diseases for the General Population

During the 32nd session of the Codex Committee on Nutrition and Foods for Special Dietary Uses it was noted that the revision of the list of nutrient reference values and the consideration of guidelines for nutrient reference values associated with non-communicable diseases meant that the text of 3.4.4 and perhaps other sections of the Guidelines on Nutrition Labelling would need to be revised. The CCNFSDU has drawn the attention of CCFL to this issue.

The EUMS would like to thank the CCNFSDU for drawing this issue to the attention of the CCFL. The EUMS consider that such a review should take place after an agreement is reached on the list of nutrients that should be declared on a voluntary or mandatory basis; the general principles for establishing nutrient reference values for vitamins and minerals and for nutrients associated with non-communicable diseases have been established; and the nutrient reference values have been determined.

Paragraph 3.2.4 - If the declaration of sugars is part of the basic nutrition declaration then this paragraph would need to be reviewed as it would no longer be necessary to oblige the declaration of sugars. A possible wording could be:

"3.2.4 Where a claim is made regarding the amount and/or the type of carbohydrate, the amount of total sugars should be listed in addition to the requirements in Section 3.2.1. The amounts of starch and/or other carbohydrate constituent(s) may also be listed in addition to the requirements in Section 3.2.1. Where a claim is made regarding the dietary fibre content, the amount of dietary fibre should be declared."

Paragraph 3.4.4 - When the General Principles are added to the Guidelines consideration will need to be given to the introductory paragraph to the list of nutrient reference values given in paragraph 3.4.4. In particular the third subparagraph beginning "The following Nutrient Reference Values ..." will need to be reviewed with respect to the terminology used for the nutrient reference values and the recognition in the General Principles that member countries may develop their own labelling reference values.

Agenda item 3

Consideration of Labelling Provisions in draft Codex Standards

1- Proposed draft Standard for Desiccated Coconut

The EUMS note that the use of the comparative claim "Reduced Oil Desiccated Coconut" does not seem to respect the provisions of section 6.3 of the Guidelines for Use of Nutrition and Health Claims (CAC/GL 23-1997) which states that the comparison should be based on a relative difference of at least 25% in the nutrient content between the "normal" product and the "reduced" product.

In the Standard the provisions for the oil content are the following:

- $\geq 60\%$ m/m for desiccated coconut
- $\geq 35 < 60\%$ m/m for reduced oil desiccated coconut

In consequence, a product with 59% oil content can be called "Reduced Oil Desiccated Coconut".

2- Proposed Draft Regional Standard for Chili Sauce

- Section 8.1.2: The EUMS questioned the reference to "the agreement between trading partners" which is a private trade arrangement. The EUMS would then suggest the deletion of "in accordance with the agreement between trading partners" from section 8.1.2.

3- Proposed Draft Regional Standard for Lucuma

The EUMS fully support the mention of the country of origin in section 6.2.3.

Agenda Item 4 (c)

Use of standardised symbols to represent the ingredients identified in the Global Strategy

The European Union (EU) considers that the harmonisation at the international level of symbols for certain ingredients would be a complex process especially as there are cultural and other differences between member countries. The EU is not convinced that there is a need for such work and does not consider it is appropriate for this work to be taken forward through the Codex Alimentarius procedure.

Agenda Item 4 (d)

Mandatory Nutrition Labelling

The European Union (EU) considers that the overview of the issues related to mandatory nutrition labelling that was included as Annex III of Alinorm 10/33/22 is a good basis for member countries to consider the question of whether nutrition labelling should be part of the mandatory food labelling declaration.

Some member countries have made nutrition labelling mandatory on certain products. The EU is currently reviewing its own rules concerning nutrition labelling. Part of its ongoing consideration is whether the labelling should be mandatory for the majority of processed food products. The proposal within the EU to introduce a mandatory nutrition declaration was made after careful consideration of the circumstances within the EU. The discussions have not questioned the proposal to make nutrition labelling mandatory on certain products.

The EU considers that the individual countries would need to make their own analysis of their local circumstance before obliging nutrition labelling. The EU would be interested to hear the views of countries that have do not have a mandatory approach on the possibility of changing the approach in the Codex Guidelines to mandatory rather than voluntary.

Given the some member countries have taken the mandatory approach already, it would be useful to recognise this possibility in the Codex Guidelines. In this sense the EU would suggest that 3.1.2 of the Guidelines be amended as follows:

"3.1.2 For all other foods, national authorities should consider whether the nutrient declaration should be voluntary or mandatory taking into account the local circumstances for all other foods."

Agenda Item 9

Modified Standardized Common Names

The European Union and its Member States (EUMS) note that none of the committees which were consulted expressed a favourable opinion of this work. Several committees clearly expressed their opposition, but not a single one was in favour.

The EUMS are still of the opinion that new work on modified standardized common names at the level of CCFL should not be initiated for the following reasons:

1. There are other means to inform consumers than to modify standardized names;
2. - Modification of standardized names can only be applied to a limited number of products and most of these already have relevant provisions e.g. milk products;
3. - Modification of a standardized name could confuse consumers and would be unfair because consumers expect certain essential characteristics and quality of a product with a standardized name;

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4. - Modification of standardized names could be better dealt with in the commodity standards and any issues of consistency could be dealt with through the endorsement process;
 5. - There are too many variations in products as to be able to define this at the horizontal level and it would also be difficult to deal with modified names in different languages;
 6. - There should be evidence given that use of modified standardized names would have a positive effect on public health;
 7. - Modified products may need more food additives (e.g. sugar reduced jams) and be of lower quality and lack beneficial characteristics that the consumer may expect (e.g. reduced fat chocolate).