

**European Union Comments for the**

**CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL  
DIETARY USES  
(Forty-first Session)**

**Düsseldorf, Germany, 24 – 29 November 2019**

**Agenda item 12:**

**Discussion Paper on General Guidelines to establish nutrient profiles for  
food labelling (CX/NFSDU 19/41/12)**

*Mixed Competence  
European Union Vote*

The European Union and its Member States (EUMS) would like to thank Costa Rica, the USA and Paraguay for the preparation of the discussion paper and its attached Project Document on General Guidelines for the Development of Nutrient Profiles for Food Labelling.

At the 39<sup>th</sup> session of the CCNFSDU, the Codex Committee on Food Labelling (CCFL) requested CCNFSDU to consider how it could contribute towards the new work on front-of-pack nutrition labelling but discussion on the topic was postponed. Following discussion at the 40<sup>th</sup> session of the CCNFSDU, the Committee agreed that Costa Rica and Paraguay, supported by the USA, would undertake an inventory of nutrient profiles and continue preparing the discussion paper for consideration at CCNFSDU41.

Many countries have already introduced or are introducing front-of-pack nutrition labels, leading to a proliferation of different front-of-pack labels worldwide. Most front-of-pack nutrition labels make use of nutrient profiling models. Current Codex texts do not provide guidance on establishing nutrient profiling models for food labelling. Establishing international guidelines for the development of nutrient profiles for front-of-pack labelling would ensure that nutrient profiling models used for labelling purposes are scientifically informed, based on harmonised methodologies, and would facilitate international trade.

In view of the above and in line with the internal EUMS position prepared for CCNFSDU40 in 2018, the EUMS support to start new work on the development of harmonised general guidelines for the development of nutrient profiles for front-of-pack nutrition labelling and to establish an electronic working group to undertake the work.

The EUMS take this opportunity to re-iterate their position that mandatory “high in” warnings should not be considered as front-of-pack nutrition labelling.

Concerning the draft project document, the EUMS consider that the project document needs to be revised since a number of elements under sections 2, 3, 4 and 5 are unclear and have to

be redrafted and the scope and objectives need to be framed adequately in order to clarify that this work is to be undertaken in the context of front-of-pack nutrition labelling.

### Title

The EUMS would like to underline that the work for developing guidelines for the development of nutrient profiles should be framed adequately in the context of front-of-pack nutrition labelling, in line with the request of CCFL to CCNFSDU to consider how it could contribute towards the new work on front-of-pack nutrition labelling.

<p>PROJECT DOCUMENT GENERAL GUIDELINES FOR THE DEVELOPMENT OF NUTRIENT PROFILES FOR FRONT-OF-PACK NUTRITION <del>FOOD</del> LABELLING (FOPNL)</p>
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### Section 2

The EUMS

- would like to underline that the new work should be framed adequately in the context of FOPNL;
- would like to clarify that these guidelines are being developed in order to guide governments in the *development* of nutrient profiles and not in the *application* of nutrient profiles;
- consider that the objective of the work on guidelines for the development of nutrient profiles should not be to define the specific type of front-of-pack schemes that should be developed; the EUMS therefore suggest deleting the specific reference to ‘interpretative’;
- propose other modifications aiming to clarifying the meaning of the text.

#### **2. RELEVANCE AND OPPORTUNITY**

The multiple interpretations of the ~~nutritional~~ profiles available today can be confusing, so a systematic comparison of different approaches is necessary, and the establishment of general principles that make it easier for countries and organizations to use any profile in the context of FOPNL that is considered effective, appropriate and scientifically grounded.

This proposal concerns the development of guidelines to guide governments (or other stakeholders) in the ~~application development of interpretative nutritional~~ profiles that may be relevant ~~are used in the context of packaging front labelling systems FOPNL and food industries to reformulate or develop new foods with a healthier nutritional composition.~~

On the other hand, the work being carried out by the EWG on "Front of pack nutrition labelling" in the Codex Committee on Food Labelling (CCFL) showed that, ~~increasingly,~~ an increasing number of Codex members implemented nutrition labelling on the front of the container that ~~need to be supported by~~ are based on a validated nutritional nutrient profiles. However, the *Guidelines on Nutrition Labelling* (CXG 2-1985) do not include criteria on nutrient profiles for food labelling ~~in the label.~~

Therefore, and taking into account that Codex Alimentarius is the internationally recognized body of The World Trade Organization in the field of food regulation and has 189 affiliated countries; it is apparent that, for the Organization, it is an opportunity for Codex to ensure that all member states and organizations can evaluate and discuss methodologies developed to establish existing and recommended ~~nutritional~~ profiles in the context of FOPNL and, in this way, obtain global harmonization to help protect public health and in turn remove barriers to trade generated by the diversity of existing methodologies; in accordance with the legitimate objectives of Codex's action.

### Section 3

#### The EUMS

- would like to underline that the new work should be framed adequately in the context of FOPNL;
- would like to clarify that these guidelines should provide general guidance for establishing public health ranges or thresholds, and should not lay down concrete ranges or thresholds as such. Therefore, the EUMS suggest the following changes.

#### **3. MAIN ASPECTS TO BE COVERED**

The *Guidelines on Nutrition Labelling* (CXG 2-1985), in Section 5, allow the use of complementary nutritional information, however; greater clarity is needed, so the proposed work seeks to strengthen and establish additional guidelines that may include general principles for the development of nutritional profiles for the purpose of FOPNL.

~~The proposal is to develop guidelines that may or may not be included in the *Guidelines on Nutrition Labelling* (CXG 2-1985). The decision on their location will be made once they have been developed.~~

Next steps for the proposed new work could be to identify and discuss:

- [...]
- How to establish Recommended public health ranges or thresholds for those components based on public health outcomes.
- Develop a consensus definition of "nutrients profiles" for the purpose of FOPNL and all those definitions necessary to establish nutrient profiles.
- ~~Review the "*Guidelines on Nutrition Labelling* (CAC / GL 2-1985)" in order to develop additional guidance and facilitate the use of nutritional profiles.~~

### Section 4

In line with the comment made above, i.e. (1) the guidelines are being developed in order to guide governments in the *development* of nutrient profiles and not in their *application*, (2) the new work should be framed adequately in the context of FOPNL and (3) reference to revision of Codex texts should be deleted, the following changes are proposed:

#### **4. EVALUATION WITH RESPECT TO THE CRITERIA FOR THE ESTABLISHMENT OF NEW WORKING PRIORITIES**

##### **General criteria**

~~Simplified nutritional information linked to the nutritional profiles in the context of FOPNL can provide consumers with a better understanding of the nutritional composition of foods, as well as facilitate their choice of food consistent with national dietary guidance or health and nutrition policy of the country or region of implementation ~~promote a balanced and healthy diet and a conscious consumption. It can also cause food manufacturers to reformulate their food products to improve the nutritional quality of the foods they offer to consumers.~~ Improving people's nutrition by providing healthier choices would improve the risk profile of noncommunicable diseases around the world, along with other initiatives that could ensure improvements in consumers' healthy lifestyles (educational campaigns on better nutrition and physical activity).~~

##### **Criteria applicable to general matters**

(a) Diversification of national legislations and apparent resultant or potential impediments to international trade

Several countries have adopted or are planning FOPNL simplified nutrition labelling systems that use nutritional profiles, either voluntarily or mandatory. With the increased implementation of these systems around the world, harmonization of guidelines at the global level is important to minimize barriers to trade.

(b) Scope of work and establishment of priorities between the various sections of the work  
To develop guidelines for the establishment of nutrient profiles in the context of FOPNL.

~~Review Codex texts, including the Nutrition Labelling Guidelines (CXG 2-1985), to draft guidance on the use of nutritional profiles.~~

(d) ~~Amenability of the subject of the proposal to standardization~~

~~Nutritional profiles are an input for the implementation of FOPNL labelling systems, so the purpose of the new work proposal is to revise existing texts for the development of guidelines to support the use of profiles nutrition products, either in the current guidelines or in a separate document for the establishment of nutrient profiles in the context of FOPNL.~~

(e) ~~Consideration of the global magnitude of the problem or issue~~

~~Recognizing the burden and threat posed by non-communicable diseases to public health, promoting healthier diets for consumers, and encouraging manufacturers to improve the nutritional quality of food supplies are areas where an appropriate guidance could have a significant impact globally, which is why FOPNL simplified nutritional information on food packaging and related nutrient profiles is an issue of global interest.~~

## **Section 5**

The following changes are proposed to ensure consistency between the text and the listed strategic objectives.

### **5. RELEVANCE FOR CODEX STRATEGIC OBJECTIVES**

The proposed work is in line with the Mandate of the Commission for the Development of International Standards, Guidelines and Other Recommendations to protect consumer health and ensure fair practices in food trade. The new work proposal will contribute to the progress of Strategic Goals 1 and 4, as described below.

~~**Strategic Objective 1:** Address current, emerging and critical issues in a timely manner~~

~~**Objective 1.1** Identify needs and emerging issues.~~

~~**Objective 1.2** Prioritize needs and emerging issues.~~

~~The use of nutrient nutritional profiles in the context of FOPNL as part of simplified nutritional labelling on the packaging front is of increasing interest and activity in several countries worldwide. There is currently no global guideline on best practices regarding the establishment of these profiles on a scientific basis.~~

~~Providing guidance to countries wishing to make use of nutrient nutritional profiles in the context of FOPNL on frontal nutrition labelling would help achieve a global basic level of harmonization on the subject.~~

~~**Strategic Objective 2:** Develop standards based on science and Codex risk-analysis principles~~

~~**Strategic Objective 2.1** Use scientific advice consistently in line with Codex risk-analysis principles.~~

~~**Strategic Objective 4:** Facilitate the participation of all Codex Members throughout the standard setting process~~

~~Bringing this issue to the CCFSDU will allow all members who have an interest in nutritional profiles to participate in the discussions.~~