

## PRESS RELEASE

# CODEX ADVENTURES IN OTTAWA

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The National Health Federation (NHF) has International Nongovernmental Organization (INGO) observer status at all Codex Alimentarius meetings and represents the interests of health-conscious consumers. There were numerous countries and other INGOs present, interested in various matters from labeling of genetically-modified foods to the labeling of organic foods. Importantly, too, the subject of the FAO/WHO's Global Strategy on Diet, Physical Activity, and Health was discussed.

### The WHO Global Strategy

On the opening day (April 30th) of the 35th Session of the Codex Committee on Food Labeling here in Ottawa, Canada, Dr. Margaret Cheney of the World Health Organization discussed, among other things, the amendment of the Purpose of the Guidelines to allow the addition onto food labels of information that would inform consumers as to which foods could help protect them from noncommunicable

diseases. If accepted by the Committee, this proposal would be a major victory for the rights of consumers to be informed about certain beneficial health information.

At Codex meetings, country members always get to speak first and they did so with Mauritania, Costa Rica, and Canada speaking up in favor of the FAO/WHO proposal. But, Korea, Mexico, Malaysia, Germany, Brazil, Thailand, Switzerland, Indonesia, and of course the United States spoke up *against* the proposed language.

Scott Tips, the NHF delegate, timed his remarks so as to have the last word and the NHF was the only INGO delegation to speak out on this issue. Mr. Tips said, "*I am very surprised at the opposition shown here today to the well-thought out proposal of the FAC and WHO to amend the Purpose of the Guidelines so as to allow consumers to benefit from health information that could protect them from communicable diseases. I can only say that perhaps some here are influenced by pharmaceutical interests that have a vested interest in a system that has failed for many years to cure noncommunicable diseases. If anything, the Committee should amend the Purpose of the Guidelines to also allow consumers to receive health information on communicable diseases as well, since it is well-documented that, for example, adequate selenium intake will significantly reduce the risk of HIV infection and adequate intake of Vitamin D will greatly reduce the risk of suffering from the flu virus.*"

However, with most country delegates (of those who spoke up, still a minority) opposed to any change in the Purpose of the Guidelines, the Chairwoman, Dr. Anne MacKenzie, had no choice but to state that the Purpose of the Guidelines could not be amended but must remain as they presently are. But obviously moved by the FAO/WHO' position and our arguments, she concluded by stating, "which is not to say that this topic cannot be reopened later."

## GM Food Labeling

On Day 2 (May 1st) of the Codex meeting, the Committee moved on to discuss one of its major topics, that of establishing guidelines for the labeling of those foods and food ingredients obtained through genetic-modification / genetic-engineering techniques. The Committee's consideration of this issue followed on the heels of its Working Group meeting in Oslo, Norway in early February 2007, to which the NHF had sent a two-person delegation to argue in favor of labeling GM foods so that consumers could knowingly choose whether to eat such foods or not.

The Ottawa meeting's line-up of camps very predictably followed that at the Oslo meeting - the Western Hemispheric grain-exporting countries (with massive GM crops to sell to the rest of the World) against most of the rest of the World's desire to require the labeling of GM foods. In rapid succession, the representatives from Ghana, Nigeria, Ivory Coast, and Cameroon spoke up in support of the Committee's work and the right of the consumers to know whether they are consuming GM foods. The United States' delegate, Dr. Barbara Schneeman then argued that because GM foods were already found safe, there would not be any need to label them as genetically modified. She further argued that because no consensus was reached, the Committee should drop the

issue. New Zealand, Mexico, Argentina, Canada, and Australia supported the U.S. position by making the same weak arguments and also claiming that Codex had no mandate supporting the "right of the consumer to know." They all wanted Codex's work on GM labeling to stop immediately - a "waste of time" they called it.

The other delegations didn't see it that way. And as the discussion continued on into Day 3 (May 2nd) of the meeting, the European Community, Brazil, India, Malaysia, Sri Lanka, Thailand, Barbados, Mauritania, Switzerland, Gambia, Indonesia, Japan, Nepal, Norway, Ecuador, Granada, Turkey, and each of the individual European countries all diplomatically lined up in support of GM food labeling.

When the National Health Federation's turn to speak came, the gloves came off when its delegate said, *"The NHF agrees with the eloquently expressed views of Barbados, Nigeria, Ghana, and Consumers International. The other delegations have been very diplomatic but the NHF will be blunt here. We sent a delegation to the Norway Working-Group meeting and what we noticed both there and at this meeting is that the Grain-Exporting countries have grouped together to protect their financial interests. They want to keep the consumer ignorant because they know that, if informed, consumers will preferentially choose non-GM foods over GM foods. We were also alarmed to see Monsanto company representatives working so closely with some of the Grain-Exporting countries, and even more alarmed when one country's representative announced that 'consumers are too ignorant to understand a GM label.'"*

The NHF continued, *"Some have argued that 'the right to know' is not a part of the Codex mandate. Whose mandate is it to inform the public? Health Canada, for example, does not even permit non-GM labeling and has acted affirmatively to remove products with such labeling from the shelves. This is not right. As France pointed out, the consumer's right to know is a fair-trade issue.*

*"And on the safety issue, animal studies have already shown organ damage linked with GM-food consumption. So, there is a safety issue here. For these, and all the other reasons, the NHF strongly supports labeling of GM food so that consumers may know what they are eating."*

Chairwoman Anne MacKenzie then announced that work on this issue would continue in spite of the objections of the Grain Exporters and that a physical working group would meet in Ghana to discuss GM-food labeling at a date to be determined.

## Advertising Definition

For a number of years, this Committee has been wrestling with a standard definition of advertising that Codex could apply to nutrition and health claims. The problem with the "model" definition was that it was hugely overbroad and would have covered all forms of non-commercial speech! Several delegations had supported dropping the idea of even defining advertising at all.

The NHF also found the definition overbroad and invasive of free-speech rights and made its views known in both written and spoken comments to the Committee.

The Mexican delegation, supported by the United States and some others, proposed a definition that would add the word "commercial" in front of "representation" so that - along with other suggested changes - so that the definition would read: "Advertising means any commercial communication to the public by any means, other than labeling, in order to promote directly or indirectly, the sale or intake of a food through the use of nutrition and health claims in relation to the food and its ingredients."

The Chairwoman found generally broad agreement and support for the Mexican definition and advanced this agenda item to Step 5 (out of an 8-step process). It looks as if this definition will end up being approved by the Commission at some future time.

### The Final Report

The last day of any Codex committee meeting is typically reserved for the review and correction of the Final Report of the meeting. Many delegates, thinking this step to be unimportant, usually leave; but this is actually the time to be the most vigilant as the Final Report - as the record of the meeting - often does not fully reflect what happened at the committee meetings. Or, what has happened is hidden by omission or anonymity.

In this case, interestingly enough, the section in the Report that dealt with the GM-food labeling issue anonymized virtually every delegation's position on the issue and left out an important fair-trade argument for GM-food labeling made by several delegations in counterpoint to the U.S. delegations anti-labeling stance. It took almost as long as the original discussion on the GM-labeling subject for the Committee to go through this part of the Report. After several aborted attempts by other delegations to get their statements on fair trade in the Report, the Chairwoman finally agreed to add into the record the NHF's own statement that "since one of the Codex mandates is to ensure fair-trade practices, developing guidelines on GM/GE food labeling would be appropriate."

This is the way that Codex meetings proceed, in fits and starts, and not always fairly. Yet, this Committee is one of the best run of the Codex committees, whether we always agree with the results or not.

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### About the National Health Federation

**Established in 1955, the National Health Federation is a consumer-education, health-freedom organization working to protect individuals' rights to choose to consume healthy food, take supplements and use alternative therapies without government restrictions. With consumer members all over the world, and a Board of Governors and Advisory Board**

containing representatives from 6 different countries, the Federation is unique in being the only consumer health freedom organization in the world to enjoy official observer status with the Codex Alimentarius Commission.

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