



GLOBAL FOOD REGULATORY
SCIENCE SOCIETY



ANALYSIS OF AGENDA ITEMS IN PREPARATION FOR CCFL48

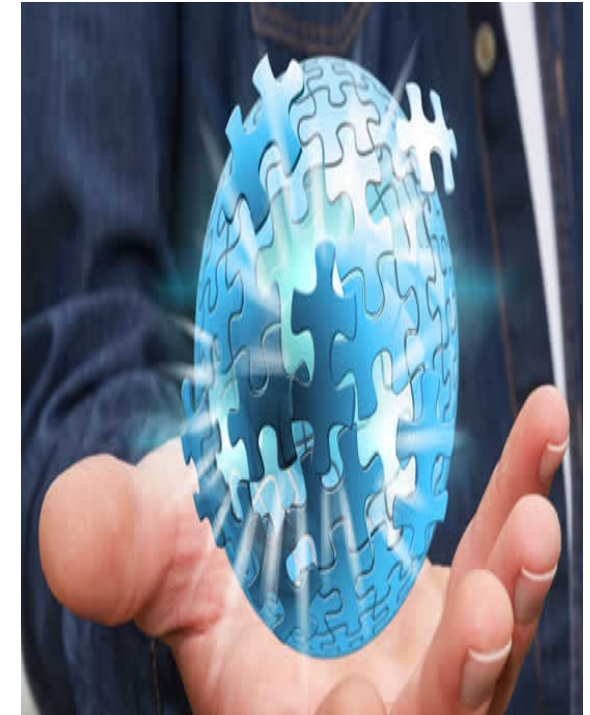
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Outline

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- ❑ Agenda Item 2: Matters Referred to the Committee by the Codex Alimentarius Commission and the Codex Executive Committee
- ❑ Agenda Item 3: Matters Arising from FAO and WHO
- ❑ Agenda Item 4: Consideration of Labelling Provisions in Draft Codex Standards (endorsement)
- ❑ Agenda Item 5.1: Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling
- ❑ Agenda Item 5.2: Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Proposed draft Guidance on Precautionary Allergen Labelling (PAL)
- ❑ Agenda Item 6: Proposed Draft Guidelines on the Provision of Food Information for Prepackaged Foods offered via E-commerce
- ❑ Agenda Item 7: Proposed draft Guidelines on the Use of Technology to Provide Food Information in Food Labelling
- ❑ Agenda Item 8: Amendments to the General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985): Provisions relevant to joint presentation and multipack formats
- ❑ Agenda Item 9: Discussion Paper on the Labelling of Alcoholic Beverages
- ❑ Agenda Item 11: Discussion Paper on Transfatty Acids



Agenda Item 2 Analysis

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Matters Referred to the Committee by the Codex Alimentarius Commission and the Codex Executive Committee

☐ Items for information

- CAC46 adopted CCFL47 draft standards step 5:
 - The revision to CXS1-1985: The General Standard for the Labelling of Prepackaged foods (GSLPF): provisions related to allergen labelling.
 - The Guidelines on the provision of food information for pre-packaged foods to be offered via e-commerce.
 - The Guidelines on the use of Technology to provide food information.
- CAC46 also approved the CCFL47 proposal for new work on the amendment of the General Standard for Labelling of prepackaged foods (CXS1-1985) on the labelling of prepackaged foods in joint presentation and multi-pack formats.



Agenda Item 2 Analysis (cont.)

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*Matters Referred to the Committee by the Codex Alimentarius Commission
and the Codex Executive Committee*

□ Items for information

- CCFH54 suggested to prepare a discussion paper to support the review of the recently adopted Code of Practice on allergen management, cognizant of suggestions made by CCFL47 to ensure consistency with CCFL47 recommendations (list of priority allergens and findings of the expert advice stemming from FAO/WHO).



Agenda Item 2 Analysis (cont.)

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*Matters Referred to the Committee by the Codex Alimentarius Commission
and the Codex Executive Committee*

□ Items for action

- To consider the labelling provisions for country of origin and country of harvest in the Standard for dried floral parts – saffron, considering the response from CCSC7.
- This matter will be reviewed as part of Agenda Item 4 of CCFL48.



Agenda Item 3 Background

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Matters Arising from FAO and WHO

The following updates that may be of interest to the Codex food labelling community:

- Ad hoc Joint FAO/WHO Expert Consultation on Risk Assessment of Food Allergens
- Joint FAO/WHO update of nutrient requirements for infants and young children from birth through 3 years of age
- Joint Statement on the Principles of a Healthy Diet
- FAO activities on Food Labelling
- Global Food Consumption Databases



Agenda Item 4 Background and Analysis

Consideration of Labelling Provisions in Draft Codex Standards (endorsement)

☐ CCFL48 is asked to consider labelling provisions in draft Codex standards – CCSCH, CCFO and CCLAC

▪ CCSCH7:

- No consensus by CCFL regarding the mandatory declaration of the country of harvest and how such a declaration would be useful to prevent fraud.
- CCSCH7 did not provide substantiated evidence as to the need for the distinction between “country of origin” and “country of harvest”, indicating rather that they are often the same.
- At CCFL47 several delegations including Brazil, Canada and the USA opposed such mandatory declaration while some producing countries identified its need.



Agenda Item 4 (cont.)

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Consideration of Labelling Provisions in Draft Codex Standards (endorsement)

- CCFL48 is asked to consider labelling provisions in draft Codex standards – CCSCH, CCFO and CCLAC
 - CCFO28 and CCLAC23
 - Two standards were forwarded by for endorsement.
 - The labelling provisions included in the Standard for Fish oils, with the amendment related to the Inclusion of Calanus Oil (as recommended by CCFO28); and the standard for Castilla lulo (nsranjilla) (as recommended by CCLAC23) fulfill the requirements and can be endorsed by CCFL48, prior to consideration of adoption by CAC47.



Agenda Item 5.1 Background

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Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling

- ❑ Most provisions of the amended version of the GSLPF related to allergens were supported by CCFL47, and were forwarded for adoption at Step 5 by CAC46, which was achieved. However, some issues remained for discussion:
 - The Definition of ‘food allergen’, with the consideration of the way additives, processing aids ought to be declared,
 - The exemption from declaration under certain conditions, based on the scientific advice being completed by the FAO/WHO Expert Consultation,
 - The declaration of sulphite and the way the 10 ppm threshold applies, and
 - The way the allergen declaration should appear on the label.
- ❑ An Electronic Working Group (EWG) was re-established chaired by Australia and co-chaired by the US and UK to support the development of the remaining provisions



Agenda Item 5.1 Analysis

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling

❑ Definition of “Food Allergen”

Two definitions were proposed:

1. “Food Allergen” means a food or ingredient including a food additive or processing aid, usually containing a protein or protein derivative, that can elicit IgE mediated or other specific immune mediated reactions in susceptible individuals
2. “Food Allergen” means food (including ingredients, food additives and processing aids) that can elicit IgE-mediated or other specific immune mediated reactions in susceptible individuals, usually caused by a protein or protein derivative in the food.

def·i·ni·tion

/ defə|niSH(ə)n /

noun: a statement of the exact meaning of a word.

Agenda Item 5.1 Analysis (cont.)

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling

Exemption from Declaration

- A dedicated provision in the text (4.2.1.6) was added to identify situations where exemptions from declaration in the list of ingredients would be possible, referring to the section of the FAO/WHO Risk assessment of food allergens related to “Establishing exemptions from mandatory declaration for priority allergens”.
- It was agreed to refer to the approach (decision tree) developed by the scientific advice instead of adding the list of exemptions to the text.

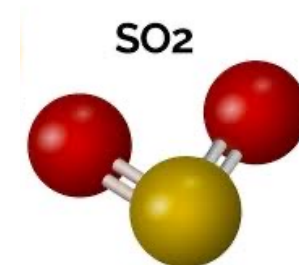


Agenda Item 5.1 Analysis (cont.)

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling

Declaration of Sulphites

- The proposed provision of declaration (in section 4.2.1.7) is based on a threshold of 10 ppm of sulfites, measured as “sulfur Dioxide” (identified in a footnote), as consumed.
- This approach was advanced as being consistent with the way maximum levels of Sulfites are set in the GSFA.
- This approach may be subject to discussion, as the standard applies to the labelling of ingredients present in a prepackaged food, where the identification of markers for such ingredients are generally based on levels identified as “sold”.



Agenda Item 5.1 Analysis (cont.)

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Provisions relevant to Allergen Labelling

□ Conditions of Declaration on the Food Label

- The Provisions under 8.3.2 specify the declaration of the targeted ingredients either in a separate statement starting with “contains” or as part of the list of ingredients. These provisions call for the easier identification of these ingredients through a change of font or colour.
- Where the ingredient declaration for a prepackaged food is subject to exemption, provision 8.3.3 still calls for the declaration of the targeted ingredients through a separate statement.
- It would be important to note that the provisions related to the conditions of declaration may not have the same effectiveness globally, given that consumer understanding and use of food labels tends to be culturally conditioned.
- It may be useful to simplify these provisions with the reference to general principles of making the information related to the targeted ingredients on food label, accessible and legible, and leave the way to achieve that to national / regional regulators.

Agenda Item 5.2 Background

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Proposed draft Guidance on Precautionary Allergen Labelling (PAL)

- Work on PAL began at CCFL45 seeking harmonized guidance.
- Development of this guidance involves the CCFH, in particular their work on the code of practice to manage allergens in food production: Code of Practice on Allergen Management for Food Business Operators (CXC 80-2020).
- Agreement to develop a separate Annex to the GSLPF, to deal with “Guidelines on the use of Precautionary Allergen Labelling”, and the need to benefit from the scientific advice of FAO/WHO expert consultations – carried out at the request of CCFL and CCFH – where 5 reports were released updating the latest knowledge on food allergen risk assessment.
- Despite progress at CCFL47, the draft guidelines were returned to Step 2 and a EWG was re-established chaired by Australia and co-chaired by the US and the UK.

Agenda Item 5.2 Analysis

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Proposed draft Guidance on Precautionary Allergen Labelling (PAL)

- The proposed Principles for the decision to use PAL on food labels are sound and consistent with previous direction of other codex texts and in particular CXC 80-2020, positioning PAL as an additional risk management (and communication to consumers) tool, when all other measures of allergen control have been applied and there is still a risk of exposure to Unintended Allergen Presence (UAP).
- The use of PAL is conditioned by the reliance on a risk assessment, which may be either **qualitative and quantitative**.
 - Better clarification may be needed here.
- Principle 4.1 identifies the conditions of resorting to PAL as the result of this assessment and the inability to rule out the risks from UAP. However, this principle does not include the notion of “mandatory use” of PAL, when such finding is made, in a similar manner to Intended presence of allergens.
 - It may therefore be suggested to add a sentence at the end of principle 4.1 to convey this notion: “**PAL should be mandatory under these circumstances**”.

Agenda Item 5.2 Analysis (cont.)

Proposed draft revision to the General Standard for the Labelling of Prepackaged Foods – Proposed draft Guidance on Precautionary Allergen Labelling (PAL)

- ❑ Guidance includes proposed thresholds for the priority allergens, as developed by the FAO/WHO expert consultation, based on the protection of 95% of food allergic consumers. These thresholds are recommended for use by those tasked to conduct the risk assessment.
 - It may be advised to leave more discretion to “national / regional regulators” to develop/adopt such thresholds based on their acceptable level of protection.
- ❑ Guidance on the conduct of allergen risk assessment by industry may be required:
 - Such guidance could be developed by CCFH, using practices developed in Australia (VITAL Tool: Voluntary Incidental Trace Allergen Labelling) and in Canada (Allergen Management Guidelines for Food Manufacturers – Food Allergy Canada / ULaVal).

The proposed guidelines offer consistency with the Allergen-related provisions of the GSLPF, in relation with the use of a simple statement (“may contain”) and the way PAL should be displayed on food labels

Agenda Item 6 Background

Proposed Draft Guidelines on the Provision of Food Information for Prepackaged Foods offered via E-commerce

- ❑ Adopted as a draft standard (at Step 5) at CAC46.
- ❑ An EWG, chaired by the UK and co-chaired by Chile, Japan, India and China was established to further develop the text enclosed in square brackets. Discussions remain with:
 - Aspects such as “durability” intended to reflect the period expected between a delivery date and other aspects of date marking on the food.
 - The exemption of small units, to provide information when these foods are sold through e-commerce.

Agenda Item 6 Analysis

Proposed Draft Guidelines on the Provision of Food Information for Prepackaged Foods offered via E-commerce

- Two options for a proposed wording are made by the EWG on durability, under Section 5.1.
 - stating that:
 - Option A: “An indication of durability of prepackaged food is encouraged to be provided. For the purpose of this clause, “durability” means the period between the point of delivery and the best-before or use-by date in which the food retains its specific properties when properly stored.
 - Or
 - Option B: “It is encouraged that an indication of the minimum number of days the product will be delivered to the final consumer before the “use-by-Date” “Expiration date” Best Before Date
- A Virtual meeting was scheduled on 16 October and may have progressed in achieving consensus

Agenda Item 7 Background

Proposed draft Guidelines on the Use of Technology to Provide Food Information in Food Labelling

- ❑ CCFL47 recommended adoption as a draft standard by CAC46.
- ❑ A EWG chaired by Canada and co-chaired by India and New Zealand, was tasked to support the completion of the work and enable consensus on the areas bracketed.

Agenda Item 7 Analysis

Proposed draft Guidelines on the Use of Technology to Provide Food Information in Food Labelling

General consensus amongst EWG members:

- If the information provided through “technology” is considered to be part of the Mandatory Food Labeling Information, it should be easily identifiable i.e. not cluttered with commercial and marketing information (Section 7.3)
- Mandatory information shown through “technology means” be made available for the duration needed:
 - Up to the Use by / Expiration date for products with such a date
 - For as long as the product is deemed to be safe and suitable for sale (for products with no Use by date but with Best Before date or with no date (Section 7.5)
 - A new Section was proposed (Section 7.12) to require that information provided through “technology” be accessible free of charge – aligning it with the “Guidelines on the Provision of Food Information for Pre-Packaged Foods Offered via e-commerce”
- Section 7.10 was adjusted to consider that accessibility of the information should encompass both the need for it to be legible and audible.
- Some other changes related to consumer understanding of the information with other labeling provisions did not receive as much support and were not proposed in the final draft

Agenda Item 8 Background

Amendments to the General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985): Provisions relevant to joint presentation and multipack formats

- ❑ New work was suggested at CCFL44 (2017)
 - Discussion paper on food labelling in joint presentation and multi-pack formats, introduced by Colombia discussed at CCFL45 (2019).
- ❑ Discussions at CCFL46 highlighted the need to address issues related to possible information being hidden from consumers / missing from labels such as date marking and the list of ingredients, when food are presented in a multi-pack format.
- ❑ A project document was submitted for the consideration of CAC46 to initiate new work on this issue, with the establishment of an EWG chaired by Colombia and co-chaired by Jamaica, tasked to develop a preliminary draft text for circulation and discussion at CCFL48 at Step 4.

Agenda Item 8 Analysis

Amendments to the General Standard for the Labelling of Pre-packaged Foods (CXS 1-1985): Provisions relevant to joint presentation and multipack formats

- This is the first time the committee will review this proposed text.
- The proposed text in the form of amendments to the General Standard on Labelling of Prepackaged Foods (GSLPF), which already includes in its scope the multi-pack format products.
- Areas introduced into the amendments include new definitions on multi-pack format and joint presentation
- Section 8 (Presentation of Mandatory Information) is the key area of change.
- The proposed changes are in line with the objective pursued to ensure that hidden information from consumer as a result of the multi-pack format is lifted.

Agenda Item 9 Background

Discussion Paper on the Labelling of Alcoholic Beverages

- ❑ CCFL47 (2023) requested to keep this item on the agenda and for WHO to prepare a discussion paper for consideration at their 48th session.
- ❑ The paper addresses possible work that CCFL could carry out to support the implementation of the WHO Global Action Plan on Alcohol 2022-2030.
- ❑ Key items include:
 - The possibility to consider mandatory labelling requirements for alcoholic beverages, including health and nutrition-related information, restrictions, exemptions, possible links between alcohol and health outcomes.

Agenda Item 9 Analysis

Discussion Paper on the Labelling of Alcoholic Beverages

- ❑ There is a disparity across Codex members regarding how alcoholic beverages are managed, Codex could help bridge the gap.
- ❑ The paper makes recommendations about the development of mandatory labelling requirements tailored to alcoholic beverages and outlines the scope of work:
 - Health-related information,
 - Nutrition-related information,
 - Restrictions on nutrition and health claims,
 - Exemptions and,
 - Possible links between alcohol and health outcomes.

Agenda Item 9 Analysis (cont.)

Discussion Paper on the Labelling of Alcoholic Beverages

❑ Another key recommendation - Revising the standard definition of food and developing new standard definitions, namely:

- Revision of the standard definition of “food” to explicitly include alcoholic beverages.
- Development of a standard definition of “drinks”, including alcoholic beverages.
- Development of a standard definition of “non-alcoholic drinks”.
- Development of a standard definition of “alcoholic beverages”.

❑ To date no country has volunteered to take the lead!

Agenda Item 11 Background

Discussion Paper on Transfatty Acids

- ❑ Following CCNFSDU's decision to discontinue work on establishing conditions for "free of TFAs" claim, CCFL46 agreed that Canada prepare a discussion paper outlining possible new work for consideration by its 47th session.
 - Discussion paper should consider the outcomes of discussions at the CCFO.
- ❑ CCFO28 agreed to submit for approval by CAC47 proposal for new work to revise three Codex standards on fats and oils to include a prohibition on partially hydrogenated oils (PHO) and/or limits on industrially produced trans fatty acids (iTFA).
 - An EWG chaired by Canada and co-chaired by Saudi Arabia, was tasked to prepare proposed draft revisions to the three Codex standards.

Agenda Item 11 Analysis

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Discussion Paper on Transfatty Acids

- ❑ As the proposed work on TFA by the CCFO will affect the direction of a CCFL discussion paper related to labelling options to help reduce TFA intake, it is recommended that, at this time, CCFL48 retain this topic and consider returning to it once the CCFO work on TFA is completed.

