



2 January 2003

COMMENTS on the SCOPE of
Draft Guidelines for Use of Health and Nutrition Claims
Alinorm 03/22 Appendix VII

Codex Committee on Food Labelling, Ottawa, 28 April-2 May 2003

- The phrase **“Food for Special Medical Purposes”** should be deleted from section 1.2. They are, by definition, Foods for Special Dietary Uses.

- **Section 1.4 of the Scope is redundant and should be deleted.**

If claims are appropriate, truthful, not misleading, and scientifically substantiated, for this specific group of the population, there is no reason to prohibit them. They provide important information about the product.

The Scope section would then read:

1. SCOPE

- 1.1 These guidelines relate to the use of nutrition and health claims in food labeling.
- 1.2 These guidelines apply to all foods for which nutrition and health claims are made without prejudice to specific provisions under Codex standards or Guidelines relating to Foods for Special Dietary Uses ~~and Foods for Special Medical Purposes.~~
- 1.3 These guidelines are intended to supplement the Codex General Guidelines on Claims and do not supersede any prohibition contained therein.
- 1.4 ~~[Nutrition] and Health claims are not permitted for foods for infants and young children unless specifically provided for in relevant Codex standards.~~

REMINDER

Foods for Special Dietary Uses are clearly defined in the General Standard for the labeling of and claims for prepackaged foods for special dietary uses (CODEX STAN 146-1985):

“Foods for special dietary uses are those foods which are specially processed or formulated to satisfy particular dietary requirements which exist because of a particular physiological condition and/or disease and disorders and which are presented as such. The composition of these foodstuffs must differ significantly from the composition of ordinary foods of comparable nature, if such ordinary food exist.”

As part of foods for special dietary uses, commodity standards already exist on the following products:

- Infant formula (CODEX STAN 72-1981)
- Canned baby foods (CODEX STAN 73-1981)
- Processed cereal-based foods for infants and children (CODE STAN 74-1981)
- Follow-up formula (CODEX STAN 156-1987)
- Foods with low sodium content (CODEX STAN 53-1981)

- Gluten-free foods (CODEX STAN 118-1981)
- Labelling of and claims for foods for special medical purposes (CODEX STAN 180-1991)
- Formula foods for use in weight control diets (CODEX STAN 181-1991)
- Formula foods for use in very low energy diets for weight reduction (CODEX STAN 203-1995)

RATIONAL

Foods for Special Medical Purposes are Foods for Special Dietary Uses and should therefore be deleted from section 1.2. In the same way, provisions described in Section 1.4 are already addressed in Section 1.2 since foods for infants and young children are also Foods for Special Dietary Uses, Section 1.4 should therefore be deleted.

Moreover, if claims on foods for infants and young children are appropriate, truthful, not misleading, and scientifically substantiated, there is no reason to prohibit them. Nutrition and health claims, being true statements/information regarding the dietary properties of the foods, provide important information to parents.

Several countries already allow certain health and nutrition claims in labelling of foods for infants and young children.

Provisions ensuring that claims for foods for special dietary uses are properly used, have already been detailed in Section 3.1 of Codex STAN 146-1985 (Codex General Standard for the Labelling of and Claims for Prepackaged Foods for Special Dietary Uses). This section states that these foods may not be *“described or presented in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding their character in any respect”*.

Finally, ISDI believes that **CCFL should not adopt provisions on claims specific to foods for infants and young children** until CCNFSDU has discussed this matter in detail. Indeed, CCNFSDU is the relevant Committee to best determine how the Standards on foods for infants and young children should be elaborated.