

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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Agenda Item 8

CX/FL 10/38/14

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING

Thirty-eighth Session

Québec City, Québec, Canada, 3 - 7 May 2010

Discussion paper on the need to amend the *General Standard for the Labeling of Prepackaged Foods* (CODEX STAN 1-1985) in line with OIML Recommendations regarding the declaration of the quantity of product in prepackages

Communication from the OIML

1. In its 37th Session, CCFL considered the discussion paper submitted by the OIML (CX/FL 09/37/12). Although there was consensus that international standards should be harmonized, some delegations were of the view that the discrepancies between the OIML and CODEX texts observed in the discussion paper did not pose any problems in international trade and that, therefore, there was no need to initiate new work to amend the Codex standard. Also, it was noted that the proposals contained in the discussion paper would have fundamental implications for concepts such as: food, food additive, ingredient and packaging material. This might have a significant effect on national legislation.
2. For instance, the Codex definition of 'food additive' excludes "*substances added to food [in a prepackage] for maintaining or improving nutritional qualities*". These substances would include added liquid that is considered packing material in OIML R 87:2004. However, some countries (and the EU) have not maintained this exclusion when implementing the Codex definition in their national legislation, because they consider the added liquid as 'food', as it may be ingested by humans, although that is not the intention.
3. This kind of consequences had not been anticipated when drafting the proposals contained in the discussion paper. The OIML representative, therefore, indicated that he would like to have the opportunity to revise the discussion paper in light of the comments received.
4. The report of the 37th Session (ALINORM 09/32/22), paragraph 124 states: "The Committee agreed to invite the representative of OIML to redraft the discussion paper for consideration at its next session while noting that no commitment was being made to undertake new work."
5. OIML Technical Committee 6 (Prepackaged products) has meanwhile started a revision of OIML R 87:2004 (Quantity of product in prepackages). At its meeting in Pretoria (1-5 March 2010), OIML/TC 6 agreed it would also consider the definitions contained in OIML R 87:2004 in the light of the comments made by CCFL delegations. At the same time, the OIML Presidential Council has requested the BIML to draft a proposal for an OIML policy on how to deal with issues of conflicting provisions in the liaison with other international standardizing bodies, recognizing that there is no hierarchy between international standards.
6. For the reasons mentioned in 5. above, it would be premature for the OIML to submit a revised discussion paper to CCFL at this time. The OIML, therefore, requests CCFL to postpone the discussion of this agenda item to the next session.