

E-FORUM ON CODEX ALIMENTARIUS: Implementation of the Global Strategy on Diet, Physical Activity and Health (DPAH):

15 February -1 April 2006

INDIA'S COMMENTS :

The Global Strategy was developed in response to a request from Member States of WHO. It reflects an international public health initiative intended to guide the development of an enabling environment for sustainable actions at individual, community, national and global levels that, when taken together, will lead to reduced disease and death rates related to unhealthy diet and physical inactivity. Long-term health and the development or prevention of chronic diseases in consumers, including obesity, heart disease, cancer and diabetes, are in part determined by nutrition and dietary choices.

The Global Strategy was endorsed by the World Health Assembly (WHA) Resolution 57.17 where by calling upon the Codex Alimentarius Commission to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods consistent with the aims and objectives of the strategy.

In the 28th Session of CAC the Implementation of the Global Strategy on Diet, Physical Activity and Health (DPAH) was considered alongwith a paper prepared at the request of the 55th Session of the Executive Committee. The Representative of WHO referred to the potential work to be undertaken by the Committees on Food Labelling and Nutrition and Foods for Special Dietary Uses and Emphasized the coordinated work was needed to implement the Global Strategy. The Commission agreed with the recommendation of the 56th Session of the Executive Committee, to ask the WHO, in cooperation with FAO, to produce a more focused document for consideration by these Committees, including a specific proposal for new work. The Commission agreed that its next session would consider further the implementation of the Global Strategy, taking into account the views and proposals put forward by these Committees.

Labelling activities constitute an important interface between the Codex and the Global Strategy. The provisions for nutrition labelling and for label claim statements would enhance the consumer's opportunity to select a healthy diet and thereby promote an 'environment' that would support actions to reduce chronic diseases. Nutrition labelling provides important information about the nutrient content of foods and thus provides a useful tool for consumers to use in selecting foods that make a healthy diet. The provision of the best possible guidance on labelling approaches and formats should result in labelling that is clear, visible, easily understood and able to be used by consumers.

Additionally, food composition standards may be relevant to the Global Strategy. These standards, while intended to facilitate fair trade and protect consumers from fraud, should not serve inadvertently as an impediment when manufacturers wish to the formulate 'healthier versions' of food products with, for example, lower levels of saturated fat or sodium.

Recognizing that the dietary goals of the Global Strategy have been based on the advances and improved understanding within the field of nutrition science, it is possible that Global Strategy in particular but other nutrition-related interests in general would benefit if the 'management' of nutrition issues overall within Codex were addressed in some way as appropriate and feasible.

The Codex Committee on Food Labeling would be deliberating on the Labelling aspects taking in to consideration the Global Strategies, especially, that may transform strategy relating to accurate and balanced information, education, communication and public awareness, marketing, advertising sponsorship and promotion, health claims.

Since, the CCNFSDU deals with the following aspects:-

- (a) to study specific nutritional problems assigned to it by the Commission and advise the Commission on general nutrition issues;
- (b) to draft general provisions, as appropriate, concerning the nutritional aspects of all foods;
- (c) to develop standards, guidelines or related texts for foods for special dietary uses, in cooperation with other committees where necessary;
- (d) to consider, amend if necessary, and endorse provisions on nutritional aspects proposed for inclusion Codex standards, guidelines and related texts.

And accordingly, it is engaged in finalisation of standards and different guidelines in general and in particular: Guidelines for the use of Nutrition claims- Table of conditions for nutrient contents; Guidelines for vitamin and mineral food supplements ; Standard for infant formula and formulas for special medical purposes intended for infants; Standards for cereal-based foods for infant and young children; Advisory list of mineral salts and vitamin compounds for the use in food for infant s and children; Recommendations on the scientific basis of health claims; Application of risk analysis to the work of the CCNFSDU, this committee may make its specific recommendations on the above aspects.

As far as the specific response to the questions put on the website, India would like to comment as under:-

REPLIES TO THE SPECIFIC QUESTIONS FOR THE E-FORUM

1. Does the Codex Alimentarius Commission have a role in implementation of the Global Strategy / DPAH?

⇒ **If yes, describe what that role should be? Include in the consideration the topic areas that are relevant.**

Codex has a definite role in implementation of the Global strategy as identified by CAC in its 28th session (para 229- ALINORM 05/28/41). It noted that the potential area for action by Codex is mainly relevant to the work of the CCFL & CCNFSDU.

It however, asked WHO to produce a more focused document in cooperation with FAO for consideration of these committees, including specific proposals for new work. The Commission agreed that its next session would consider further the implementation of the Global strategy, taking into account the views and proposals put forward by these Committees (para 234- ALINORM 05/28/41).

The Global Strategy/DPAH aims, as stated in its paragraph 18, to reduce the risk factors for non-communicable diseases resulting from unhealthy diet and physical inactivity, to increase overall awareness of effect of diet and physical activity on health, to encourage development of policies on diets and physical activity, and monitor data on diet and physical activity. For achieving these objectives, it identifies responsibilities for action by, among others, its international partners (paragraph 58) including Codex (paragraph 59).

The purpose of the Codex Alimentarius Commission's Food Standards Programme is to protect health of the consumers, primarily by way of specifying safety and basic quality parameters for foods, and to ensure fair trade practices in the food trade. Therefore, within its mandate and scope of its various relevant committees, Codex can provide, and is providing, information on nutrition quality of different foods. However, matters related to diet, healthy or otherwise, are not in the scope of the work of Codex.

Observations on the responsibilities identified for Codex Alimentarius Commission or its Committees in Global Strategy/DPAH (paragraph 59) are provided below:

- **Labeling to allow consumers to be better informed about the benefits and content of foods:**

The Codex mandate does not include informing consumer about benefits of food. It, however, includes provision for elaboration of guidelines on making claims on benefits of foods, with a view to protect the consumer from being misled as part of its mandate to ensure 'fair trade practices.' The Codex General Guidelines on Claims (CAC/GL 1-1979, Rev.1-1991) and the Codex Guidelines on Use of Nutrition and Health Claims (CAC/GL 23-1997, Rev. 1-2004) are such guidelines elaborated by the Codex. The relevant stakeholders are expected to utilize these guidelines while making claims on benefits or special characteristics associated with particular foods.

Regarding labeling about the contents of foods, the Codex General Standard for Labeling of Prepackaged Foods (Codex Stan 1-1985, Rev. 1-1991) and the Codex Commodity Standards contain provisions for specific information about the contents on the labels of food that allows the consumer to be informed of the exact contents of the food without being misled.

- **Measures to minimize the impact of marketing on unhealthy dietary patterns:**

Codex is concerned with preventing consumers being misled by the labels on food packages including misleading claims and/or description of food or due to advertisement. The terms of reference of the Codex Committee on Food Labeling include study of problems associated with the advertisement of food

with particular reference to claims and misleading descriptions. To that effect, the Codex General Standard for Labeling of Prepackaged Foods (Codex Stan 1-1985, Rev. 1-1991), the Codex General Guidelines on Claims (CAC/GL 1-1979, Rev.1-1991), the Codex Guidelines on Use of Nutrition and Health Claims (CAC/GL 23-1997, Rev. 1-2004) has been elaborated. Other than the consideration of labeling provisions and advertisements, with an aim to protect consumer from being misled as part of 'fair trade practices', addressing the impact of other marketing practices on unhealthy dietary patterns are not within the scope of the Codex Alimentarius Commission.

- **Fuller information about healthy consumption patterns:** The Codex General Standard for Labeling of Prepackaged Foods (Codex Stan 1-1985, Rev. 1-1991) and the Codex Commodity Standards contain provisions for specific information on the labels to ensure that the food is consumed as intended by the manufacturer, thereby ensuring its safety till consumed. The Codex, in cases of food for special dietary uses, also requires certain declarations to be made on the food product packages to ensure that such foods or their specific components are not construed to be better alternatives to their natural counterparts, which could have a negative impact on the health of the consumer in long run. Therefore, while Codex mandates providing some information related to healthy consumption patterns for ensuring consumer safety and in specific cases as described above, it does not specifically intend to address the issue of healthy diets.

- **Commodity standards should be reviewed**

Codex commodity committees should be directed to review all current standards within their terms of reference and prepare a prioritized list of standards proposed for amendment. Reductions in unhealthy levels of fat, salt and added sugars should be ascertained. Revised commodity standards should be submitted to the Commission for approval using the accelerated process.

- **Provision of nutrition and health information about foods to facilitate informed choice by consumers**

Food labeling can play a significant role by enabling consumers to choose healthier foods and improve their health. The Codex Committee on Food Labeling (CCFL) can make an important contribution to this area. The *Global Strategy* itself makes reference to the work of the Codex Alimentarius Commission in paragraph 46(4) referring to Codex labeling standards and guidelines.

- **Nutrition labeling should be mandatory**

The CCFL, may commence work on a revised standard for mandatory nutrition labeling of all processed foods. Such labeling should be required whether or not the manufacturer makes a nutrition claim. In addition, the revised standard should mandate that the nutrition label include disclosures for all nutrients considered by national authorities to be of public health significance. Such disclosures may be made on the basis of a customary serving of the food, and should include an optimal recommended daily consumption level so that the consumer can easily determine whether a

portion of the food contains desirable or undesirable levels of each nutrient. Lastly, the revised standard should specify that nutrition information be disclosed in an easy to read format.

- **Quantitative ingredient labeling should become mandatory**

CCFL may expedite work on a revised standard for mandatory quantitative ingredient disclosure (QUID). A revised standard for QUID is presently at Step 3.

QUID may facilitate product comparisons on the basis of quality by informing consumers which product contains the greatest amount of desirable ingredients.

QUID may help remedy deceptive claims on food labels that imply that a food contains significant amounts of desirable ingredients. For example, pictures on the front label of a snack product may highlight the product's yogurt content, but QUID informs consumers that the product only contains 1.5% yogurt.

- **Health Claims in food advertising and marketing should be regulated**

CCFL should complement its *Guidelines for the Use of Nutrition and Health Claims* for food labels by applying such guidelines to health claims in food advertising. In order for national authorities to responsibly oversee the use of health (and nutrition) claims, they must consistently regulate such claims in both labeling and advertising. Rules governing label claims can be completely undermined by lax or non-existent rules that apply to claims in advertising. Codex's *Guidelines for the Use of Nutrition and Health Claims* must reflect this reality.

- **Food marketing and promotion to children**

The *Global Strategy on Diet, Physical Activity, and Health* recommends that the enormous toll of diet-related disease be addressed, in part, by setting standards for food advertising, particularly advertising directed at children. The relevant provision, section 46(3) states:

Food advertising affects food choices and influences dietary habits. Food and beverage advertisements should not exploit children's inexperience or credulity. Messages that encourage unhealthy dietary practices or physical inactivity should be discouraged, and positive, healthy messages encouraged. Governments should work with consumer groups and the private sector (including advertising) to develop appropriate multisectoral approaches to deal with the marketing of food to children, and to deal with such issues as sponsorship, promotion and advertising.

Section 46(4) of the *Global Strategy* specifically refers to the past work of the CCFL. As a subsidiary body of the WHO, both the Codex Alimentarius Commission and the CCFL are obligated to heed these calls and help facilitate the policy goals of the World Health Assembly and the WHO.

CCFL should specifically respond to this request for action by asking the Executive Committee and the Commission to approve new work on setting standards for advertising directed at children. Such standards should permit bans on children's advertising, where national authorities have determined that such steps further the public's health and/or prevent unfair trade practices. In regions where advertising to children is permitted, Codex standards should delineate which foods can be responsibly promoted to children. Such standards should delineate nutrition criteria that can be applied by national authorities in setting limits on food advertising to children.

In addition, for countries that permit advertising, CCFL should develop a Code of Good Nutrition Practices for the Promotion of Foods to Children. The Code could include standards for the use of entertainment, sports, or media celebrities to promote foods to children, for the promotion of foods in schools, and for specific promotional activities such as the free distribution to children of foods of low nutritional value. Such work by CCFL is essential to responding to the WHO's call for action.

- **Production and processing standards regarding the nutritional quality and safety of products:**

In Codex standards and related texts, the safety of food is addressed entirely. However, the nutritional quality of food products is not a specific aspect that the Codex is mandated to address. Nevertheless, Codex has provision of elaboration of guidelines on making claims on benefits of foods, with a view to protect consumer from being misled under 'fair trade practices'. Codex also elaborates guidelines / Codes on use of nutrients in foods. The Codex General Guidelines on Claims (CAC/GL 1-1979, Rev.1-1991), Codex Guidelines on Use of Nutrition and Health Claims (CAC/GL 23-1997, Rev. 1-2004), Codex Guidelines for Vitamins and Minerals Supplements (CAC/GL 55- 2005), Codex General Principle for Addition of Essential Nutrition to Foods (CAC/GL 09-1987, Amended 1989, 1990), Advisory List of Mineral Salts and Vitamin Compounds for Use in Foods for Infant and Children (CAC/GL 10-1979, Amended 1983-1991), are such guidelines elaborated by the Codex.

Beyond these, there could hardly be any more elaborate and specific role for the Codex Alimentarius Commission in recommending healthy diets.

Q1. Are the following areas pertinent: (i) food composition standards, and (ii) provision of nutrition and health information about foods to facilitate informed choice by consumers?

(i) The compositional parameters in Codex food standards are limited to what is necessary for providing an identity to the product and ensuring a fair trade. Codex does not have any mandate related to recommendation on food composition based on nutrition, except probably in the case of infant foods and special dietary foods. Thus, Codex role in furthering the cause of Global Strategy/DPAH would be limited.

(ii) With regard to provision of nutrition and health related information about foods for use by the consumer in making an informed choice, Codex scope is limited to providing information / guidelines for information on

nutrition of food (by CCNFSDU) and guidelines for labeling provisions (by CCFL). Further, Codex work might address some of the aspects of Global Strategy/DPAH, such as food unsuitable for consumption by some specific groups of consumers (e.g. diabetics, obese etc.). Codex however does not have mandate to make recommendations on nutrition and health related aspects of the food for general population.

Q2. Are the following issues pertinent to Codex Committees' activities related to the implementation of the Global Strategy / DPAH?

a. Scientific advice about the nature of the evidence needed to support the use of health claim

The Terms of Reference of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) include, amongst others, *“to advise the commission on general nutrition issues and to draft general provisions, as appropriate, concerning the nutritional aspects of all foods”*. The work area of the Committee already covers nutritional issues that are largely pertinent to the DPAH strategy. The scientific criteria for health related claims are being developed by the CCNFSDU (Ref: *Codex Guidelines for Use of Nutrition and Health Claims*, CAC/GL 23-1997, Rev. 1-1997) and are pertinent to implementation of DPAH strategy.

b. Scientific advice concerning consumer use and understanding of labeling and / or labeling approaches and formats.

As mentioned earlier, the Codex General Standard for Labeling of Prepackaged Foods (Codex Stan 1-1985, Rev. 1-1991) and the Codex Commodity Standards contain provisions for specific information on the labels to ensure that the food is consumed as intended by the manufacturer, thereby ensuring its safety till consumed. The first document also provides consumer-friendly guidelines on various labeling provisions of foods.

c. Are there other areas where scientific advice would be pertinent?

i. authoritative statements about the attributes of a diet in reducing risk of a diet-related disease, especially what impacts there would be on the health of consumers if the amount of energy / nutrients is increased or decreased.

This aspect falls outside the existing mandate of the Codex Food Standards Programme.

ii. risk assessment for nutrients and related substances in relation to the Global Strategy / DPAH

CCNFSDU's mandate includes considering specific nutritional problems assigned by the Codex Alimentarius Commission. Otherwise, in general risk assessment for nutrients and related substances covered in the Global Strategy/DPAH is not within the scope of this Committee or any other Codex committee.

Q.3. Given the importance of nutrition issues in general to the Global Strategy / DPAH and the cross-cutting nature of nutrition as a topic across the Codex system, what process could be used to manage and coordinate nutrition issues throughout the Codex system?

a. Please respond within the context of the terms of Reference of the Codex Committee on Nutrition and Foods for Special Dietary Uses and the Codex Committee on Food Labelling.

The process to manage and coordinate nutrition issues, including nutritional labelling aspects, throughout the Codex system is adequately covered in the existing Terms of Reference of CCNFSDU and CCFL. The work of these Committees adequately addresses the necessary nutrition and related labelling issues arising within the Codex system and scope. There is no need for a change to the existing system to manage and coordinate nutrition issues throughout, and for, the Codex system. In relation to the Global Strategy/DPAH, the output of these Committees could continue to address any common aspects between the Codex and the Global Strategy/DPAH, as long as it does not require any special efforts on part of these Committees.

b. what role can Codex Committees play in overall management of nutrition issues within the Codex Alimentarius Commission?

The existing Terms of Reference (TOR) of the CCNFSDU and the CCFL, and the TOR of the Regional Coordinating Committees adequately provide for management of nutrition issues within, and as necessary for, the Codex Alimentarius Commission (CAC). The work of these Committees within their existing terms of reference, may also address any aspect common with the implementation of the Global Strategy/DPAH. However, the main focus of Codex work of ensuring safe food for consumer health protection should not be diluted.
