

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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TO: Codex Contact Points
Interested International Organizations

FROM: Secretary, Joint FAO/WHO Food Standards Programme
00100 Rome, Italy

SUBJECT: **REQUEST FOR COMMENTS ON DRAFT ACTION PLAN FOR
IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET,
PHYSICAL ACTIVITY AND HEALTH**

DEADLINES: **15 OCTOBER 2006 (ON MATTERS RELATED THE CCNFSU) AND 1
JANUARY 2007 (ON MATTERS RELATED TO THE CCFL)**

COMMENTS:

To: Secretary Joint FAO/WHO Food Standards Programme FAO Viale delle Terme di Caracalla 00100 Rome, Italy Fax: +39 (06) 5705 4593 E-mail: codex@fao.org	Copies to: (On matters related to the CCNFSU) Dr Rolf Grossklaus Director and Professor Federal Institute for Risk Assessment (BfR) P.O. Box 33 00 13 14191 Berlin Germany Fax: +49 (1888) 5 29 – 49 65 e-mail: ccnfsdu@bmvpl.bund.de (On matters related to the CCFL) Mr. Ron Burke, Director Bureau of Food Regulatory, International and Interagency Affairs, Health Products and Food Branch, Health Canada, Bldg No. 7, Room 2395, Tunney's Pasture, Ottawa K1A 0L2, Canada Fax No. 613.941.3537 E-mail: codex_canada@hc-sc.gc.ca
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BACKGROUND

1. Following the decisions of the 29th Session of the Commission (ALINORM 06/29/41, paras 175-176) Member Governments and interested International Organizations are invited to provide comments on the Draft Action Plan for Implementation of the Global Strategy on Diet, Physical Activity and Health (see Appendix) to the addressees and deadlines as indicated above.
2. Comments received would be considered by the Codex Committee on Nutrition and Foods for Special Dietary Uses or by the Codex Committee on Food Labelling in their respective technical areas at their forthcoming sessions.

Appendix**DRAFT ACTION PLAN FOR IMPLEMENTATION OF THE GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH**

Prepared by WHO and FAO

Introduction

1. At the 29th Session of the Codex Alimentarius Commission (CAC)¹, the Representative of WHO presented an update² on the implementation of the WHO Global Strategy on Diet, Physical Activity and Health (Global Strategy) in terms of actions that could be undertaken by Codex. The Representative informed the Commission that a document containing concrete proposals for possible actions by Codex would be considered by the next sessions of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) and the Codex Committee on Food Labelling (CCFL). The views of these Committees would then be presented to the 30th Session of the Commission for further guidance.

Background

2. The proposals contained in this Draft Action Plan are based on the recommendations contained in the Global Strategy, the responses of Codex members to the FAO/WHO Electronic Forum³ on the Role of Codex Alimentarius Committees in the Implementation of the Global Strategy, and the comments of delegates to the 27th Session of the CCNFSDU⁴ and the 34th Session of the CCFL⁵.

3. Paragraph 59 of the Global Strategy states

Public health efforts may be strengthened by the use of international norms and standards particularly those drawn up by the Codex Alimentarius Commission. Areas for further development could include:

- *labelling to allow consumers to be better informed about the benefits and content of foods;*
- *measures to minimize the impact of marketing on unhealthy dietary patterns;*
- *fuller information about healthy consumption patterns including steps to increase the consumption of fruits and vegetables;*
- *production and processing standards regarding the nutritional quality and safety of products.*

Involvement of governments and nongovernmental organizations as provided for in the Codex should be encouraged.

4. In developing proposals for possible actions by Codex to implement the Global Strategy, the following observations and recommendations contained in the Global Strategy were considered of relevance.

5. Noncommunicable diseases including obesity, cardiovascular diseases and type 2 diabetes, have become a global problem and are no longer confined to the industrialized developed countries.⁶ The underlying determinants of noncommunicable diseases are largely the same throughout the world. Risk factors include elevated consumption of energy-dense, micronutrient-poor foods that are high in fat, sugars and salt.

¹ ALINORM 06/29/41 paras. 175-176

² CAC/29 LIM/6

³ http://www.who.int/nutrition/FAOWHO_eforum/en/index.html

⁴ ALINORM 06/29/26 paras. 153-159

⁵ ALINORM 02/29/22 paras. 14-31

⁶ Diet, Nutrition and the Prevention of Chronic Diseases. The Report of Joint WHO/FAO Expert Consultation. WHO Technical Report Series No. 916. Geneva: World Health Organization, 2003

6. The recommendations for diet for populations and individuals contained in Paragraph 22 of the Global Strategy are:

- achieve energy balance and a healthy weight
- limit energy intake from total fats and shift fat consumption away from saturated fats to unsaturated fats and towards elimination of trans-fatty acids
- increase consumption of fruits, vegetables and legumes, whole grains and nuts
- limit intake of free sugars
- limit salt (sodium) consumption from all sources and ensure that salt is iodized.

Implementation of the Global Strategy and the Codex Mandate

7. There was general agreement among the respondents to the electronic forum⁷ that the Codex has a role in the implementation of the Global Strategy to the extent consistent with the first paragraph of the purpose of the Joint FAO/WHO Food Standards Programme of protecting the health of the consumers and ensuring fair practices in the food trade. As a consequence, it was noted that not all the four areas identified for further development in paragraph 59 of the Global Strategy fall within the mandate of the Food Standards Programme. For example, several respondents expressed the view that provision of information on healthy consumption patterns was not within the remit of Codex but the responsibility of national authorities. Respondents to the electronic forum and delegations at the 34th Session of the Codex Committee on Food Labelling⁸ stressed that any work undertaken by the CAC to implement the Global Strategy must take into consideration the mandate and work priorities of the CAC.

8. The Global Strategy has identified nutrients that are associated with increased risk of noncommunicable diseases. Measures to minimize the consumption of these nutrients to prevent injury to the health of the consumer fall clearly within the Codex mandate of protecting the health of the consumers. Measures to ensure that claims are not false or misleading are within the mandate of ensuring fair practices in trade.

Labelling to allow consumers to be better informed about the benefits and content of foods

Codex Guidelines on Nutrition Labelling⁹

Purpose

9. The Codex Guidelines on Nutrition Labelling were adopted in 1985. The Purpose states “to ensure that nutrition labelling is effective in providing the consumer with information about a food so that a wise choice of food can be made”. Although it may be inferred that a “wise choice” involves reducing risk, the Purpose is not explicit in this regard.

10. Persons suffering from such noncommunicable diseases as type 2 diabetes and cardiovascular disease are able to select a diet composed of suitable non-dietetic foods if appropriate information is available on the nutrient content of the foods.

11. **Proposed Action:** It is proposed that the Purpose of the Guidelines be amended to include reference to providing the consumer with information to reduce risk factors for noncommunicable diseases and to permit the dietary management of noncommunicable diseases of public health significance.

Application

⁷ CAC/29 LIM/6 Appendix 2

⁸ ALINORM 06/29/22 paras 14-31

⁹ CAC/GL 2-1985

12. The Guidelines define nutrition labelling as “a description intended to inform the consumer of the nutritional properties of a food”. It consists of two components, nutrient declaration and supplementary nutrition information. Nutrient Declaration is defined as “a standardized statement or listing of the nutrient content of a food”.

13. At present, the Subsection 3.1 of the Nutrition Labelling Guidelines states that the Nutrient Declaration should be mandatory on foods for which a nutrition claim is made and voluntary for all other foods.

14. Subsection 4.2 of the Codex General Standard for the Labelling of Prepackaged Foods¹⁰ requires that a list of ingredients be declared on the labels of all prepackaged foods other than single ingredient foods. The declaration of ingredients in descending order of ingoing weight does provide some indication to the knowledgeable consumer about the nutrients in the food but is not a substitute for quantitative information on the nutrient content particularly where risk to health is the issue.

15. The need for more information than provided by the list of ingredients where risks to health are involved is recognized in the case of foods and ingredients known to cause hypersensitivities. Paragraph 4.2.1.4 of the General Standard requires the presence of the foods and ingredients listed in this paragraph always be declared on the labels of prepackaged foods.

16. The provision by means of nutrition labelling of information on nutrients that are associated with increased risk of noncommunicable diseases to enable consumers to make informed choices to reduce risks to their health is analogous to the requirement for the mandatory declaration of the foods causing hypersensitivities particularly as the harm is not confined in every instance to acute exposure.

17. **Proposed Action:** It is proposed that Subsection 3.1 be amended to require that the Nutrient Declaration be mandatory on the labels of all prepackaged foods.

Nutrients to be Declared

18. Subsection 3.1.2 of the Guidelines currently requires the following to be declared whenever the nutrient declaration is applied: energy value, the amounts of protein, fat and available carbohydrate, the amount of any nutrient for which a nutrient or health claim is made and the amount of any other nutrient considered to be relevant for maintaining a good nutritional status, as required by national legislation or national dietary guidelines.

19. The Global Strategy has identified the following nutrients as associated with increased risk of noncommunicable diseases: saturated fatty acids, trans-fatty acids, free sugars, and sodium. The Nutrition Labelling Guidelines contain a definition for sugars and at its 29th Session, the Codex Alimentarius Commission adopted a definition for trans-fatty acids to be included in the Guidelines¹¹.

20. **Proposed Action:** It is proposed that the list of nutrients that are always declared (Paragraphs 3.2.1.1 and 3.2.2.2 of the Guidelines) be expanded to include the energy value and the amounts of protein, available carbohydrate, sugars, fat, saturated fatty acids, trans-fatty acids and sodium.

Presentation of Nutrition Information

21. Section 3.4 sets out the requirements for the manner of declaration of the nutrient content. Only the form and order of declaration of the components of carbohydrate and fat are specified. There are, however, no provisions aimed at enhancing the ability of the consumer to use the Nutrient Declaration. Different designs and formats for presenting nutrition information create difficulties for consumers in finding and using the information. Such measures as a standardized order in which the nutrients are always declared, significant contrast between the print and the background, choice of fonts and type-size contribute to legibility and readability and would facilitate the consumer’s ability to locate and use the Nutrient Description.

¹⁰ Codex STAN 1-1985

¹¹ ALINORM 06/29/41 para 76

22. **Proposed Action:** It is proposed that additional criteria for the presentation of the Nutrient Description be developed to enhance legibility and readability and hence consumer use and understanding of the information.

Nutrient Reference Values

23. Paragraph 3.4.4 permits the declaration of the amounts of protein and vitamins and minerals as a percentage of the Nutrient Reference Value as means of informing the consumer of the significance of the quantities contained in the food.

24. Consideration should be given to developing Nutrient Reference Values for other nutrients in the Nutrient Declaration to assist the consumer in assessing the significance of the amounts contained in a food. This would be particularly useful for those nutrients that are associated with both increased and decreased risk of noncommunicable diseases. For example, seven per cent of energy from saturated fatty acids in a 2000 Calorie (8.4 MJ) diet is only 15.6 g. Five grams of saturated fatty acids in a single portion of food may not seem much to the consumer but it is 32% of the reference value. The consumer can easily recognize 32 % as a significant amount. The recommendations for population nutrient intake goals developed by the 2002 Joint WHO/FAO Expert Consultation¹² (2002 Expert Consultation) could be used as the basis for developing the Nutrient Reference Values for saturated fatty acids, trans-fatty acids and sodium. In addition, the nutrient intake goals could be used to develop values for cholesterol and n-6 and n-3 polyunsaturated fatty acids.

25. **Proposed Action:** It is proposed that Nutrient Reference Values be developed for nutrients that are associated with both increased and decreased risk of noncommunicable diseases.

Codex Guidelines for Use of Nutrition and Health Claims¹³

26. Nutrition claims highlight a particular nutritional property of a food and can assist consumers in choosing foods for a healthy diet. Nutrition claims also provide an incentive to manufacturers to decrease or increase the levels of nutrients in their foods. Claims for the nutrients that are associated with increased risk of noncommunicable diseases will both aid consumers in making food choices and encourage manufacturers to reduce the levels of these nutrients in the foods they produce.

27. The Codex Guidelines for Use of Nutrition and Health Claims contain conditions for nutrient content claims for saturated fat, sugars and sodium but not for trans-fatty acids. Furthermore, the conditions for claims for saturated fat do not include limits on the amounts of trans-fatty acids. A footnote to the Table of Conditions states that in the case of the claim “low in saturated fat”, trans-fatty acids should be taken into account where applicable.

28. The 2002 Expert Consultation concluded that intakes of both trans-fatty acids and saturated fatty acids increase risk of coronary heart disease. As a consequence, consideration should be given to developing conditions for nutrient content claims for trans-fatty acids that include restrictions on saturated fatty acids and including limits on trans-fatty acids in claims for low and free in saturated fat. Similarly, consideration should be given to including conditions for saturated fatty acid content and/or trans-fatty acid content in comparative claims for these two groups of fatty acids.

29. **Proposed Action:** It is proposed that conditions for nutrient content claims for trans-fatty acids be developed and that conditions for both nutrient content claims and comparative claims for saturated fatty acids and trans-fatty acids include restrictions on both groups of fatty acids.

Advertising related to Nutrition and Health Claims

30. At its 29th Session, the Codex Alimentarius Commission approved new work for the CCFL pertaining to the definition of advertising related to nutrition and health claims¹⁴. Consistency in

¹² Diet, Nutrition and the Prevention of Chronic Diseases. The Report of Joint WHO/FAO Expert Consultation. WHO Technical Report Series No. 916. Geneva: World Health Organization, 2003

¹³ CAC/GL 23 - 1997

¹⁴ ALINORM 06/29/41 paras. 132 - 135

nutrition and health claims between labelling and advertising has the potential to reduce the opportunities for consumer confusion.

Quantitative Declaration of Ingredients

31. The Global Strategy recommends an increase in consumption of fruits, vegetables and legumes, whole grains and nuts. The proposed draft amendment to Section 5 of the General Standard for the Labelling of Prepackaged Foods on quantitative ingredient declaration¹⁵ includes the disclosure of the ingoing percentage of any ingredient that “is the subject of an express or implied claim about the presence of any fruits, vegetables, whole grains or added sugars” (Paragraph 5.1.1 (e) in square brackets). The amendment was discussed at the 34th Session of the CCFL¹⁶ and will be the subject of a Working Group prior to the next session of the CCFL.

32. Consumers regard fruit, vegetables and whole grains as “healthy foods” and manufacturers capitalize on this view. Claims for the presence of these foods as ingredients abound. Disclosure of the amounts of fruits, vegetables, legumes, whole grains and nuts in multi-ingredient foods would enable consumers to compare the amounts of these nutritionally desirable ingredients in foods and make their selections accordingly. This has the potential to increase consumption of fruit and vegetables both through consumer choice and through manufacturers’ increasing the amounts of fruit and vegetables in their products for competitive purposes.

33. **Proposed Action:** It is proposed that paragraph 5.1.1 (e) be included in any requirements for the quantitative declaration of ingredients.

Compositional Requirements for Foods

Modification of Standardized Foods

34. Some respondents to the electronic forum and delegations to the CCFL noted that Codex standards should not impede the development of modified versions of these foods intended to assist the consumer in improving their food choices. Concerns were expressed about the impact on the work of commodity committees if these committees were called upon to review their standards and particularly if such modifications were to entail the re-writing of standards or the development of new standards.

35. An alternative would be the application of informative labelling. The use of sound nutrition principles in modifying standardized foods could be fostered by permitting the use of the comparative claims and nutrient content claims as defined in the Guidelines on Nutrition and Health Claims in conjunction with the name of the standardized food. e.g. “low sodium” margarine. This could obviate the need for commodity committees to review their standards.

36. Paragraph 4.1.1.1 of the General Standard for the Labelling of Prepackaged Foods¹⁷ requires that at least one of the name or names established for a food in a Codex standard shall be used on the label. Paragraph 4.2.1 states in part:

There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, such additional words or phrases as necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food

If the use of the comparative claim or nutrient content claim is not considered sufficient to inform the consumer of the characteristics of the modified food, further descriptive labelling could be considered.

37. It is noted that paragraph 4.3. of the Codex General Standard for the Use of Dairy Terms¹⁸ states:

¹⁵ ALINORM 06/29/22 Appendix VI

¹⁶ ALINORM 06/29/22 paras 101 - 120

¹⁷ Codex STAN 1-1985

¹⁸ Codex Stan 206-1999

Products that are modified through the addition and/or withdrawal of milk constituents may be named with the name of the relevant milk product in association with a clear description of the modification to which the milk product has been subjected provided that the essential product characteristics are maintained and that the limits of such compositional modifications shall be detailed in the standards concerned as appropriate.

Restricting the modifications to those set out in the standard would limit the use of claims in conjunction with dairy terms and should be examined for its impact on the development of modifications of standardized dairy products in line with the recommendations of the Global Strategy.

38. **Proposed Action:** It is proposed that the Codex General Standard for the Labelling of Prepackaged Foods and the Codex General Standard for the Use of Dairy Terms be amended to permit the use of the names established in a standard to be used in conjunction with either a comparative claim or a nutrient content claim on the label of a modified standardized food provided that the claims comply with requirements set out in the Codex Guidelines for Use of Nutrition and Health Claims.

Standard for Processed Cereal-based Foods for Infants and Young Children

39. At its 29th Session, the Codex Alimentarius Commission adopted the revised standard for cereal-based foods but as a result of comments concerning the content of cereals and sugars, the Commission agreed to request the CCNFSDU to consider the need for revising the standard in the light of the recommendations of the Global Strategy.

Trans-fatty acids

40. If the provisions for labelling of, and claims for, trans-fatty acids do not affect a marked reduction in the global availability of foods containing trans-fatty acids produced by processing of oils and by partial hydrogenation, consideration should be given to the setting of limits on the content of industrially produced trans-fatty acids in foods

Production and Processing Standards regarding the Nutritional Quality and Safety of Products

41. In the 1980's, the CCFSDU (as it was then) developed Guidelines for the Use of Codex Committees on the Inclusion of Provisions on Nutritional Quality in Food Standards and Other Codex Texts. These guidelines were primarily concerned with nutritional quality provisions in food standards related to essential nutrients. They were adopted by the 17th Session of the Commission in 1987¹⁹ and were published in the Codex Procedural Manual²⁰.

42. In 1992, at its 18th Session, the CCNFSDU proposed that the Guidelines be revised and at its 19th Session in 1995, the Committee considered a first draft of the revision. At its 20th Session in 1996²¹, the CCNFSDU noted the recommendation of the Codex Committee on General Principles and the CCEXEC that these Guidelines be redrafted as General Guidelines directed to governments rather than instructions to Codex Committees. The Committee further noted that many of the definitions and objectives of the Guidelines were already covered by the General Principles on the Addition of Essential Nutrients to Foods²² and concluded that the Guidelines were not needed. They were withdrawn in 1997 at the 22nd Session of the Commission²³.

43. Guidelines intended for governments on the use of sound nutrition principles in the production, processing and formulation of foods based on the population nutrient intake goals of the 2002 Expert Consultation taking into account advances in nutrition science during the past decade and the General Principles for the Addition of Essential Nutrients to Foods could assist in the development of foods suitable for inclusion in diets aimed at reducing risk of noncommunicable diseases. For example, when

¹⁹ ALINORM 87/39 paras. 442-443

²⁰ Codex Alimentarius Commission Procedural Manual Ninth Edition

²¹ ALINORM 97/26 paras. 101-102

²² CAC/GL 9 1987

²³ ALINORM 97/37 para. 132

reducing or eliminating the trans-fatty acids in foods, advice on more healthful alternatives may be useful.

44. **Proposed Action:** Recognizing the advances in nutrition science during the past decade, as well as the current public health priorities of many countries, The CCNFSDU may wish to review this topic.

Scientific Advice to CCNFSDU and CCFL

45. Respondents to the electronic forum called for a commitment from FAO and WHO to provide assistance with risk assessments. Two respondents supported the establishment of a group of experts to support the work of the CCNFSDU and the CCFL. One of these suggested that consideration be given to establishing a Joint Expert Committee on Nutritional Aspects of Foods. A third respondent supported the development of expert advice on specific nutrition and health issues to provide guidance for the work of all relevant Codex Committees, in particular CCNFSDU and CCFL.

46. FAO and WHO are cognizant of the needs for scientific advice on the part of CCNFSDU and CCFL. Provision of timely advice would facilitate work on nutritional aspects of foods and food labelling. FAO and WHO will continue to provide scientific advice to these Committees based on requests from the Codex Alimentarius Commission and taking into account the priority of these requests and budgetary considerations.

47. Greater interaction between FAO and WHO and CCNFSDU and CCFL will assist the process and will result in a better appreciation of the Committees' need for scientific advice on the part of FAO and WHO. At the same time, improved communication will result in increased utilization by the Committees of the scientific advice currently being produced by FAO and WHO.

48. Summary of Proposed Actions

A. CCFL is requested to consider the following proposals for action:

1. Nutrition Labelling

- 1.1 Amend the Purpose of the Guidelines to include reference to providing the consumer with information to reduce risk factors for noncommunicable diseases and to permit the dietary management of noncommunicable diseases of public health significance;
- 1.2 Amend Subsection 3.1 to require that the Nutrient Declaration be mandatory on the labels of all prepackaged foods;
- 1.3 Expand the list of nutrients that are always declared (Paragraphs 3.2.1.1 and 3.2.2.2 of the Guidelines) to include the energy value and the amounts of protein, available carbohydrate, sugars, fat, saturated fatty acids, trans-fatty acids and sodium;
- 1.4 Develop additional criteria for the presentation of the Nutrient Description to enhance legibility and readability and hence consumer use and understanding of the information;
and
- 1.5 Develop Nutrient Reference Values for nutrients that are associated with both increased and decreased risk of noncommunicable diseases.

2. Nutrition Claims

- 2.1 Develop conditions for nutrient content claims for trans-fatty acids and include restrictions on both saturated and trans- fatty acids in the conditions for both nutrient content claims and comparative claims for saturated fatty acids and trans-fatty acids.

3. Quantitative Declaration of Ingredients

- 3.1 Include paragraph 5.1.1 (e) "is the subject of an express or implied claim about the presence of any fruits, vegetables, whole grains or added sugars" be included in any requirements for the quantitative declaration of ingredients.

4. Modification of Standardized Foods

- 4.1 Amend the Codex General Standard for the Labelling of Prepackaged Foods and the Codex General Standard for the Use of Dairy Terms to permit the use of the names established in a standard to be used in conjunction with either a comparative claim or a nutrient content claim on the label of a modified standardized food provided that the claims comply with requirements set out in the Codex Guidelines for Use of Nutrition and Health Claims.

B. CCNFSDU is requested to consider the following proposals for action:

1. Nutrition Labelling

- 1.1 Develop Nutrient Reference Values for nutrients that are associated with both increased and decreased risk of noncommunicable diseases.

2. Nutrition Claims

- 2.1 Develop conditions for nutrient content claims for trans-fatty acids and include restrictions on both saturated and trans- fatty acids in the conditions for both nutrient content claims and comparative claims for saturated fatty acids and trans-fatty acids.

5. Production and Processing Standards regarding the Nutritional Quality and Safety of Foods

- 5.1 Review the need for guidelines intended for governments on the use of sound nutrition principles in the production, processing and formulation of foods based on the population nutrient intake goals of the 2002 Expert Consultation.