

COMMENTS FROM SOUTH AFRICA

e-Forum on the Codex Alimentarius implementation of the Global Strategy on Diet, Physical Activity and Health (DPAH): 15 February 1 April 2006

Background

WHO has assigned Codex a definite affirmative and definite responsibility to become involved in global activities to positively improve the health of consumers worldwide and implement the WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH as noted in section 229 of the Report of the 28th Codex Alimentarius Commission meeting (Rome, Italy, July 4-9, 2005), Alinorm 05/28/41, (hereafter called the Report) which memorialized that assignment by stating "The Representative of WHO drew the attention of the Committee to the fact that the WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH had been developed at the request of Member States of WHO to reduce morbidity and mortality due to non-communicable disease and that the paper LIM-6 had been prepared at the request of the 55th Session of the Executive Committee." The Representative pointed out that the World Health Assembly (WHA) Resolution 57.17 endorsed the above strategy and called upon the Codex Alimentarius Commission to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods, consistent with the aims and objectives of the strategy. The Representative of WHO referred to the potential work to be undertaken by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses and emphasized that coordinated work was needed to implement the Global Strategy." Section 232 of the Report focused on the importance of its implementation and "proposed that stakeholders, including consumers organizations, be consulted if a more focused document was to be developed by WHO." while the Report notes "that there was scope within the mandate of Codex for the nutritional issues raised by the Global Strategy to be integrated into Codex work."

Section 233 of that Report recorded that "the Representative of WHO reaffirmed that stakeholders would be involved in the follow-up to the Global Strategy by WHO and in the development of a revised WHO submission to be presented to the next session of the Commission" which anticipated report was to be based, according to section 234, upon the actions of those committees involved in this work. Clarifying this issue, "the Commission noted that the potential areas for action by Codex identified in the LIM paper was mainly relevant for the work of the Committee on Food Labelling and the Committee on Nutrition and Foods for Special Dietary Uses". The Commission then "**agreed** with the recommendation of the 56th Session of the Executive Committee, to ask the WHO, in cooperation with FAO, to

produce a more focused document for consideration by these Committees, including specific proposals for new work." This document was, in fact, provided to the CCNFSDU at its meeting in Bonn, Germany (November 21-25, 2005). It was intended to make possible the plan of the Commission as expressed in Section 234 of the Report since "The Commission agreed that its next session would consider further the implementation of the Global Strategy, taking into account the views and proposals put forward by these Committees."

According to the Codex Alimentarius website, http://www.codexalimentarius.net/web/index_en.jsp, the "main purposes (of Codex) are **protecting the health of consumers** and ensuring fair trade practices in the food trade". The first item in Codex's statement of purpose is about protecting the health of consumers. Codex standards, guidelines and regulations provide important guidance for member nations at the national level as sections 32 - 34 of the Report make it clear when it states in section 32, "...paragraph 4 of the Guidelines for the Acceptance Procedure described important principles of the Codex Alimentarius and provided guidance to member countries on how to implement or give regard to Codex standards in developing national regulations." Section 33 states that when the same paragraph "... implied that Codex should not be involved with human health issues, **(this) was not consistent with the emphasis put on Codex activities in the field of food safety and nutrition;** (since) it assumed that Codex would not be involved in import issues, which was not consistent with the mandate of the Committee on Food Import and Export Inspection and Certification Systems". So important, in fact, is the impact of Codex on the health of its members that the Report notes that it was proposed "that the use of Codex standards should be monitored in order to provide useful information on how Codex standards were adopted or taken into account at the national level" and that "the Secretariat should work with the WTO Secretariat to consider how to monitor information on the use of Codex standards." (Section 35 of the Report). This extension of the mandate and use of Codex standards, regulations and guidelines makes sense only if Codex's positive footprint on health is large and the effect of that footprint supports and facilitates the well-being, nutritional security and health status of the population of its member nations. The application and implementation of the WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH, mandated for Codex by the WTO at the 2005 CAC meeting is designed to assist strongly in that outcome.

In section 155 of the Report, the Commission agreed to further study on recommendation #18 of the WHO/FAO Joint Consultation that it "should consider carefully whether nutrition should play a role in Codex, and if so, what that role should be." We believe that nutrition's appropriate role in Codex is clear: Nutrition and nutritional security should play a pivotal role in Codex. It is equally clear that:

- the explicit direction of the WHO to Codex to implement the GLOBAL STRATEGY ON DIET, PHYSICAL EXERCISE AND HEALTH;
- Codex's stated main purposes; and
- Codex's remit

all make it clear that careful consideration of optimal health through nutrition is, in fact, foundational to the very purpose for which Codex exists. Considering nutrition and optimal health, and acting to support and ensure them as mandated will avert significant burdens imposed by preventable non-communicable disease and their dire consequences for the people of the world. Doing so will also prevent a serious dereliction of duty and responsibility to the consumers of Codex' member nations by Codex. In fact, if Codex were only about trade and not about ensuring optimal health, nutritional security and well-being of consumers, there would be no need for Codex. This is especially true for the CCFSDU and CCFL, the primary components of the Codex system with an assigned relationship to nutrition and a role to play in nutrition within Codex. The optimal health and nutritional security of the world's consumers depend upon a positive, not an adversarial, relationship between Codex and nutrition. Consumers' health, well-being and their very survival, however, depend to a much lesser degree on the relationship between Codex and trade.

The WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH clearly states that chronic diseases are preventable and that the developing world is facing massive medical consequences of a nutritionally compromised food supply which it can ill afford in either human or economic terms. The strategy addresses two of the major risk factors responsible for the heavy and growing burden of non-communicable diseases (NCDs), which now account for some 60% of global deaths and almost half (47%) of the global burden of disease. NCDs include cardiovascular disease, type 2 diabetes, cancers and obesity-related conditions. "Non-communicable diseases are imposing a growing burden upon low and middle-income countries, which have limited resources and are still struggling to meet the challenges of existing problems with infectious diseases," said Dr Catherine Le Galès-Camus, WHO Assistant-Director General, Non-communicable Diseases and Mental Health. "The WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH strategy recommends a prevention-oriented approach that emphasizes the need for countries to develop coherent, multi-sectoral national strategies with a long-term, sustainable perspective, to make the healthy choices the preferred alternatives at both the individual and community level. (<http://www.who.org/a/1253>). The WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH itself states "Nutrition is coming to the fore as a major, modifiable determinant of chronic disease with scientific evidence increasingly supporting the view that alterations in diet have strong effects, both positive and negative, on health throughout life." It is clear that the category of foods known as dietary supplements can play a key role in eliminating world hunger and promoting world health outcomes in line with the WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH and, both through it and independently from it, in line with the articulated mandate and appropriate activities of Codex.

Recommendations

In order to fulfill those requirements and mandates, it is imperative that CCNFSDU and CCFL focus on the following issues as specific agenda items in their forthcoming Committee sessions:

1. Formally recognize and accept that nutrients are not toxins. They should be subjected to sound assessment procedures which take into account empirical, clinical, statistical and peer review processes and which take acknowledged benefits and desirable impact from the use of them in order to achieve positive outcomes, into consideration;
2. Formally accept nutrients as generally safe and encourage the unrestricted sale of that category of food called "dietary supplements" at all levels, including optimum potency levels, throughout the world;
3. Ban all added trans fats derived from industrial hydrogenation in the production of food;
4. Ensure that countries are encouraged to add, and do not place restrictions on the addition of nutrients which are supported by biochemistry, clinical nutrition, clinical experience, empirical observation and customary usage to food;
5. Ensure that countries enact strong legislative restrictions on the addition of industrial toxins to food, which are not supported by biochemistry, clinical nutrition, clinical experience and customary usage;
6. Allow and encourage enrichment of foods through the addition of that class of food called dietary supplements in order to optimize nutrient density of foods. Require that countries compensate for the decline in micronutrients in agricultural produce (e.g., fruits and vegetables) as a result of the depletion of trace nutrients in soil by commercial agriculture practices through the incorporation of that class of food called dietary supplements in order to optimize nutrient density of these foods;
7. Encourage and support the development of national and international policies which, enhance local, national, regional and global optimal nutrition through life-style modification (including diet), fortification and supplementation with that category of food called dietary supplements at all levels, including optimum potency levels;
8. Identify foods that do not contribute to, conflict with or are not essential for a healthy lifestyle ("junk food"). Similarly, identify foods that can support a healthy life-style. Support nutrition and health claims in labelling and advertising for those foods that do contribute to a healthy life-style and ban nutrition and health claims on the labelling and advertising of those foods which do not contribute to a healthy life style in order to encourage health-supporting foods and discourage ones that do not support health;

9. Ensure that countries encourage truthful, full and accurate labelling and advertising on all foods, which contribute to health and ban advertising and health claims on those that do not;
10. Ensure that countries develop a ban on junk food advertising to children (birth to 18 years);
11. Require that the Chairpersons of CCFL and CCFNSDU report to the Codex Alimentarius Commission every other year on the status of the implementation of the WHO/FAO GLOBAL STRATEGY ON DIET, PHYSICAL ACTIVITY AND HEALTH and items 1-10 listed above.