



Report of the U.S. Delegate, 31st Session, Codex Committee on Nutrition and Foods for Special Dietary Uses

**November 2-6, 2009
Düsseldorf, Germany**

The 31st Session of the [Codex Committee on Nutrition and Foods for Special Dietary Uses \(CCNFSDU\)](#) was held November 2-6, 2009 in Düsseldorf, Germany. The session was chaired by Dr. Rolf Grossklaus, Director and Professor with the Federal Institute for Risk Assessment in Berlin, and co-chaired by Dr. Lorena Rodriguez, a medical doctor with the Ministry of Health in Chile. Two hundred and sixty two delegates attended, representing 69 member countries, one member organization, and 27 international nongovernmental organizations. In addition, a physical working group led by the United States and Thailand met on October 31 to discuss the development of Nutrient Reference Values for food labeling purposes for nutrients associated with risk of diet-related noncommunicable diseases.

The United States was represented by the U.S. Delegate, Dr. Barbara Schneeman, FDA Center for Food Safety and Applied Nutrition; and the U.S. Alternate Delegate, Dr. Allison Yates, USDA Agricultural Research Service.

The session was very productive, with substantial progress made on a number of important work items. Specifically, the Committee agreed to:

- Advance to the 33rd Session of the Codex Alimentarius Commission (CAC) for adoption at Step 8:
 - A draft list of methods of analysis for dietary fibre (to be included in CODEX STAN 234), and an amended footnote to the definition of dietary fibre in the Guidelines on Nutrition Labelling (to be included in CAC/GL 2-1985);
- Advance to the 33rd CAC Session for adoption at Step 5:
 - Draft General Principles for Establishing Nutrient Reference Values (NRVs) of Vitamins and Minerals for the General Population (for food labelling purposes);
- Continue to consider at Step 3 the presentation of the NRVs for vitamins and minerals;
- Advance new work proposals to the 33rd CAC session for approval to:
 - Amend the Codex Guidelines on Nutrition Labelling to establish Nutrient Reference Values for nutrients associated with risk of diet-related noncommunicable diseases for the general population;
 - Amend the General Principles for the Addition of Essential Nutrients to Foods (CAC/GL 9-1987); and

- Revise the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 09-1991).
- Continue consideration of a new work proposal for the inclusion of a Part B in the Standard for Processed Cereal-Based Foods for Infants and Young Children to address the needs of undernourished children;
- Convene a physical working group immediately prior to the next session to further consider:
 - values for the vitamin and mineral NRVs based on comments received (to be co-chaired by the Republic of Korea and Australia); and
 - proposed principles and criteria for establishing NRVs for nutrients associated with risk of diet-related noncommunicable diseases (to be co-chaired by the United States, Thailand, and Chile);
- Request the Codex Committee on Food Labeling (CCFL) to provide additional information on the types of claims it would like the CCNFSDU to establish criteria for, as well as their purpose and priority in relation to the Global Strategy on Diet, Physical Activity and Health;
- Note the potential for revising text and/or adding principles to encompass nutrients associated with risk of noncommunicable diseases in the Guidelines on Nutrition Labelling for nutrients that should always be declared in nutrition labelling;
- Retain in the methods of analysis for infant formula micro-bioassay methods for B6 and provide additional clarifying text in the section on calculating energy.

The full report of the 31st CCNFSDU session can be found in ALINORM 10/33/26 on the Codex Web Site, www.codexalimentarius.net.

Below is a summary of the discussion at this meeting. **Matters Referred by the Codex Committee on Methods, Analysis and Sampling (CCMAS)**

Methods of Analysis in the Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants.

With regard to methods of analysis, the CCMAS requested that the CCNFSDU clarify the reference to calories only and calculation of energy and to consider the establishment of relevant conversion factors for kilojoules. In response, the Committee agreed to change "calories" to "energy" as the name of the provision for the table and in the title of footnote 2, to add an additional column for conversion factors for kilojoules, and to add text to clarify that the energy contribution of carbohydrate should not include monosaccharides when energy from monosaccharides is determined as such. The Committee also agreed to retain microbioassay methods for B6 in the methods of analysis for infant formula.

Matters Referred by the Codex Committee on Food Labelling (CCFL)

Inclusion of saturated fat and sodium in relation to nutrient reference values for nutrients associated with risk of noncommunicable disease.

The Committee recalled that the CCFL had proposed to add saturated fat and sodium or salt ¹ to the list of nutrients that should always be declared on the nutrition label, and asked the CCNFSDU to consider the establishment of NRVs for saturated fat and sodium. The Committee discussed the establishment of these NRVs under agenda item #8, and agreed to forward this discussion to CCFL. Some delegations including the United States supported their establishment, also taking into consideration that these had been referred by the CCFL, while the Delegation of Malaysia and some observers did not support establishing an NRV for saturated fat.

Establishment of claims for use in labelling relating to salt, trans-fatty acids and added sugars.

The United States noted that it has established conditions for the use of "no added salt" and "no added sugars" claims on the food label, and that this provided useful information to consumers. It further noted that this could be considered as an alternative approach to the declaration of the amount of "added sugars" or "salt" on the nutrition label in Codex provisions. Several delegations supported establishing a claim for salt or sodium, but there were different views on how to express the claim. The Committee did not reach agreement on recommendations for establishing claims about trans-fatty acids. As a general conclusion, the Committee considered that there is merit in establishing claims in relation to salt, but since there was no clear agreement for claims for added sugars and trans-fatty acids, to request that the CCFL provide additional information on the types of claims it would like the CCNFSDU to establish criteria for along with their purpose and priority.

Development of principles for countries to evaluate criterion 1 "the ability of nutrition labelling to address public health issues" when addressing balancing national and global health issues.

With regard to the CCFL request that the CCNFSDU consider the need for principles to address national versus global public health relevance of nutrients for nutrition labelling, the Committee noted the potential for revising the text and/or adding principle(s) to encompass nutrients associated with risk of noncommunicable disease in Section 3.2.1.4 of the Guidelines on Nutrition Labelling. It also reported that it may be appropriate to postpone considering the need for such principles until after the CCNFSDU has established related principle in their proposed new work on NRVs for nutrients associated with risk of diet-related noncommunicable disease.

FAO/WHO Activities.

Representatives of the FAO and WHO reported on their activities, including:

- FAO/WHO Expert Consultations on:

- A FAO/Biodiversity International expert consultation was held in Washington DC in June of 2009 to develop nutrition indicators for biodiversity with the aim to increase consumption of nutrient dense varieties of foods;
- FAO publications including:
 - Food Composition Study Guide (published in September 2009);
 - Indigenous Peoples' Food Systems: the Many Dimensions of Culture, Diversity and Environment for Nutrition and Health (published in 2009); and
 - Innovations in Food Labelling (to be published in December 2009).
- New developments in WHO on providing scientific advice on nutrition and a new WHO guidelines development process;
- Development of the WHO E-Library of Evidence on Nutrition;
- The availability of the report and background papers for the 2008 Joint WHO/UNICEF/WFP/UNHCR Consultation on the dietary management of moderate malnutrition in the September 2009 Food and Nutrition Bulletin and follow-up activities including the planned issuance of a joint statement in January 2010; and
- Planned follow-up to the 2008 Joint WHO/UNICEF Technical Consultation on Strengthening Action to improve feeding of infants and young children 6 to 23 months of age in nutrition and child health programs.

List of Methods for Dietary Fibre

The Committee recalled that it had agreed at its last session to establish an electronic working group led by France to review and update, as appropriate, the proposed list of methods of analysis for dietary fibre and to prepare recommendations for consideration at this session.

The Delegation of France introduced the document and indicated that the list of methods had been established on the basis of the proposals received in the comments and following the criteria for the selection of methods of analysis in the Procedural Manual. Some delegations, including the United States, expressed concern that some methods in the list were not consistent with the definition of dietary fibre and that all the compounds were listed as dietary fibres. The delegations also pointed out that none of the proposed methods could be considered as a Type II or reference method as, according to the definition, national authorities should decide whether to include carbohydrates from 3 to 9 monomeric units in the definition of dietary fibre and which synthetic and isolated carbohydrate polymers have one or more physiological effects of benefit to health.

The Committee considered alternative options to address these issues, including the reordering of the methods and defining other criteria for classifying the methods. In addition, some delegations pointed out that there was a need for a range of methods

that would allow national authorities to select the appropriate methods with some flexibility. The Committee further noted that while selecting methods, consideration should be given to the feasibility of their use in developing countries.

To facilitate progress, the Committee agreed to convene an in-session working group chaired by France to revise and put in order the list of methods for inclusion in CODEX STAN 234 in light of the comments received. During the plenary session, the Committee further revised this list and related footnotes and agreed to organize the list according to the four categories of methods below and to include a new footnote with these categories to clarify that the method used would depend on the definition applied at the national level, to the effect that "two issues are left to national authorities: to include monomeric units 3-9, and which isolated or synthetic compounds have physiological benefit" (with a reference to GL 2-1985).

The four categories for methods are:

- General methods that do not measure the lower molecular weight fraction (i.e., monomeric units ≤ 9)
- General methods that measure both the higher (monomeric units > 9) and the lower molecular weight fraction (monomeric units ≤ 9)
- Methods that measure individual specific components (monomeric units: the whole range for each type of components is covered)
- Other methods

As regard to the type of methods, the Committee agreed to classify all methods in the first three categories as Type III and all methods under "Other Methods" as Type IV, as the latter methods were not validated.

The Committee discussed whether the presentation should refer to "all foods" or to "individual foods" in CODEX STAN 234. The Committee agreed to retain "all foods" according to current practice when the provision is of general application, but to avoid any confusion on the applicability of the methods, a footnote was inserted for users to consult the description of each method for the food matrices that were the subject of interlaboratory study in the Official Methods of Analysis of AOAC International.

The Committee also recalled that the mandate given to the electronic working group included the revision of Footnote 1 in the definition of dietary fibre, and agreed on the simplified text proposed in the working document with one amendment.

Based on the progress since the last session, the Committee agreed to advance the Draft List of Methods, including the revised footnote 1, to the 33rd CAC session for adoption at Step 8.

Proposed Draft Additional or Revised Nutrient Reference Values for Labelling Purposes

The Delegation of the Republic of Korea introduced a revised version of the document based on comments received from the electronic working group and proposed additional revisions for the Committee's consideration in a Conference Room Document (CRD 20).

The Committee reviewed the draft principles section by section and agreed on a number of revisions that addressed, among other things, definitions, selection of suitable data sources to establish vitamin and mineral NRVs and the appropriate basis for these NRVs. Substantial progress was made on the general principles and the Committee agreed to forward them to the 33rd CAC Session for adoption at Step 5.

The Committee noted that additional consideration was needed on the presentation of the NRVs for vitamins and minerals in Appendix II of the Conference Room Document (including consideration of footnotes on conversion factors and NRVs for nutrients for which the FAO/WHO has not established a daily intake reference value) and agreed to return it to Step 3. Further progress on Appendix II is also anticipated during a physical working group at the next session.

Discussion Paper on the Proposal to Amend the Codex General Principles for the Addition of Essential Nutrients to Foods (CAC/GL 09-1987)

The Delegation of Canada introduced a revised discussion paper that proposed new work to amend the Codex General Principles for the Addition of Essential Nutrients to Foods. The Delegation emphasized that the Committee should review the principles to acknowledge current practices and to ensure that the addition of essential nutrients to food is rational and does not result in indiscriminate additions that may pose a health hazard. It further indicated that the comments made by the electronic working group focused on the need to clarify the intent of the proposal with regard to applicability of the principles to both mandatory and voluntary fortification; to consider revising the definition of "fortification" such that the purpose is not limited to preventing or correcting a demonstrated deficiency of an essential nutrient; and to consider risk-based approaches that take into consider all sources of intake. In relation to this work, the Committee agreed to support further consideration of the desirability and feasibility of establishing international Upper Levels of Intake while noting that it was premature to make a specific request for scientific advice at this time.

Based on the progress since the last session, the Committee agreed to ask the 33rd CAC Session to approve the new work as described in the Project Document. An electronic working group chaired by Canada and co-chaired by New Zealand and Chile



will prepare a revised document for circulation at Step 3 and consideration at the next meeting.

Discussion Paper on the Proposal to Establish a New Standard for Processed Cereal-Based Foods for Underweight Infants and Young Children (CODEX STAN 074-1981 Rev. 1-2006)

The Delegation of India introduced a revised proposal for new work to develop a separate standard for processed cereal-based foods to address the needs of undernourished infants and children in developing countries. The Delegation indicated that the current standard did not address undernourished children, and therefore proposed to insert a new Part B in the standard that would include specific provisions especially for cereal content, minimum protein content and energy density.

Some delegations supported this work as it would provide useful guidance to governments when developing public health policy and measures to reduce malnutrition in children. Other delegations expressed concern about the risk of duplication with the proposed revision of the Guidelines for Formulated Supplementary Foods for Older Infants and Young Children, and asked for further clarification including its purpose and scope, and how the products covered would be different from the current standard. The Delegation of India responded that it proposed to focus on cereal, protein, and energy as they were most important for the management of undernutrition, and that the proposed work would meet the nutritional needs of children in developing countries. The Delegation also clarified that there would be a clear distinction by appropriate labeling between the nutritional characteristics of the products covered by Part A and Part B of a revised standard.

The Committee noted that the document had been made available late and recognized that it was not possible to reach a conclusion on the proposal at the current session. It thus agreed that India would chair an electronic working group to prepare a revised discussion paper on the inclusion of a new Part B in the standard for consideration at the next session.

Discussion Paper on the Proposal to Revise the Codex Guidelines on Formulated Supplementary Foods for Older Infants and Young Children (CAC/GL 8-1991)

The Delegation of Ghana introduced a revised proposal for new work to revise the Guidelines on Formulated Supplementary Foods for Older Infants and Young Children. The Delegation explained their reasons for proposing this new work, indicating, among other things, that the current recommended quantity of formulated complementary foods in the Guidelines was too large for breastfed and non-breastfed children, that there was almost no room for breastmilk and local foods, and that the recommended levels of fortification with vitamins and minerals were too low.

The Representative of WHO clarified that supplementary foods are now defined as formulated foods used to rehabilitate moderately malnourished children and other persons or to prevent a deterioration of nutritional status of those most at-risk, whereas complementary foods are given to infants and young children from 6 months to 2 years of age in addition to breast milk or breast milk substitute. Consequently, the Committee agreed to consider replacing the term "supplementary" with the term "complementary" in these Guidelines.

Several delegations supported the proposal to initiate new work to revise the guidelines as it might help developing countries prevent malnutrition of older infants and young children. The Committee noted, however, that the concrete proposals in the project document prepared by Ghana were too detailed, and thus the project document was further revised during the session.

Based on the progress since the last session, the Committee agreed to ask that the 33rd CAC Session approve new work to revise these Codex guidelines and to establish an electronic working group to prepare a revised draft of the guidelines for circulation at Step 3 and consideration at the next meeting.

Discussion Paper on the Proposal to Establish Nutrient Reference Values for Nutrients Associated with Risk of Noncommunicable Diseases

The Delegations of the United States and Thailand introduced a Conference Room Document (CRD 1) on behalf of the physical working group held prior to the session and put forward the group's recommendations for consideration by the Plenary. These recommendations addressed:

- Draft principles and criteria for the establishment of these NRVs;
- Preliminary recommendations on the selection and prioritization of nutrients for these NRVs; and
- A draft project document to propose new work in this area.

The Committee noted that there was general support to initiate new work to establish NRVs for nutrients associated with risk of diet-related noncommunicable diseases for the general population and therefore focused its review on the draft project document. The Committee clarified in the project document that these NRVs are intended for the general population aged older than 36 months. It further clarified that the work would first address the development of principles including criteria for establishing NRVs for nutrients associated with risk of diet-related noncommunicable diseases in an Annex to the Guidelines on Nutrition Labelling, and then address amendments to the listing of NRVs in section 3.4.4 based on these principles. First priority in selecting nutrients for review would be given to nutrients that are referred to the CCNFSDU by CCFL. The second priority are other nutrients that meet the criteria defined in the principles that the



Committee will establish. In this regard, the Committee discussed the establishment of NRVs for saturated fat and sodium or salt, and agreed to forward this discussion to CCFL. As previously noted, some delegations including the United States, supported their establishment, taking into consideration that these had been referred by the CCFL. The Delegation of Malaysia and some observers did not support establishing an NRV for saturated fat.

In related matters, the Committee agreed to emphasize that the non-communicable diseases of interest were "diet-related" and recommend that the CCFL establish a definition for NRVs for labeling purposes, taking into consideration the discussion at CCNFSDU.

Based on the progress since the last session, the Committee decided to:

- Request that the 33rd CAC Session approve new work to establish these NRVs;
- Establish an electronic working group to prepare a revised document on the principles and criteria for the development of these NRVs for circulation at Step 3 and consideration at the next meeting (to be chaired by the U.S. and co-chaired by Thailand and Chile); and
- Further consider the principles and criteria at a physical working group immediately prior to the next session (to be chaired by the U.S. and co-chaired by Thailand and Chile).

Date and Place of the Next CCNFSDU Session

The 32nd Session of the CCNFSDU will take place from November 1-5, 2010 in Chile, subject to confirmation by the Host Governments and the Codex Secretariat.