

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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Agenda Item 2

CX/FL 04/2

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD LABELLING

Thirty-second Session

Montréal, Canada, 10 – 14 May 2004

#### MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

##### A. DECISIONS OF THE COMMISSION CONCERNING THE WORK OF THE COMMITTEE

###### **Draft Amendment to the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*: Section 5 - Criteria**

The Commission noted the comments of the Delegation of the Philippines that the “exceptional circumstances” for the use of chemical substances should be better defined. The Commission adopted the Draft Amendment as proposed.

###### **Draft Amendment to the General Standard for the Labelling of Prepackaged Foods: Class Names**

The Commission adopted the Draft Amendment as proposed.

###### **Draft Amendment to the Guidelines on Nutrition Labelling**

The Delegation of Malaysia expressed the view that the declaration of trans-fatty acids should be required in order to provide adequate information to consumers on a complete listing of all fatty acids when such claims are made regarding the amount and types of fatty acids, and cholesterol, and to ensure consistency with the Table of Conditions for Nutrient Contents in the Guidelines for Use of Nutrition Claims that referred to trans-fatty acids in relation to the claims for saturated fat and cholesterol. The Delegation stated that it could not support the adoption of the draft amendment if this declaration was not included. This position was supported by several delegations.

Several other delegations pointed out that trans fatty acids should be defined in order to allow further consideration of labelling requirements and that current scientific evidence did not justify their declaration in all cases. These delegations supported the adoption of the draft amendment proposed by the Committee and also supported further work on this issue in the light of the advice that would be provided by the Committee on Nutrition and Foods for Special Dietary Uses.

The Chair of the Committee on Food Labelling indicated that the Committee had discussed this question extensively and that, in view of the different views expressed by member countries, it had reached a consensus allowing the declaration of trans-fatty acids “according to national legislation”. The Committee had agreed to consider this question further when it received advice from the Committee on Nutrition and Foods for Special Dietary Uses on the definition of trans-fatty acids.

The Delegation of Italy, speaking on behalf of the Member States of the European Union, proposed to include a note to the effect that ‘the labelling of trans-fatty acids will come into force only after these have been defined by the Committee on Nutrition and Foods for Special Dietary Uses, as requested by the 31<sup>st</sup>

Session of the Committee on Food Labelling”. The Delegation also proposed to include a similar footnote to the section on vitamins and minerals (3.2.6.2) to indicate that the declaration of vitamins and minerals was subject to further review following advice from the that Committee. The Commission however agreed to retain the current text.

The Commission adopted the Draft Amendment as proposed and requested the Committee to continue its work on trans-fatty acids in cooperation with the Committee on Nutrition and Foods for Special Dietary Uses, and asked FAO and WHO to provide advice on the available scientific data, as required, in order to facilitate the resolution of this complex issue.

The Delegations of Malaysia, Singapore, Nigeria, Kenya, Indonesia, Tanzania, Swaziland and Sudan expressed their reservations on the adoption of the draft amendment.

#### **Draft Guidelines for Use of Nutrition and Health Claims**

The Commission, recognizing that there was no consensus on substantial issues, especially the reference to “advertising” in the Scope, agreed to return the Draft Guidelines for Use of Nutrition and Health Claims to Step 6 for further comments and consideration by the Committee. The Commission also requested the Committee to consider the development of a definition of advertising as related to health and nutrition claims.

The Draft Guidelines were circulated for further comments at Step 6 in CL 2003/28-FL and will be considered under **Agenda Item 4**.

#### **Proposed Draft Amendment to the Guidelines for the Production, Processing, Marketing and Labelling of Organically Produced Foods - Annex 2 (Permitted Substances for the Production of Organic Foods)**

The Delegation of the Republic of Korea expressed its reservation on the inclusion of 303 Potassium Ascorbate in meat products (Table 3). The Commission noted the comments submitted by Denmark, Poland and the European Community concerning a number of substances proposed for inclusion in the Guidelines, and agreed that the Committee should take all comments into account when considering the text at Step 7. The Commission also recalled that the lists of substances were intended to be indicative and not prescriptive.

The Commission adopted the Proposed Draft Amendment at Step 5 as proposed. It was noted that comments at Step 6 would be requested on all substances included in Annex 2 and the structure of the Table. This matter will be considered under **Agenda Item 5**.

#### **B. MATTERS ARISING FROM THE EXECUTIVE COMMITTEE <sup>1</sup>**

The Executive Committee recommended that all Committees proposing new work should prepare a project document following the format proposed by the Committee on General Principles (ALINORM 04/27/33, Appendix III).

#### **C. DRAFT STANDARD HELD AT STEP 7 PENDING ADVICE FROM OTHER COMMITTEES**

##### **Draft Amendment to the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets, Breaded or in Batter (Labelling Section)**

The 21<sup>st</sup> Session of the Committee on Fish and Fishery Products (1994) asked the advice of the Committee on Food Labelling concerning the requirement to declare the proportion of fish core. The 24<sup>th</sup>, 25<sup>th</sup>, and 26<sup>th</sup> Sessions of the CCFL considered this question and the 26<sup>th</sup> Session (1999) forwarded the Draft Amendment on the declaration of fish core to the Commission for adoption (ALINORM 99/22, para. 36).

The 23<sup>rd</sup> Session of the Commission (1999) agreed to return the Draft Amendment to Step 6 for further consideration by the Committee on Food Labelling to determine the need for labelling requirements and by the Committee on Fish and Fishery Products as regards the technical aspects such as the definition of fish core/fish content and the methodology (ALINORM 99/37, paras. 127-129).

The 28th Session of the Committee on Food Labelling (2000) considered a proposal from the United Kingdom to replace “fish core” with “fish content”. The Committee agreed in principle that the declaration

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<sup>1</sup> 53<sup>rd</sup> Session, WHO Headquarters, Geneva, Switzerland, ALINORM 04/27/3

of fish content should be included in the labelling section and asked the Committee on Fish and Fishery Products to consider a definition of 'fish content', and the method for its determination.

The Committee agreed to hold the Draft Amendment at Step 7 and to consider it further at its next session in the light of the information provided by the CCFFP (ALINORM 01/22, para.10) .

### **Committee on Fish and Fishery Products<sup>2</sup>**

The Committee on Fish and Fishery Products considered the definition and methodology for "fish content" at its 23<sup>rd</sup>, 24<sup>th</sup> and 25<sup>th</sup> sessions due to the technical complexity of this question. The 25<sup>th</sup> Session of the CCFFP agreed that the amendment to CODEX STAN 166-1989 should read as follows:

#### *6.1.3 "The proportion of fish content should be declared on the label"*

with the proportion of fish expressed as the ingoing percentage of fish at the time of manufacture.

The Committee agreed to submit the proposed section 6.1.3 and the corresponding method of analysis (section 7.4) to the Committee on Methods of Analysis and Sampling for endorsement of the methods and to the Committee on Food Labelling in order to allow the finalization of the draft amendment (ALINORM 04/27/18, para. 196, Appendix VII).

The Committee on Methods of Analysis and Sampling endorsed the methods proposed for the determination of fish content (ALINORM 04/27/23, para. 84 and Appendix VI).

The Committee on Food Labelling is invited to consider the Draft Amendment presented in Annex 1, with a view to its finalization and advancement to Step 8.

## **D. COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES<sup>3</sup>**

### **Significant amount and declaration of vitamins and minerals**

An Ad Hoc Working Group was convened to facilitate discussions in the Plenary in order to clarify the questions from the Committee on Food Labelling: 1) what was meant by "a significant amount" from the nutritional point of view, and in particular what percentage of the NRV for vitamins and minerals should be required to allow nutrient declaration of vitamins and minerals and 2) whether the declaration should be made per serving or per 100g or 100 ml or both.

Regarding the first question, the Working Group noted the recent amendment to the Guidelines on Nutrition Labelling presented in ALINORM 03/22A (Appendix III). Section 3.2.6.2. of these Guidelines, in their amended version, set a threshold for the declaration of vitamins and minerals of at least "5 per cent of the Nutrient Reference Value or of the officially recognized guidelines of the national authority having jurisdiction per 100 g or 100 ml or per serving as quantified on the label". The Working Group concluded that there was no argument from the nutritional point of view to change this value.

Regarding the second question, the Working Group confirmed that the solution proposed by the same provision of the Guidelines (point 3.2.6.2.), as amended, was appropriate, namely the declaration of vitamins and minerals "per 100 g or 100 ml or per serving as quantified on the label".

The Committee endorsed these proposals and agreed to forward them to the Committee on Food Labelling.

### **Trans - fatty acids**

The Committee considered the request of the CCFL to provide a definition of trans-fatty acids for the purpose of the *Guidelines on Nutrition Labelling* and noted that discussions on the definition of trans-fatty acids required more time and preparation, therefore accepted the kind offer of the Delegation of Malaysia in cooperation with Denmark and other interested parties working electronically to prepare a discussion paper for consideration at the next session of the Committee (ALINORM 04/27/26, para. 150).

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<sup>2</sup> 26<sup>th</sup> Session, Ålesund, Norway, 13-17 October 2003, ALINORM 04/27/18

<sup>3</sup> 25<sup>th</sup> Session, Bonn, Germany, 3-7 November 2003, ALINORM 04/27/26

## **Guidelines for the Use of Nutrition Claims: Draft Table of Conditions for Nutrient Contents (Part B Containing Provisions on Dietary Fibre At Step 7)**

The Committee could not come to a conclusion on the definition of fibre and agreed that further consideration should be given to this issue. It was therefore agreed that an electronic working group coordinated by the Delegation of France and Sweden and open to all interested delegations and observers should review the definition to make it more inclusive and consider the related methods.

The Committee agreed to circulate the Draft Provisions in the Table, as amended at the session for comments at Step 6 and further consideration at the next session (ALINORM 0427/26, paras. 18-26, Appendix II).

### **Proposed Draft Recommendations on the Scientific Basis of Health Claims**

The Committee had a general discussion on the Proposed Draft Recommendations and agreed that the document would be revised by the Delegation of France with all interested parties and circulated for comments at Step 3 and consideration at the next session (ALINORM 0427/26, paras. 138-144).

### **E. COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING<sup>4</sup>**

The Committee considered a document prepared by the United Kingdom and Germany on *Criteria for the Methods for the Detection and Identification of Foods Derived from Biotechnology - General Approach and Criteria for the Methods*, including Appendix I: *Guidelines for the Validation and Quality Control Requirements for GMO Analyses*. The Committee agreed to proceed with its work in this area and that the document would be revised for consideration at the next session, with a view to the elaboration of Guidelines (ALINORM 04/27/23, paras. 107-117).

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<sup>4</sup> 25<sup>th</sup> Session, Budapest, Hungary, 8-12 March 2004, ALINORM 04/27/23

**DRAFT AMENDMENT TO THE STANDARD FOR QUICK FROZEN FISH STICKS (FISH FINGERS),  
FISH PORTIONS AND FISH FILLETS – BREADED OR IN BATTER**

**(At Step 7 of the Procedure)**

**6. LABELLING**

6.1.3 The proportion of fish content should be declared on the label.

**7. SAMPLING, EXAMINATION AND ANALYSIS**

7.4 Estimation of Fish Content

According to AOAC Method 966.15. In cases where there is some remaining doubts over the composition of the fish core then the method of analysis as outlined below could be used, i.e. as a reference method.

Determination of Fish Content

The fish content of a fish finger (fish stick) is calculated by using the following equation

$$\% \text{Fish Content} = \frac{\text{Weight of ingoing fish}}{\text{Weight of final product}} \times 100$$

For most products therefore, the fish ingredient weight is that of the raw ingredient. Any figure placed or declared on a product label would be a typical quantity reflecting the producer's normal manufacturing variations, in accordance with good manufacturing practice.

**Checking of fish content by chemical analysis**

The percentage fish content, corrected for the non-fish flesh nitrogen contributed by the carbohydrate coating, is calculated as follows.

$$\% \text{Fish} = \frac{(\% \text{ total nitrogen} - \% \text{ non - fish flesh nitrogen})}{\text{N factor} * } \times 100$$

\* appropriate N (nitrogen) factor

The non-fish flesh nitrogen is calculated as follows:

$$\% \text{ non-fish flesh nitrogen} = \% \text{ carbohydrate} \times 0.02$$

Where the carbohydrate is calculated by difference:

$$\% \text{ carbohydrate} = 100 - (\% \text{ water} + \% \text{ fat} + \% \text{ protein} + \% \text{ ash})$$

**References**

Determination of nitrogen: ISO 937:1978

Determination of moisture: ISO 1442:1997

Determination of total fat: ISO 1443:1973

Determination of ash: ISO 936: 1978

Table 2: Interim Nitrogen factors to be used for white fish as an ingredient (i.e. after GMP)

<b>SPECIES</b>	Nitrogen %
<i>White fish:</i>	
Cod	2.66
Minced Cod	2.61
Coley/Saithe	2.69
European Hake	2.64
Haddock	2.72
Ling	2.78
Plaice	2.46
Alaskan Pollack	2.59
Whiting	2.68
<b>White fish mean</b>	2.65