



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

46<sup>th</sup> Session

Virtual

27 September – 1 October and 7 October 2021

### APPROACH AND CRITERIA FOR EVALUATION AND PRIORITIZATION OF THE WORK OF CCFL

Analysis of comments in reply to CL 2020/09/OCS-FL and amendment proposals

(Prepared by the CCFL Canadian Secretariat)

#### Introduction

1. The 70<sup>th</sup> Session of Executive Committee (CCEXEC70) recommended that all Committees consider the need to develop an approach for the management of their work, similar to that used by the Codex Committee on Food Hygiene (CCFH)<sup>1</sup>.
2. At the 43<sup>rd</sup> Session of Codex Committee on Food Labelling in 2016 (CCFL43), the Committee noted that there was no need to develop an approach for the management of the work of CCFL similar to CCFH, as at that time, the existing work load did not warrant such a work plan but could consider this need in the future. The Committee also agreed that Canada would prepare a paper on future work to be kept current at each session, and that a prioritization approach could be considered once the paper was developed.<sup>2</sup>
3. CCFL44 considered the discussion paper on future work and direction for CCFL and agreed that India would update the paper and develop a prioritization approach. In this context, information was sought from Members through a circular letter (CL 2018/49-FL).<sup>3</sup>
4. CCFL45 considered a proposal for a draft approach and criteria for evaluation and prioritization of new work for CCFL, which included an illustrative application of the criteria. After discussion and exchange of views, the Committee agreed to request comments on the proposed draft approach and criteria<sup>4</sup> through a circular letter (CL 2020/09/OCS-FL) for further consideration at CCFL46.<sup>5</sup> Comments in response to CL 2020/09/OCS-FL were received from 11 Members countries<sup>6</sup>.
5. In view of the postponement of CCFL46 due to the COVID-19 pandemic, and to benefit from the additional time to continue to progress the work, the CCFL Canadian Secretariat considered comments submitted in response to the circular letter. To facilitate consideration by the Committee, an updated proposal of the draft Approach and Criteria for Evaluation and Prioritization of the Work of CCFL was prepared and is found in Annex I of this paper.

#### Summary and analysis of comments

6. Based on the comments received through the CL, there is general support for CCFL to establish a process to evaluate and prioritize new work proposals. However, there were a wide range of views from members on the proposed criteria and numerical rating values.

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<sup>1</sup> REP 15/EXEC, paragraph 22

<sup>2</sup> REP16/FL, paragraphs 6 and 71

<sup>3</sup> REP18/FL, paragraph 63 (a)

<sup>4</sup> REP19/FL, Appendix V

<sup>5</sup> REP19/FL, paragraph 132 (e)

<sup>6</sup> Australia, Canada, Costa Rica, Cuba, Egypt, New Zealand, Nicaragua, Nigeria, Peru, Thailand, USA

7. While comments related to the proposed criteria and numerical rating values were incorporated with the changes tracked in the updated document in Annex I, the common view was that this section required careful consideration by the Committee, specifically on the following points:

- a. Criteria: Clear description for each to provide consistency in its application; and the order in which each is applied to align with the objectives of the Codex Alimentarius.
- b. Proposed numerical rating values: Clear definition/rationale and appropriateness of the rating and the assigned numerical values, including the need to develop guidance (e.g. series of questions) on how numerical ratings could be applied in order to reflect an appropriate balance between the aim of protecting consumer health and the impact on international trade of food.
- c. Definition of risk<sup>7</sup>: Whether the use of the Codex definition would be appropriate for the purpose of CCFL work prioritization;
- d. The term “mislead consumers”: Appropriateness of its use versus “consumer confusion” and in relation to “informed choice”.
- e. Proposals to add new criteria:
  - i. To address the availability of new information/data/technologies that would warrant new work; and
  - ii. On whether there is existing work in CCFL that may address the issue proposed in the new work.

8. Noting several comments on the numerical rating values, which were based on the approach used by CCFH, the updated document is presented without numerical rating values, taking a similar approach to that which will be piloted by CCFICS<sup>8</sup>.

9. The limited number of comments received related to the process for evaluating new work suggests a reasonable level of consensus in this section. Comments incorporated into the updated document include a recommended step where Members would submit their proposal with a self-assessment against the criteria; and providing flexibility in forming an ad hoc working group to conduct the evaluation and prioritization of new work proposals, as required.

10. Other specific comments raised that were not incorporated into the updated document that may require further consideration by the Committee include, whether there is a need:

- a. for a prioritization process, as historically the workload for the Committee has been manageable and the *Criteria applicable to general subjects*<sup>9</sup> and information in the inventory of future work paper has been sufficient for the Committee.
- b. to develop new criteria to assess the feasibility of new work to assist in prioritization of a number of proposals with similar priority.
- c. to establish a detailed process to consider proposals for new work.

## Recommendations

11. The Committee is invited to:

- a. As a first step, re-confirm the need for a prioritization process for CCFL new work proposals, taking into account the summary of comments in paragraph 10(a) above.
- b. If the Committee re-confirms that there is a need for a prioritization process, consider when the prioritization process would be applied (e.g. only when there are multiple new work proposals and there is a need to prioritize the proposals) and clarify this in the purpose and scope of the prioritization process as proposed in Annex I.
- c. Consider a flexible approach to establish an *ad hoc* working group, as needed, that could be tasked with discussing, evaluating and prioritizing the new work proposals, and making recommendations to CCFL.

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<sup>7</sup> As defined in the *Procedural Manual*, Section IV: Risk Analysis, Definitions of Risk Analysis Terms related to Food Safety

<sup>8</sup> REP 19/FICS, para 68 (iv)

<sup>9</sup> *Procedural Manual*, Section II: Elaboration of Codex texts, Criteria for the Establishment of Work Priorities

- d. Consider the proposal in Annex I of this document on an updated draft approach and criteria for evaluation and prioritization of new work, taking into account the comments summarized in paragraphs 7 and 10 above.
- e. Regarding the development of prioritization criteria specific to CCFL, the Committee could choose to focus efforts on either:
- i. Option 1: Using the framework as presented in Annex I, which provides flexibility on how to apply prioritization criteria specific to CCFL, to help guide discussions and evaluate new work proposals by an *ad hoc* working group. This is similar to the approach taken at CCFICS24<sup>10</sup>; or
  - ii. Option 2: Developing detailed and prescriptive guidance to include in Annex I, which would outline steps on how to assign numerical ratings of high/medium/low for each criterion. This is similar to the approach taken at CCFH<sup>11</sup>.

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<sup>10</sup> [CX/FICS 18/24/8](#) Appendix B, Framework for the preliminary assessment and identification of priority areas for CCFICS

<sup>11</sup> CCFH Information Document: [Process by which the Codex Committee on Food Hygiene \(CCFH\) will undertake its work](#)

## ANNEX I

## APPROACH AND CRITERIA FOR EVALUATION AND PRIORITIZATION OF THE WORK OF CCFL

### (Proposed amendments in response to comments from CL 2020/09/OCS-FL)

(changes are indicated in strikethrough, bold/underlined format)

#### Purpose:

1. The following guidelines are established to assist the CCFL to identify, prioritize and efficiently carry out its work, **as needed, when there are multiple new work proposals to consider** ~~and interact with [other Codex Committees, Task Forces, and] FAO/WHO and their scientific bodies as the need arises.~~

#### Scope:

2. These guidelines apply, **as needed**, to new work proposed to the CCFL and lays down criteria and procedures for considering the priorities for proposed work, **including the revision of current texts**.

3. The prioritization approach has been developed in recognition of the criteria for new work as outlined in the Procedural Manual<sup>4</sup>)<sup>26</sup>. Criteria relevant to the work of the CCFL and a rating scheme have been developed taking into account the mandate of the Codex Alimentarius Commission, the general principles of food labelling included in the **General Standard for the Labelling of Prepackaged Foods (GSLPF)**.

#### Criteria for evaluating and prioritizing new work

4. In addition to the priorities established by the Commission in the Strategic Plan, and the criteria applicable to general subjects, additional criteria are required for assessing the new work relevant to the CCFL. Following are the criteria against which the new work to be undertaken in CCFL may be assessed:

Criterion	Rating
Does the proposed new work fall under the <b>terms of reference mandate</b> of CCFL?	Yes/No/ <b>Partially</b>
<del>Risk* to health of the consumer in the absence of the proposed new work</del> <b>Potential of new work to resolve, mitigate, prevent, or significantly reduce a consumer health risk</b>	High <b>20</b> Medium <del>44</del> Low <del>8</del>
<del>Potential to mislead consumers in the absence of the proposed new work</del> <b>to resolve, mitigate, prevent, or significantly reduce false, misleading or deceptive labelling practices</b>	High <del>45</del> Medium <del>8</del> Low <del>5</del>
<del>Whether the proposed work once finished will</del> <b>Potential of new work to</b> assist the consumer in making an informed choice	High <b>42</b> Medium <del>6</del> Low <del>4</del>
Impact (positive) on <b>international</b> trade <del>facilitation</del>	High <b>40</b> Medium <del>5</del> Low <del>3</del> <b>No positive impact on trade</b>

\*As defined in CCFH44-CRD2

#### Process for evaluating new work

5. New Work Proposals should be presented to CCFL in the format of a project document addressing the criteria given under the "Criteria for establishment of work priorities" for general subjects in the Procedural Manual<sup>3</sup> and should preferably **also include a self-assessment that takes into account the additional criteria outlined in this document**, ~~take into account the additional criteria outlined above.~~

6. The new work proposal should also indicate that the work, if approved to commence ~~further~~, would likely lead to preparation of a new **Codex text standard/guideline** or revision of an existing **Codex text standard/guideline**.

7. **As necessary**, CCFL will prioritize new work proposals including revision of existing texts, in order of merit based upon decisions made by CCFL after assessing the new work against the criteria (as defined above) for evaluating and prioritizing work.
8. The Committee may reassess the priority of each item if new information becomes available relating to an item. Such data may be submitted for consideration and the priority for the new work proposal reconsidered.
9. The criteria will be applied in a stepwise manner, **in the order set out in the criteria above**, ~~in order as mentioned~~. If the Committee decides that a proposed work does not fall under the **terms of reference mandate** of CCFL, then the remaining criteria do not need to be applied. ~~Additional criteria, such as feasibility of the proposed new work, may be necessary and developed later for application while considering two or more items of similar priority.~~
10. The proposed work should be assessed against the criteria ~~and evaluated~~ as per the ratings given for each criterion. New work proposals will ultimately be prioritized as per the overall **rating points** received through this **prioritization process**. ~~rating~~ **Additional criteria, such as feasibility of the proposed new work, may be necessary and developed later for application while considering two or more items of similar priority.**
11. The CCFL will **maintain the inventory of future work and emerging issues discussion paper** ~~develop and maintain a work plan~~ that will include all potential work items relevant to CCFL. The **inventory paper work plan** will be **kept current at every session with a different Codex member taking on responsibility each time. It may be appropriate for CCFL to establish an ad hoc working group, as necessary, to evaluate and prioritize new work proposals**, ~~revised by the CCFL at every session based on its decisions, new work proposals made and new information/data available. The CCFL will need to decide whether to update the work plan in the plenary or with the help of member countries volunteering on rotational basis. In this context, it may be informed that the CCFH establishes a PWC for this at its every session.~~

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<sup>4</sup>Procedural Manual (26<sup>th</sup> Edition)

<sup>51</sup>CCFH Information document

<sup>62</sup>CX/FICS 18/24/8