

**AUSTRALIA'S RESPONSE TO WHO/FAO E-FORUM ON
CODEX IMPLEMENTATION OF GLOBAL STRATEGY ON DIET,
PHYSICAL ACTIVITY AND HEALTH (Global Strategy)**

General comment

Australia agrees that there may be a role for the Codex Alimentarius in implementing the Global Strategy. However, any decision by Codex to implement the Strategy must fall within its mandate and its work priorities. Implementation will require careful consideration by the World Health Organisation (WHO) and Food and Agriculture Organisation of the United Nations (FAO) of resource implications for both themselves and Codex in order to meet this commitment. Consideration also needs to be given to the availability of evidence-based, relevant and up-to-date nutrition information to justify any proposals to elaborate Codex standards, texts or guidelines.

Australia is pleased to provide the following responses to the E-forum questions.

Q1 Does the Codex Alimentarius Commission have a role in the implementation of the Global Strategy/DPAH? a) If yes, please describe what that role should be? Please include in your consideration the topic areas that are pertinent: i) food composition standards, and ii) provision of nutrition and health information about foods to facilitate informed choice by consumers?

As the body responsible for setting international standards related to the protection of consumers' health and promoting fair trade in food, the Codex Alimentarius Commission (CAC) may have a role in providing member governments with further information relating to the nutritional quality and safety of food. Paragraph 59 of the Global Strategy identifies four possible areas in international standards setting for further action:

1. labelling to allow consumers to be better informed about the benefits and contents of foods;
2. measures to minimise the impact of marketing on unhealthy dietary patterns;
3. fuller information about healthy consumption patterns, including steps to increase the consumption of fruit and vegetables (healthy diet advice); and
4. production and processing standards regarding the nutritional quality and safety of products.

Australia believes that the first and fourth areas are within the remit of Codex; the second area, depending on what is meant, could be partially addressed by Codex (such as the establishment of principles for disqualifying compositional criteria in relation to certain types of claims, or provision of adequate information to enable an informed choice), but the third is best addressed by Member States of the WHO. Australia currently implements a range of initiatives across various settings to improve the nutrition and physical activity levels of Australians in support of the Global Strategy.

a (i) Codex's role in food composition standards

The fourth potential action area in Paragraph 59 relates to “production and processing standards regarding the nutritional quality and safety of products”. If work in this area is regarded as appropriate, it could be considered to fall within the Terms of Reference for the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) and may provide scope for intervention to address nutritional quality.

CCNFSDU Terms of Reference:

- (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.

Although Paragraph 22 of the Strategy refers to population recommendations on diet and health, including on dietary components (such as fats), Codex’s role in regulating nutritional quality through compositional standards needs to be considered carefully because of the highly variable contributions of local, regional and internationally traded foods to national diets around the world. Any control of food composition on nutritional grounds would need to be globally appropriate and it is unclear at this point whether such an approach would be feasible.

The CAC Terms of Reference for Commodity Standards includes reference to “consumer protection from the point of health and fraudulent practices”, however, Codex commodity standards are essentially used and seen as standards of identity and quality for specific food types. The development of these standards has not been highly influenced by any consideration of their impact on diet and health apart from a number of standards developed by these committees that relate to ‘diet’ variants of specific food groups, for example, standards for modified-fat oils. Equally, as far as we are aware, the CCNFSDU has not endorsed any nutrient compositional aspects of commodity standards in recent years even though its terms of reference provide for this.

a (ii) Codex’s role in the provision of nutrition and health information about foods to facilitate informed choice by consumers

The Codex document *Guidelines on Nutrition Labelling* already provides guidance on the appropriate labelling of products for nutrient content information and claims about the role of foods and/or nutrients in supporting health. CCNFSDU is currently developing recommendations on the scientific substantiation of health claims to complete these *Guidelines*. However, very little of this information is mandatory and much of it contains guiding principles rather than nutrient specific provisions. For example, criteria for nutrient content claims are quantified for several nutrients whereas guidance about nutrient function claims and other health claims is generic. Nevertheless, there is potential for stricter provisions to be developed if these are supported by appropriate evidence.

The Codex document *Guidelines on Nutrition Labelling* clearly distinguishes between information provided by manufacturers about the role of food products in a healthy diet, and general dietary advice for consumers about good health, including the role of unpackaged primary/core foods. An exception to this is the advice about breastfeeding in the Codex Standard for infant formula, Australia considers that the provision of general dietary advice is not an appropriate role for Codex. Such advice is more effective when it is culturally sensitive, and developed and implemented by Member States. We note that the Global Strategy directs considerable guidance on this matter to Member States.

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 claims. b. scientific advice concerning consumer use and understanding of labelling and/or labelling approaches and formats. 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. ii. risk assessments for nutrients and related substances in relation to the Global Strategy/DPAH.

Any implementation of the Global Strategy by Codex will need the ongoing support and priority of WHO/FAO to commit resources to ensure that Codex has access to timely scientific advice on key diet and health issues. However, the identification of the need for scientific advice and the initiation of such work rests with Codex itself through the generation of proposals for new work. The Codex Alimentarius Commission will need to establish, through its strategic planning process a clear set of agreed priorities relating to work on diet and health if there is agreement that Codex has a role in implementing the Global Strategy.

a) pertinence of scientific advice about the nature of the evidence needed to support the use of health claims, to Codex Committees' activities, in relation to implementation of the Global Strategy/DPAH

CCNFSDU is currently developing a substantiation framework for health claims in support of the document *Guidelines on Nutrition Labelling* already developed by the Codex Committee on Food Labelling (CCFL). WHO expert reports such as *Diet, Nutrition and the Prevention of Chronic Diseases* would be expected to be a valuable source of the summary totality of evidence of specific diet-disease relationships. However this or other evidentiary sources would need to be regularly updated. The decision about the appropriate level of evidence in support of health claims is one for Codex to make as risk manager.

b) pertinence of scientific advice concerning consumer use and understanding of labelling and/or labelling approaches and formats

The availability of scientific advice about consumers' use and understanding of labels and/or labelling approaches/formats would be a welcomed development since the CCFL previously has not had access to reliable international advice on this topic. However, the extent to which this topic could be pursued globally is unclear.

National and regional differences are likely to be highly significant and the results of research in this area, while important for underpinning the scientific evidence of national positions on labelling issues, are unlikely to have generic application to food labelling standards. Consideration could be given to WHO/FAO improving international capabilities in the area of consumer understanding of labelling information through, for example, conducting workshops on this topic.

c) other areas where scientific advice would be pertinent

i) authoritative statements

Australia interprets authoritative statements to be similar to dietary recommendations. Several such unreferenced recommendations are given in Paragraph 22 of the Global Strategy, and presumably these were based on the conclusions of the WHO report *Diet, Nutrition and the Prevention of Chronic Diseases*, or similar reports. These statements fall within the scope of dietary guidance that Australia believes exists outside the responsibility of Codex. However, WHO expert reports could be valuable resources of evidence on diet-disease relationships if they are referenced as potential evidentiary sources in the substantiation framework for health claims being developed by the CCNFSU.

The success of a substantiation framework for health claims in guiding national implementation of health claims on food labels depends on the currency and relevance of reliable sources of evidence. It is therefore important for the work of Codex committees that WHO/FAO provide Codex with timely advice about their ongoing work plan that would commit resources of the WHO/FAO to the future regular review and update of the evidence base for diet and health. Written communication with CCNFSU on planned WHO/FAO expert and technical consultations has not been sufficiently detailed to date. However, this arrangement would require Codex to be mindful of the relative priorities to accord to its requests for scientific advice on other nutritional matters from WHO/FAO.

ii) risk assessments for nutrients and related substances

It is not clear to Australia whether the intent of this question relates to consideration of nutrients such as fat, saturated fat, trans fatty acids or free sugars. We note advice from FAO/WHO at the 2005 CCNFSU meeting that updates of the expert reports on carbohydrates, fats and oils are being planned, and that recommendations about salt consumption have been published in the WHO report *Diet, Nutrition and the Prevention of Chronic Diseases*.

The discussion on the applicability of models for risk assessment in the recently released WHO/FAO report *Model for Establishing Upper Levels of Intake for Nutrient and Related Substances* is germane to the consideration of risk assessments for macronutrients. We note that the report differentiates between globally relevant steps in relation to a hazard, and population specific steps related to dietary composition and consumption. The report's section 8.2.2 also briefly considers an alternate approach for nutrients such as macronutrients that do not present a threshold level of risk. Such an approach involves modelling simulated dietary patterns, which are also population specific.

Q3 Given the importance of nutrition issues in general to the Global Strategy/DPAH and the cross cutting nature of nutrition as a topic that cuts across the Codex system, what processes could be used to manage and coordinate nutrition issues throughout the Codex system?

a) response within existing terms of reference of CCNFSDU and CCFL

The responsibility within Codex for management and coordination of nutrition issues firmly rests within the mandate of the CCNFSDU. The Committee's broad terms of reference currently provide for elaboration of general principles, consideration of specific nutritional issues as well as oversight and endorsement of nutrition related provisions in all Codex standards and related texts. Both CCNFSDU and CCFL contribute to the development of nutrition-related labelling and health claims; with CCFL having the primary responsibility for this, but periodically CCFL requests specific scientific advice from CCNFSDU. Recent examples of this are the requests for definitions of some nutrient terms and for a framework for substantiation of health claims.

CCFL Terms of Reference:

- (a) to draft provisions on labelling applicable to all foods;*
- (b) to consider, amend if necessary, and endorse draft specific provisions on labelling prepared by the Codex Committees drafting standards, codes of practice and guidelines;*
- (c) to study specific labelling problems assigned to it by the Commission; and*
- (d) to study problems associated with the advertisements of food with particular reference to claims and misleading descriptions.*

Both Committees terms of reference are sufficiently broad to encompass consideration of labelling as a risk management tool to address particular elements of the Global Strategy, for example, to minimise the impact of marketing on unhealthy dietary patterns (such as through the establishment of principles for disqualifying compositional criteria for certain types of claims and/or provision of adequate information to allow consumers to make an informed choice and, labelling in relation to nutrient content and health claims).

b) role of Codex Committees in the overall management of nutrition issues within the Codex system

Australia believes that CCNFSDU's present terms of reference allow for the Committee to become more horizontally focussed and to expand its current range of activities to take on broader coordination and management of nutrition issues. The Global Strategy clearly expresses the need for a stronger focus on international food regulation as an avenue to promote healthy dietary patterns.

The Commission has sought an action plan relating to appropriate implementation of the Global Strategy from WHO/FAO for consideration by CCNFSDU and CCFL. As a minimum, this plan should reflect the current strategic priorities of Codex, consider future activities of the CCNFSDU and provide a balance of priorities between new horizontal work and current work associated with foods for special dietary uses. A greater focus by Codex Committees on broader nutrition issues would increase their

reliance on the availability of timely and up-to-date advice on diet and health (presumably through the conduct of expert consultations by WHO/FAO). Given the competing requests to WHO/FAO for scientific advice from Codex as well as from other bodies and Member States, such refocussing of nutrition as an issue within Codex needs to be accompanied by ongoing dialogue and transparent priority setting between WHO/FAO and Codex.