

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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WORLD
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ORGANIZATION



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AGENDA ITEM NO. 5 (B)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

**CODEX COMMITTEE ON FOOD LABELLING
THIRTIETH SESSION
HALIFAX, CANADA, 6 - 10 MAY 2002**

**Proposed Draft Recommendations for the Labelling of Foods Obtained Through Certain Techniques of Genetic Modification/Genetic Engineering (Proposed Draft Guidelines for the Labelling of Foods and Food Ingredients Obtained Through Certain Techniques of Genetic Modification/Genetic Engineering):
Labelling Provisions (CL 2001/43-FL, Alinorm 01/22A - Appendix V)**

Government Comments At Step 3

COMMENTS FROM:

**SOUTH AFRICA
INTERNATIONAL BABY FOOD ACTION NETWORK (IBFAN)**

PROPOSED DRAFT RECOMMENDATIONS FOR THE LABELLING OF FOODS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING (PROPOSED DRAFT GUIDELINES FOR THE LABELLING OF FOODS AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING): LABELLING PROVISIONS (CL 2001/43-FL, ALINORM 01/22A – APPENDIX V)

GOVERNMENT COMMENTS AT STEP 3

SOUTH AFRICA:

1. DEFINITION OF TERMS

South Africa proposes that:

- a. The definition of “Food and food ingredients obtained through certain techniques of genetic modification/genetic engineering” remains as defined. South Africa is of the opinion that the phrases “certain techniques of genetic modification/genetic engineering” and “through modern biotechnology” meet the requirements of both CCFL and CTFBT.

South Africa is of the opinion that:

- b. The term “corresponding conventional counterparts” should be replaced by the term **“*corresponding existing food and food ingredients*”** in order to be consistent with terminology used by the CTFBT.

South Africa is of the opinion that:

- c. The description in brackets in the draft text, which is not defined and which reads “[is no longer equivalent” / “differs significantly”] must be deleted and replaced by the description as suggested by Canada and the two comments (b and c) combined would read throughout the text:
- d. ~~“[is no longer equivalent/differs significantly]~~***when it is demonstrated, through an appropriate analysis of data, that the composition, nutritional value, or intended use of the food or food ingredient differ in comparison to that of corresponding conventional counterparts corresponding existing food and food ingredient having regard to accepted limits of natural variation”***.

2. TYPES OF INFORMATION ABOUT FOOD AND FOOD INGREDIENTS OBTAINED THROUGH CERTAIN TECHNIQUES OF GENETIC MODIFICATION/GENETIC ENGINEERING

South Africa believes that there are two distinct types of information regarding food and food ingredients obtained through certain techniques of genetic modification/genetic engineering (GM-Foods):

- I. End-product information where there is a significant change in nutritional contents, composition and end-use and where there could be a concern with respect to the presence of an allergen.
- II. Origin, process and production method information.

2.1. Mandatory labelling

South Africa supports the mandatory labelling of the end product (type I) where there are significant changes and supports advancement of such labelling to the following STEP:

*“Foods obtained through certain techniques of genetic modification/genetic engineering ~~when they are [no longer equivalent /differ significantly]~~ **when it is demonstrated, through an appropriate analysis of data and having regard to accepted limits of natural variation that they differ from the corresponding conventional counterparts corresponding existing food and food ingredient as regards their composition, nutritional or intended use.**”*

South Africa supports the labelling of food and food ingredients that contain those allergens listed by Codex Alimentarius. (Section 4.2.1.4 of the General Standard for the Labelling of Prepacked Foods (CODEX STAN 1-1985 (Rev.1-1991, Amended 1999))

2.2. Voluntary labelling

- 2.2.1. South Africa does not support mandatory nor voluntary labelling of food and food ingredients to indicate the origin, the process and production methods.
- 2.2.2. South Africa supports the voluntary labelling of NON-GM food and NON-GM food ingredients. South Africa together with Australia submitted at the last CCFL a proposal for new work for “Claims on the absence of food produced using gene technology (negative claims). (Agenda Item 11, CRD 1 of 2001).

As a future scenario, South Africa envisages that the production of genetically modified foods would increase, resulting in increasing quantities of various GM-foods and GM-food ingredients to enter the market. This could result in situations where choices between GM-foods and foods that are not genetically modified or not derived from GMOs (NON-GM foods) would become less. Voluntary labelling of NON-GM foods segregated by means of an identity preservation system would provide a choice to those consumers that want to make that choice. However, conditions to ensure that information is factual, verifiable, understandable and non-misleading should be made.

In countries with high unemployment rates and where a large percentage of the population lives close to the breadline, choices are made according to the price of foods. Labelling of GM-foods could increase the price of food because of the cost involved in developing infrastructures, the cost of analytical procedures and the cost of paper trailing. Increases in the price of food are not to be recommended.

Consumers have a right to know what they are eating. However, the term, modern biotechnology is extremely difficult to explain. The process of communicating this very technical concept successfully could take many years. Label information may be a manner to inform some consumers but not all. Of cardinal importance is that a regulatory system must be in place to ensure risk assessments of new GMOs and their products before their commercial release. Governments have the responsibility to inform consumers of a developing country, such as South Africa, in ways of communication that are acceptable to the situation of that country.

INTERNATIONAL BABY FOOD ACTION NETWORK (IBFAN):

1.0 Scope

1.1.1

IBFAN proposes to retain the brackets around *[no longer equivalent to/differ significantly]* as these terms need more in-depth definition. Standards for determining differences, how these differences will be determined and what constitutes a difference needs to be clearly established by the standard.

and to insert:

...as regards its: composition, *genetic characteristics*, nutritional value, or intended use;...

3.0 Labelling Provisions

IBFAN support mandatory labelling of all foods obtained through genetic modification/genetic engineering. The capability of the public to make choices in the market place should remain unqualified. Ability to make choices according to health, safety, environmental considerations as well as religious and cultural practices should not be compromised.

Section 3.4 (b)

Add the word **apparent in the following phrase:**

...resulting from gene technology even when they do not differ in **apparent** composition, nutritional value, intended use [and/or other parameters]

Remove the [] from the phrase [and/or other parameters]

4.0 Threshold levels

Testing methods are able to detect DNA in samples at levels from 0.05 to 0.125 per cent, virtually eliminating the need for threshold levels.

IBFAN recommends that Section 4 be deleted as this perpetuates permissible levels of genetic contamination at all levels of the food production systems.

5.0 Exemptions

Similarly IBFAN recommends that Section 5 should be deleted. There is no point in having a standard when major exemptions of specific categories of food and food ingredients are permissible such as “highly processed food ingredients”.

6.0 Label Declarations

6.1 (a)

To insert the term **genetic characteristics** as follows:

... if the composition, **genetic characteristics** or nutritional value of food and food ingredients is [no longer equivalent to/differs significantly] from the corresponding existing food...

6.2

IBFAN supports the use of the terms genetically modified/genetically engineered in sections 6.2 (a) through to (i).

IBFAN supports the comments of the Consumers International on the Proposed Draft Recommendations on Labelling of Foods obtained through Certain Techniques of GE/GM.