

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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AGENDA ITEM NO. 8

CX/FL 00/9-Add.2

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

**CODEX COMMITTEE ON FOOD LABELLING
TWENTY-EIGHTH SESSION
OTTAWA, CANADA, 9 - 12 MAY 2000**

**PROPOSED DRAFT RECOMMENDATIONS FOR THE
USE OF HEALTH CLAIMS (ALINORM 99/22A, APPENDIX VII)**

GOVERNMENT COMMENTS AT STEP 3

COMMENTS FROM:

**EUROPEAN COMMUNITY (EC)
THAILAND**

PROPOSED DRAFT RECOMMENDATIONS FOR THE USE OF HEALTH CLAIMS (ALINORM 99/22A, APPENDIX VII)

GOVERNMENT COMMENTS AT STEP 3

EUROPEAN COMMUNITY (EC):

Agenda point 8 - ALINORM 99/22A Appendix VII - CX/FL 00/9-FL and CX/FL 00/9-FL-Add.1

Proposed draft recommendations for the use of health claims Revised text for discussion at step 3

The European Community appreciates the opportunity to comment on the Proposed draft recommendations for the use of health claims.

The European Community believes that, if some health claims are to be permitted, they must remain in the context of a total diet, as there are no good or bad foods *per se*, but rather good and balanced diets.

While it is true that a good balanced diet is a prerequisite for good health, and one of the many factors that may influence the onset and development of certain diseases, claims that the intake of a food can prevent, treat or cure one disease or another could in fact lead consumers to unbalanced dietary choices.

For these reasons, the European Community makes the following comments:

Section 2.2 Health claims

The European Community would favour the first of the two proposed definitions on health claims without the text in square brackets.

Section 2.2.2 Enhanced Function Claims

The European Community would have a preference for the initial definition.

The European Community would prefer to retain the text in the first square brackets in line 2 of the initial definition (i.e. in the context of the total diet).

The European Community would be opposed to allowing such claims related to psychological functions.

The European Community would express concerns about the reference to "a condition linked to health", as it might be open to various interpretations.

Section 2.2.3 Reduction of Disease Risk Claims

The second paragraph of this section states that “*Risk reduction means significantly altering a major risk factor or factors recognised to be involved in the development of a chronic disease or adverse health-related condition. Helping to reduce risk does not constitute “prevention” as is meant in Section 3.4 of the General Guidelines on Claims*”.

Whether or not the distinction between "prevention" and "reduction of disease risk" is a valid one, is still a matter of debate within the European Community.

However, claims as to the prevention of disease are currently prohibited under European Community legislation as well as under section 3.4 of the Codex General Guidelines on Claims.

THAILAND:

Comments on Proposed Draft Recommendations for the Use of Health Claims at Step 3 (ALINORM 99/22A – Appendix VII)

We have comments as follows:

1. Preamble - the text in the **first line** should be read as follows:
"Health claim **should** be consistent with national health policy including nutrition policy"
2. Definitions of Health Claim - We propose that the following text should be used
"Health claim means any claim which suggests that a food or a constituent of that food has an impact on health"
3. Enhanced Function claims - We propose that
"the word **[or psychological]** in the second line should be deleted because it may conflict with Codex General Guideline on Claims."
4. Section 7.1.4 - We are of opinion that the text in **the first line** should be read as follows:
"The health claims must be **consistent with** the national public health policies,"
5. Section 7.1.6.1 - We are of opinion that:
- the word **"if appropriate"** be deleted
6. Section 7.1.6.4 - We propose that the following text should be used:
"advice to vulnerable groups on how to use the food safely"
7. Section 7.2.2 - We propose that:
"the text in square bracket be deleted" because it may take to misunderstanding

8. Section 7.2.3
“**should** in the first line be changed to **must**.”
9. Section 7.3.1
“the **square bracket** in the third line be deleted”
10. Section 7.3.3 - We propose that the text which we have proposed in the previous session should be used:
"The claim should not be made if the consumption of the food would result in the intake of a nutrient or substance in amount that would increase the risk of a disease or health-related condition. The kind and amount of nutrient and substance mentioned to be determined or specified by national health policy".