

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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Agenda Item 8

CX/FL 07/35/11

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD LABELLING

**Thirty-fifth Session
Ottawa, Canada, 30 April - 4 May 2007**

DISCUSSION PAPER ON MODIFIED STANDARDIZED COMMON NAMES (Prepared by Canada)

I Introduction

- 1) The Global Strategy on Diet, Physical Activity and Health (Global Strategy) encourages initiatives by the food industry to introduce innovative, healthy, and nutritious foods and to provide clear consistent labelling that helps consumers make informed and healthy choices. Consistent with the Global Strategy, there is an increasing interest in healthier food choices. More and more, foods are being formulated with nutritional modifications while maintaining some of the characteristics of the standardized food and, frequently, using the standardized common name.
- 2) There are a variety of reasons for manufacturers to deviate from a food standard or to distinguish their product from others that adhere to a standard: for higher quality, innovation, flavour, functionality, lower production costs, or nutritional characteristics. The purpose of this discussion paper is to explore the use of modified standardized common names, with respect to nutrition variance, as an alternative to the development of new standards for those foods similar to, but at the same time different from, those currently standardized. This initiative would support the objectives of the Global Strategy.
- 3) Included in the discussion paper is background on the issue, a brief examination of standards and nutrient modifications, considerations and possible next steps for the Codex Committee on Food Labelling.

II Background

- 4) At the 30th session of the Codex Committee on Food Labelling (CCFL or the Committee), the Committee considered the Discussion Paper on Misleading Food Labels, prepared by the United States. The paper identified factors that may affect consumer interpretation of labelling, the types of misleading food labelling, and finally the approaches to prevent misleading food labelling.
- 5) A working group co-ordinated by Australia presented the Discussion Paper on Misleading Claims at the 31st session of CCFL. Concrete examples of the types of truthful but misleading communication on labels were presented using the categories identified in the original discussion paper. At the 32nd session of CCFL, a revised Discussion Paper on Misleading Claims was presented by Australia for the Working Group. It noted that, although truthful but misleading labelling was likely to become more evident in the future with greater sophistication in consumer demand for information, there were several other outstanding labelling issues to be addressed by the Committee. The Committee agreed to discontinue consideration of this issue at this time noting that it was possible to reconsider the question if new proposals were put forward.

6) At the 34th session of CCFL, Canada presented a draft discussion paper on modified standardized common names. It noted that the use of the names of standardized foods, established in a Codex standard or national standard of identity, are being incorporated in the name of the non-standardized products. For example, foods such as apple juice, processed cheese, and chocolate have Codex standards of identity, while apple juice drink, processed cheese product, and chocolate chips do not. Some of these products are composed of the standardized food with added ingredients, while others are formulated to be similar to, but do not contain, the food. The Committee agreed on the need for a subsequent document that focussed on nutrition variances, which could be used as a basis for further discussion on modified standard names.

III Compositional Standards of Identity and Modifications of Standards

7) Compositional standards provide for a consistent food with uniform labelling and result in readily identifiable products that meet consumer expectations for quality and nutrition.

8) Products are identified for new international standard development or amendment through Codex commodity committees. Recently there has been an increasing demand at the commodity committees for the development of standards for foods that are similar to an existing standard but do not meet it. Examples include proposals to expand the generic cheese standard, to merge and broaden the processed cheese standards and to develop standards for fermented milk drinks. Also, the Codex Committee on Fats and Oils, recognizing the need for a different and consistent alternative to continued development of new or amended standards, is considering the development of criteria for the naming of vegetable oils with fatty acid modifications.

9) While currently there are no general Codex guidelines on the labelling of modified standardized foods, within Codex standards, there is guidance for reference on modified standardized common names with respect to dairy products. The Codex General Standard for the Use of Dairy Terms, Codex Stan 206-1999, provides a framework on the modifications from a standard and subsequent labelling expectations, in subsection 4.3.3:

4.3.3 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.

10) Canada takes a flexible approach to interpretation of regulations regarding standardized common names. Specifically, the common name of a food that deviates from the standard may include the standardized common name, provided it also includes a clear description of how the food deviates from the standard. Other countries may address the issue through new standard development, percentage labelling, or may even prohibit the use of standard names as part of any non-standard food name.

11) A robust international standard for the naming convention of modified standardized foods would assist both commodity committees and governments by providing a consistent approach while promoting the development of innovative and healthy foods and an alternative to new standard development.

IV Considerations for Nutrition Variance Modifications

12) Nutrition claims are powerful tools and frequently used to make food choices and nutrition changes may be captured using permitted nutrition claims without deviating from a standard. Alternatively, a food may be formulated to increase the levels of nutrients such as vitamins and minerals or to reduce the levels of nutrients such as sodium, sugar, saturated and trans fats. Such changes may involve ingredient additions or processing modifications that are not permitted in the standardized food. Creating a nutrient modified food with the characteristics of the standardized food can result in other significant changes, which could impact the labelling of the food. For example, to create a low fat sour cream, fat will be removed, and other ingredients, including food additives, may be added. Perhaps other nutrient values will also be impacted, such as sugars. There could even be processing effects that result in additional losses to the food of substances that are not recognized nutrients.

13) The modification of the standardized food related to nutrition variances raises some important considerations:

- Should any new food be permitted to reference the standard food as part of the common name?
- If so, under what conditions should a food be permitted to deviate from a specific standard?
- When the standard name is permitted to be referenced, what limitations should be placed on any modifiers in order to avoid misleading the consumer and to ensure these new products are clearly differentiated from the standardized foods?
- Is the intended nutrition variance, such as “low fat”, modifying the common name of the food adequate or, if there are also ingredient and/or processing deviations from the standard, should those also be identified?
- If modifications result in unintended nutritional variation, should consequential nutrition variance also be specifically identified for consumers or will nutrition information address this? and
- When a new product no longer has the same characteristics such as taste, texture, or appearance as the standardized food, can it refer to the standard name in its common name?

14) The examination of these considerations and resulting discussions contribute to the development of principles for the naming of modified standardized foods.

V Summary

15) The Global Strategy supports consistent labelling that will help consumers make informed and healthy choices and this objective can be encouraged and promoted through the Codex Committee on Food Labelling, through development of guidance for labelling of modified standard common name related to nutrient variance. This new work would also benefit commodity committees, governments, and, ultimately, consumers by providing a consistent approach to modified standardized foods, while promoting flexibility and innovation.

16) Canada proposes that an electronic working group be established to examine these considerations and develop principles regarding the common name labelling of foods that are modified from standards for nutritional purposes.