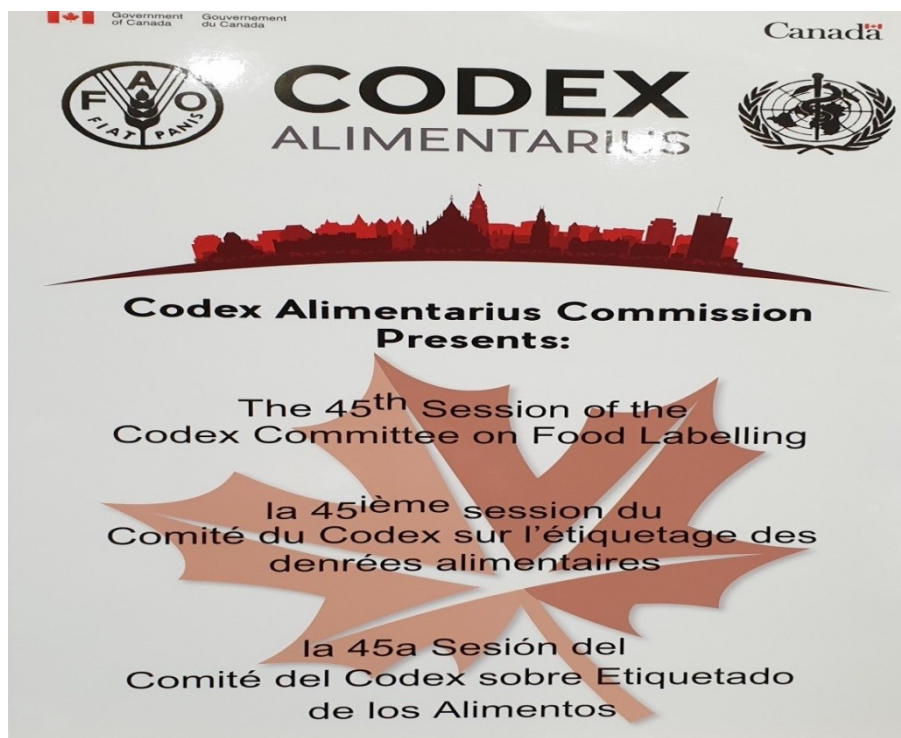


45TH SESSION OF THE CODEX COMMITTEE ON FOOD LABELLING (CCFL45)
(Ottawa, Canada, 13th -17th May 2019,)



The 45th session of CCFL was held from 13th to 17th May 2019 and a physical working group on “*Proposed Draft Standard on Labelling of non-retail containers of foods*”, chaired by India was also held on 12th May 2019. The Session was attended by delegates from 55 member countries and one Member Organization and 26 Observer Organizations

The Committee had a total of [13 agenda items](#) under consideration. Decisions on the important agenda items concerning to India, are as follows:-

- **Agenda item 2: Definition for Biofortification**

The matter was referred from Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU), seeking clarification from CCFL regarding intended use of the definition of biofortification.

There was detailed discussion on the definition and its intended use and placement. Most of the members in the committee were not in favour of the proposed definition and opined that it was not fit for the purpose of labelling and could be deceptive to the consumers in some ways. Some members also shared the concern that the original intent was to limit the scope to conventional breeding but the current definition allowed for use of genetic modification and there is a probability that GMOs would be part of the method of production, which is not required on labels would be deceptive to consumers.

The Committee acknowledged the tremendous work done by CCNFSDU, but agreed that current labelling texts were adequate for CCFL purposes and there was no need for a definition on biofortification in the context of food labelling.

Inclusion of GM techniques as one of the methods for biofortification through the currently proposed definition has also been a concern for India. India has supported keeping the methods limited to conventional methods. Therefore, the decision of the committee has been in favour of India's stand.

- **Agenda Item 4: Consideration of Labelling Provisions in Draft Codex Standards: Proposed draft revised Standard for Follow-Up Formula (CXS 156-1987), Section A: follow-up formula for older infants (labelling provisions)**

There was detailed discussion on the proposed section 9.6.4 specifically in relation to “cross promotion”. The members had varied views on this. The section reads as follows:

“Products shall be distinctly labelled in such a way as to avoid any risk of confusion between infant formula, follow-up formula for older infants, (name of product) for young children, and formula for special medical purposes, in particular as to the text, images and colours used, to enable consumers to make a clear distinction between them. Cross promotion between product categories is not permitted on the [label/labelling] of the product”

Members in favour of prohibiting cross promotion among foods in different categories and retention of the above statement opined that it was important to protect and support breastfeeding and that labelling should be distinct on follow-up formula for older infants and should avoid confusion with other products such as infant formula and formula for special medical purposes. The statement on cross-promotion should be retained, as it was important to guard against confusion to consumers when products are not readily distinguishable. It was critical to protect consumers and such guidance would help countries to enforce types of promotion.

The members not in favour stated that there is a lack of definition of the term; it may go beyond definition of Codex; it could result in trade impediments and infringe on intellectual property rights; intention of the statement was not clear.

India along with some other members shared view during the committee that Cross-promotion was well defined and used by World Health Organization (WHO) and this definition could be used to develop one within Codex.

The committee decided to return the statement on cross promotion to CCNFSDU for further consideration.

- **Proposed Draft Guidance on Non-retail Containers of Foods**

India chaired a physical working group (PWG) on Proposed Draft Guidance for the labelling of non-retail containers of foods, being the chair of the electronic working group along with Costa Rica and USA. The members in the PWG were able to reach consensus on a lot of provisions, with some matters left for further discussion in the plenary. The report of the PWG is attached at Annex 2.

The Committee noted that there had been a lot of progress on the work but there are a few outstanding issues, therefore the committee forwarded the proposed draft revision (Annex 3) to CAC42 for adoption at Step 5.

- **Proposed Draft Guidelines for the development of Front of Pack Nutrition Labelling (FOPNL)**

There was general support for this work in the committee. However, there were a number of provisions where consensus was not reached.

Most of the comments raised by India were agreed in the committee. However, the committee noted that much work is to be done in developing the guidelines and returned it to Step 3 for comments, and re-established an EWG chaired by Costa Rica and New Zealand.

- **Discussion papers for consideration in the Committee**

A total of 6 discussion papers were presented for consideration in the Committee as discussion papers, viz i) Internet sale/e-commerce ii) Allergen Labelling iii) Innovation – Use of Technology in Food Labelling iv) Labelling of Alcoholic Beverages v) Criteria for the Definition of “High in” Nutritional Descriptors for Fats, Sugars and Sodium vi) Labelling of Foods in Joint Presentation and Multipack Formats.

After detailed discussion, the committee agreed to start new work on “Internet sales/e-commerce” and “Allergen Labelling” and forwarded the related project documents with some amendments to the CAC42 for approval as new work.

With respect to the proposal on “Criteria for the Definition of “High in Nutritional Descriptors for Fats, Sugars and Sodium”, the Committee agreed that while the work was valuable, but it should await both the outcomes of the work on FOPNL and the potential work in CCNFSDU on nutrient profiling. This topic would be retained in the paper on future work and direction for CCFL (see agenda item 13) in order to keep track of the possible need for work at a later stage.