

Brussels, 31 January 2020

Review of the Standard for Follow-up Formula: Section B: proposed draft scope, description and labelling

ISDI response to CL 2019/113/OCS-NFSDU at step 5

ISDI appreciates the opportunity to comment on the Circular Letter at Step 5 on the Review of the Standard for Follow-up Formula (section B) concerning the proposed draft scope, description and labelling for “drink/product for young children with added nutrients” or “drink for young children”.

ISDI recognizes the progress made at the 41st Codex Committee of Nutrition and Foods for Special Dietary Uses (CCNFSDU41) to frame the future Standard and wants to thank the Chair and co-chairs of the electronic working group for their extensive work.

ISDI agrees with the adoption of the text of the proposed draft scope, description and labelling for “drink/product for young children with added nutrients” or “drink for young children”, provided it is interpreted and implemented consistently in line with Codex principles.

ISDI has comments in relation to the following sections:

- A. ISDI is particularly concerned that the new section 9.6.5 in the ADDITIONAL LABELLING REQUIREMENTS is open to various interpretations without further qualification. This may lead to differences in interpretation and implementation contrary to Codex principles. ISDI is also concerned that 9.6.5 could establish a prohibition or restriction that is contrary to international obligations governing intellectual property rights (for example, the term “Images” could be understood to be a logo, a brand or a trademark).

Therefore, ISDI proposes that further guidance is provided for proper implementation of the Standard in line with the intent clarified by the country (supported by some delegations) who introduced the new provision to limit the ability that products are labelled to make reference to other formula products in the range.

- B. ISDI considers it is crucial CCNFSDU42 retains the sentence [which may contribute to the nutritional needs of young children] in the PRODUCT DEFINITION, section 2.1.1, concerning the role of the product. The product can help address nutrition deficiencies when young children transition to a family-based diet.
- C. For consistency, ISDI requests that for the section 9.1.2, NAME OF THE PRODUCT, where CCNFSDU41 proposed: “drink/product for young children with added nutrients”, or “drink for young children” that “product” wording also applies to “drink for young children”.

The names would then read: “Drink/product for young children with added nutrients” or “Drink/product for young children”.

ISDI looks forward to continuing the work on the proposed draft of the revised Standard that contributes to the health and well-being of older infants and young children while ensuring fair practice in food trade according to the Codex mandate.