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## **NEWS LETTER OF CODEX-INDIA**

**Volume II. Issue III (July 2015 – October 2015)**

### **From the desk of National Codex Contact Point (NCCP)**

As we all are aware, the 37<sup>th</sup> Session of the Codex Alimentarius Commission (July 2015, Geneva) appointed India as the Coordinator for the FAO/WHO Coordinating Committee for Asia (CCASIA) for a period of 2 years. This responsibility has ushered in a new era in our Codex related activities and requires a sincere implementation of the action plan that was previously developed by the National Codex Contact Point in consultation with the relevant experts from other national level organizations in anticipation of our appointment by the CAC in Geneva this year.

While India will be the official host for the next session of the CCASIA scheduled in September 2016, our functions as the coordinator also include organizing and chairing informal meetings of the CCASIA member countries on the side-lines of the sessions of Codex Alimentarius Commission and its various Committees and developing/managing a dedicated website for CCASIA. Work on all these has begun in the right earnest.

For hosting and chairing of the CCASIA meeting next year, communications have been initiated with the Codex Secretariat for completing the necessary formalities and also with relevant local agencies for the necessary preparatory work at the national level. With the recent experience of co-hosting the 9<sup>th</sup> Session of the Codex Committee on Contaminants in Foods in Delhi, we are confident of organizing the CCASIA meeting in our country to the satisfaction of all the concerned parties.

The work related to organizing meetings of the CCASIA member countries on the side-lines of Codex meetings also commenced soon after our appointment as coordinator by the CAC. Since then India has successfully organized such meetings during the 2<sup>nd</sup> Session of the Codex Committee on Spices and Culinary Herbs (September 2015, Goa, India), 19<sup>th</sup> Session of the Codex Committee on Fresh Fruits and Vegetables (October 2015, Ixtapa, Mexico) and 34<sup>th</sup> Session of the Codex Committee on Fish and Fishery Products (October 2015, Alesund, Norway). The support from our identified coordinators in this endeavour has been very encouraging and it is expected that this will continue in case of the future Codex meetings also.

A web-link has been provided on the website of the FSSAI detailing information about CCASIA and its activities. We have also sought views from the CCASIA member countries for improving the site and its information content.

While the CCASIA related assignment remains a top priority for us, our involvement in work pertaining to other Codex Committees need to be maintained with equal

importance. Being aware of the implications of the food standardization work under consideration of various Codex Committees to us as a country, our timely response to issues of concern has been largely possible through participation of Indian delegations in the Codex meetings. Nevertheless, we need to ensure that the delegations are adequately strengthened with relevant experts in future Codex meetings. This could be possible with the support from various government departments and organisations involved in the work of our Shadow Committees for various Codex Committees.

Indian delegations participated in the recent sessions of the Codex Alimentarius Commissions (July 2015, Geneva, Switzerland), Codex Committees on Spices and Culinary Herbs (September 2015, Goa, India), Codex Committee on Fresh Fruits and Vegetables (October 2015, Ixtapa, Mexico) and the Codex Committee on Fish and Fishery Products (October 2015, Alesund, Norway).

Now we have the meetings of the Codex Committee on Food Hygiene (CCFH) and Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) during November 2015 and those of the Codex Committee on Food Import-Export Certification Systems (CCFICS) and Codex Committee on Methods of Analysis and Sampling (CCMAS) during February 2016. Our preparations for developing India's position on various agenda items of these meetings are under way. We have also been invited by the Codex Secretariat to attend the workshop for members of the Codex Executive Committee (CCEXEC) from 30 November to 2 December in Rome, Italy. India, as CCASIA Coordinator, is a member of the CCEXEC.

We look forward to a continued and progressive collaboration with organizations and experts involved in Codex work at the national level.

## **A. India's participation in the Codex Committee meetings during July- October 2015.**

### **1. Participation in the 38<sup>th</sup> Session of Codex Alimentarius Commission (CAC), (6<sup>th</sup> - 11<sup>th</sup> July, 2015)**

- The 38<sup>th</sup> Session of CAC was attended by Shri Yudhvir Singh Malik (Former CEO, FSSAI), Shri Sunil Bakshi (Former DGM, NDDB), Shri Upendra Kumar Vats (DGM, APEDA), Dr MR Sudharshan (Chair, CCSCCH), Dr Bhushan Tyagi (Assistant Commissioner, Ministry of Agriculture) and Shri P. Karthikeyan (Assistant Director, Regulations, FSSAI). The Session was chaired by Ms Awilo Ochieng Pernet, Chairperson, CAC. The session was attended by delegates from 140 member countries, one Member Organization, 33 International Organizations and FAO and WHO.

- The important agenda items that were discussed in the meeting were:

- Codex Work Management and Functioning of the Executive Committee
- Revitalisation of FAO/WHO Coordinating Committees
- Election of the Regional Coordinators

- India actively participated in the discussions on, among others, the Codex Work Management and Functioning of the Executive Committee; setting up of MRL for rBST (bovine somatotropin) in milk; and the proposed draft Standard for Processed Cheese.

- A major accomplishment for India and a matter of great pride for us was getting elected unanimously as the Regional Coordinator for Asia Region from the end of 38<sup>th</sup> Session of CAC (2015) to the end of 40<sup>th</sup> Session of CAC (2017).

### **2. Participation in the 2<sup>nd</sup> Session of Codex Committee on Spices and Culinary Herbs (CCSCH), (14<sup>th</sup>-18<sup>th</sup> September, 2015)**

- The 2<sup>nd</sup> Session of Codex Committee on Spices and Culinary Herbs (CCSCH) was held from 14<sup>th</sup> to 18<sup>th</sup> September, 2015 in Goa, India. Indian Delegation consisting of 25 officials led by Dr A Jayathilak, Chairman, Spices Board of India participated in the meeting. The important agenda items that were discussed in the meeting were:

- Proposed draft standard for black, white and green pepper
- Proposed draft standard for cumin
- Proposed draft standard for oregano
- Proposed draft standard for thyme
- Discussion paper on grouping of spices and culinary herbs
- 10 new work proposals – (i) paprika (Argentina); (ii) basil (Egypt); (iii) coriander (Egypt); (iv) dehydrated chillies (India); (v) dried and dehydrated garlic (India); (vi) dried and dehydrated ginger (India); (vii) nutmeg (Indonesia); (viii) saffron (Iran); (ix) cloves (Nigeria); and (x) dried whole and ground ginger (Nigeria).

- India led the Electronic Working Group (EWG) on BWG Pepper and Grouping of Spices. India had also submitted new work proposal on dehydrated chillies, dried and dehydrated garlic and dried and dehydrated ginger.
- India also hosted the meeting of the member countries of CCASIA to discuss the agenda items and identify the common concerns from the CCSCCH Agenda.
- The proposed draft standards for Cumin and Thyme were forwarded for preliminary adoption by the 39<sup>th</sup> Session of Codex Alimentarius Commission scheduled in July 2016. The proposed draft standards for BWG Pepper and Oregano were returned to Step 2/3 for further consultation. A prioritised list of the new work proposals has also been prepared to take up work at the next session depending upon the resources available with the Committee.



***Shri Ashish Bahuguna, Chairperson/CEO, FSSAI inaugurating the 2<sup>nd</sup> Session of CCSCCH along with Dr A. Jayathilak, Chairman, Spices Board***



***Indian Delegation at the 2<sup>nd</sup> Session of CCSC***

### ***3. Participation in the 19<sup>th</sup> Session of Codex Committee on Fresh Fruits and Vegetables (CCFFV), (5<sup>th</sup> – 9<sup>th</sup> October, 2015)***

- India participated in the 19<sup>th</sup> Session of Codex Committee on Fresh Fruits and Vegetables (CCFFV) that was held from 5<sup>th</sup> to 9<sup>th</sup> October, 2015 in Ixtapa, Mexico.
- The draft standard prepared by India on Aubergines has been forwarded for adoption at Step 5/8 by the 39<sup>th</sup> Session of Codex Alimentarius Commission scheduled in July 2016.
- India will chair the EWG on the proposed draft standard for ware potatoes. India also agreed to submit the new draft standards on fresh date palm and fresh curry leaves for consideration by the next session of CCFFV.
- India organised the meeting of the member countries of CCASIA to discuss the CCFFV Agenda Items and identify the areas of concern for the region in order to develop a consensus on these.





*Indian Delegation at the 19<sup>th</sup> Session of CCFFV*

**4. Participation in the 34<sup>th</sup> Session of Codex Committee on Fish and Fishery Products (CCFFP), (19<sup>th</sup> – 24<sup>th</sup> October, 2015)**

- India participated in the 34<sup>th</sup> Session of Codex Committee on Fish and Fishery products (CCFFP) that was held from 19<sup>th</sup> to 24<sup>th</sup> October, 2015 in Norway.
- The Committee had agreed to start new work on the development of guidance and sampling plans for histamine which will be held by correspondence.
- The Committee had also agreed to suspend future physical meetings as most of the work has been completed.
- India also hosted the meeting of the member countries of CCASIA to discuss the agenda items of the CCFFP and identify areas of common concern from the Agenda.

### **5 Participation in the various Electronic Working Groups (EWGs)**

India participated in total of 6 EWGs during this period which have been tabulated below:

<b>Sr.No</b>	<b>Codex Committee</b>	<b>Name of the EWG</b>
1.	Codex Committee on Pesticide Residues	EWG on classification of food and feed
2.	Codex Committee on Pesticide Residues	EWG on Priorities
3.	Codex Committee on Methods of Analysis and Sampling	EWG for the method of analysis
4.	Codex Committee on Milk and Milk products	EWG on a Standard for Dairy Permeate Powders
5.	Codex Committee on Residues of Veterinary Drugs in Foods	EWG on applicability and appropriateness of a scoring device on prioritization of emerging issues
6.	Codex Committee on Residues of Veterinary Drugs in Foods	EWG on Global survey on veterinary drug needs



## [Informative Articles](#)

### **NUTRITION AND HEALTH CLAIMS – CODEX PERSPECTIVE**

Prabodh Halde & Chetana Bhandari, FICCI<sup>1</sup>

#### **Introduction**

Most of the food products in the market today bear claims or assertive benefits that pertain either to nutrition value or positive health associations of such products. Claims are nothing but benefits warranted through a food product by the seller of the food article. There are many types of claims that are used by food manufacturers to garner attention of consumers like nutrition claims, health claims, etc. Nutrition claims talk about the nutrient contents of the food while health claims describe the associated health benefits. There are a number of international regulations and governing bodies that regulate the use of claims on foods. They are FOSHU (Japan), EU guidelines, the Federal Food, Drug and Cosmetics Act (USFDA) and CODEX. Since Codex is recognized as the global reference for international trade and resolution of disputes by the WTO, let us consider the CODEX perspective on claims.

#### **Codex Guidelines and Claims**

The Codex Alimentarius is a collection of internationally recognized standards, codes of practice, guidelines and other recommendations relating to foods, food production and food safety. Its texts are developed and maintained by the Codex Alimentarius Commission, established in 1963 by the [Food and Agriculture Organization](#) of the [United Nations](#) (FAO) and the [World Health Organization](#) (WHO). The implementation of Codex standards is voluntary and there is no obligation on the countries to adopt the same.

There are two guidelines in the Codex that apply to the use of claims for foods namely the Codex general guidelines on claims and the Codex guidelines for the use of nutrition and health claims.

The general guidelines on claims are based on the principle that food should not be described or presented in a false, misleading or deceptive manner. In the guidelines, claim is defined as any representation which states, suggests or implies that a food has particular characteristics relating to its origin, nutritional properties, nature, production, processing, composition or any other quality. The guidelines prohibit the use of following types of claims for foods:

1. A claim suggesting that a particular food is an adequate source of essential nutrients except where such claims are permissible as per a Codex standard for well defined product or where the product has been accepted to be an adequate source of nutrients by the appropriate authorities.

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<sup>1</sup> The views expressed in this article, if any, are of the authors and do not necessarily reflect views of the Food Safety and Standards Authority of India.

2. A claim implying that a balanced diet or ordinary foods cannot be an adequate source of all nutrients
3. A claim that cannot be substantiated
4. A claim suggesting that a food can be used for the prevention, alleviation, treatment or cure of a disease or disorder unless they are in accordance with the Codex standards or guidelines for Foods for Special Dietary Uses or they are permissible under the laws of the country in which they are distributed.
5. A claim that could lead to doubts about the safety of similar foods or arouse fear in the mind of consumer

The guidelines also prohibit the use of potentially misleading claims. For the prevention of misleading through claims, the guidelines identify certain conditions/criteria for the use of various types of claims. Such claims are only permitted if the respective conditions attached as listed below are satisfied.

Type of claim / Claim title	Condition / criteria
A food has gained increased or special nutritive value by addition of nutrients	Such claim can be made provided the addition is made based on the nutritional considerations as per the respective Codex guidelines and it is subject to legislation by appropriate authorities
A food has special nutritional qualities by the reduction or omission of a nutrient	Such claim can be made if the reduction of nutrients is based on the nutritional considerations and is subject to legislation by appropriate authorities.
The use of terms such as “natural”, “pure”, “organically grown”, “fresh”, “home made” and “biologically grown”	Such terms can be used only if they are in accordance with the national practices in the country where the food is sold.
A food is a religious or ritual preparation	Such claim can be made provided the food complies with the requirements of the appropriate religious or ritual authorities
Claim that a food has special characteristics when all similar foods have the same characteristics	Such a claim can be made if the fact that all the similar foods also have the characteristics is apparent in the claim
A claim highlighting the non-addition or absence of a nutrient	Such claims must be regarded as nutrition claims and subject to mandatory nutrient declaration as per the Codex Guidelines For Nutrition Labeling

The second text i.e. the guidelines for the use of nutrition and health claims encompass the nutrition and health claims in food labeling and where required, in advertising. These guidelines are applicable to all foods bearing nutrition and health claims. As per these guidelines, unless specifically permitted in Codex standards or national legislation, nutrition and health claims cannot be made on infant foods and foods for young children.

In Codex, claims are broadly classified as nutrition claims and health claims. Nutrition claim is defined as any representation which states, suggests or implies that a food has

particular nutritional properties including but not limited to the energy value and to the content of protein, fat and carbohydrates, as well as the content of vitamins and minerals. The declaration of substances in the ingredients' list, the mention of nutrients as mandatory part of nutrition labeling or the declaration of nutrients or ingredients as per requirements of national legislation does not fall in the ambit of nutrition claims.

A nutrition claim can further be categorized into a nutrient content claim or a nutrient comparative claim.

A nutrient content claim describes the level of a nutrient contained in a food. Claims like "source of calcium", "no added sugar" and "free of trans fatty acids" are content claims. The guidelines provide for certain nutrient content claims along with specific conditions to be met for the claim to be employed. For a food, which is low in or free of the nutrient on which the claim is made, the term describing the level of the nutrient should not immediately precede the name of the food but should be in the form "a low (naming the nutrient) food" or "a (naming the nutrient)-free food". Example – a salt with low sodium contents shall bear a claim saying "low sodium salt".

The other type of nutrition claim is nutrient comparative claim. A nutrient comparative claim is a claim that compares the nutrient levels and/or energy value of two or more foods. Comparison can involve claims like "reduced"; "less than"; "fewer"; "more than". Example – "This chewable tablet contains X% more chewable calcium than brand y." Comparative claims should be permitted based on the following criteria and considering further preparations required for consumption depending upon the form in which food is sold.

The basic requirement of comparative claims is that the foods being compared should be different versions of the same food or similar foods and the foods being compared should be clearly identified. The food must bear on the label a statement of the amount of difference in the energy value or the nutrient content. The amount of difference related to the same quantity, expressed as a percentage, fraction or absolute value, the complete details of the comparison and the identity of the food(s) to which the food is being compared must be provided in close proximity to the comparative claim. The comparison between the compared foods should be based on a relative difference of at least 25% in the energy value or nutrient content for macronutrients and at least 10% in case of micronutrients in the NRV and a minimum absolute difference in the energy value or nutrient content equivalent to the values specified for content claims like "low" or "a source" in the guidelines. The food label can bear the word "light" if the criteria for the word "reduced" are met and must indicate the characteristics, which make the food "light".

The other category of claims in Codex is health claims. Health claim is defined as any representation that states, suggests or implies that a relationship exists between a food or a food constituent and health. Health claims must consist of two parts – the information on the physiological role (function) of nutrient or on an accepted diet-health relationship and that on the composition of the product relevant to the function unless the function is not linked to specific constituents of the food. Detailed principles have been developed in the guidelines to decide on the eligibility of a claim as a health claim. The claims fulfilling the set requirements are only permitted.



The health claims should be based on current relevant scientific substantiation and the proof available should be adequate for substantiating the claim. The claim should be accepted by competent authorities of the nation where the product is sold and the claimed effect should be derived from consuming a reasonable amount of the food/food constituent. In case of a claim attributed to a food constituent having a set Nutrient Reference Value, the concerned food shall be a source of / high in / low in / free of the constituent based on the recommended consumption with the conditions for such terms applicable. There should be a validated method of quantifying the food constituent that the claim is based on. The guidelines emphasize on development of clear regulatory framework for qualifying / disqualifying conditions for the use of specific claims. The label of the foods bearing health claims must incorporate all the relevant information for consumers. The label must indicate the amount of nutrient or constituent of the food on which the claim is based along with the target group, if applicable. The proper directions for consumption to obtain the claimed benefit and caution advice for vulnerable groups, where applicable must be provided. The maximum safe intake of the food/constituent, how the food fits within the context of total diet and a statement on significance of maintaining a healthy diet must be displayed on the label.

Health claims can further be grouped into nutrient function claims, other function claims and reduction of disease risk claims.

Nutrient function claim is a claim that describes the physiological role of the nutrient in growth, development and normal functions of the body. Example: "Contains folic acid which contributes to the normal growth of fetus. Food X is a source of/ high in folic acid." As per the guidelines, this type of claim can only be made on those essential nutrients with established Nutrient Reference Values in the Codex or the officially recognized dietary guidelines of the concerned national authority.

Other function claims – These claims concern specific beneficial effects of the consumption of foods or their constituents, in the context of the total diet on normal functions or biological activities of the body. Such claims relate to a positive contribution to health or to the improvement of a function or to modifying or preserving health. Examples: "Vitamin C helps to enhance body's natural defense system. Food Y contains x grams of vitamin C."

Reduction of disease risk claims are claims relating the consumption of a food or food constituent, in the context of the total diet, to the reduced risk of developing a disease or health-related condition.

Risk reduction means significantly altering a major risk factor(s) for a disease or health-related condition. Diseases have multiple risk factors and altering one of them may or may not have a beneficial effect. The presentation of risk reduction claims must ensure, for example, by use of appropriate language and reference to other risk factors, that consumers do not interpret them as prevention claims. Examples: "Adequate iron intake may reduce the risk of anemia. Food X is enriched with iron."

The guidelines also identify certain conditions for using claims related to dietary guidelines or healthy diets. The only claims permitted shall be the ones related to the pattern of eating contained in the dietary guidelines officially recognized by appropriate

national authority. The words of the claim may be flexible as far as the pattern of eating outlined in the dietary guidelines is clearly conveyed. The foods described, as part of a healthy diet shall satisfy certain minimum criteria for other major nutrients related to the dietary guidelines and not just the selective considerations of certain aspects of the food. The foods should not be represented in a manner indicating that a food in itself will impart health. Lastly the foods may be described as part of a “healthy diet” provided that a statement connecting the food to the pattern of eating described in the guidelines is provided on the label.

## **Conclusion**

To conclude, nutrition labeling can be an effective means of enabling healthful food choices by consumers, although current evidence concerning the effect of health claims on diet and public health is insufficient. Regulations can contribute to influence their potential to promote health. Thus, developing regulations with long-term dietary improvements across populations, as their underlying goal will maximize this potential of nutrition labels and health claims.

## **Upcoming events**

- ❖ 47<sup>th</sup> Session of Codex Committee on Food Hygiene (CCFH), 9<sup>th</sup> to 13<sup>th</sup> November, 2015, Boston, United States of America.
- ❖ 37<sup>th</sup> Session of Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU), 23<sup>rd</sup> to 27<sup>th</sup> November, 2015, Bad Soden a.t, Germany.
- ❖ 22<sup>nd</sup> Session of Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS), 6<sup>th</sup> to 12<sup>th</sup> February, 2016, Melbourne, Australia.
- ❖ 37<sup>th</sup> Session of Codex Committee on Methods of Analysis and Sampling (CCMAS), 22<sup>nd</sup> to 26<sup>th</sup> February, 2016, Budapest, Hungary.

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Address: National Codex Contact Point  
Food Safety and Standards Authority of India,  
FDA Bhawan, near Bal Bhawan,  
Kotla Road,  
New Delhi—110002  
Website: [fssai.gov.in](http://fssai.gov.in)

For any comments/suggestions/observations, or if you would like to contribute articles for future issues,  
kindly contact: [codex-india@nic.in](mailto:codex-india@nic.in)