BCI MONITOR

BRYANT CHRISTIE INC.

JULY 25, 2023

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A REPORT FOR THE CALIFORNIA CHERRY BOARD

SPECIFIC ISSUES OF INTEREST TO THE CCB:

Argentina Opens Consultation on Use of Health Claims in Advertising

- On July 14, Argentina's National Administration of Medicines, Food and Medical Technology (ANMAT) opened a public consultation on its draft *Recommendations for the Use of Health Claims for Use in Advertising* (in Spanish), which would repeal Articles 1 and 2 of *ANMAT Provision No. 7730/11*.
- According to machine translation, the draft recommendations apply to the health property declarations ("DPS") of pre-packaged food and non-alcoholic beverages for the purposes of advertising or when applying to the competent health authority for inclusion in the National Food Product Registry (RNPA).
    - DPS is defined in the Codex *Guidelines for the use of Nutritional and Health Claims* (CAC/GL 23-1997, 2010 revision) as any representation that states, suggests, or implies that there is a relationship between a food (or a component of said food) and health. DPS are classified into three categories: nutrition function statements (the physiological role of a nutrient in growth, development, and normal functions in an organism), statements of other functions (describes specific beneficial effects), and disease risk reduction statements.
    - DPS applicants must meet the requirements described in the Annex to the draft Recommendations.
    - DPS products will be subject to inspection and monitoring programs.
- The recommendations will enter into force on the date of publication in the Official Gazette.
- Comments are due by August 14, 2023 and can be submitted via the online portal.

Canada Updates Organic Labeling Guide

- On July 18, the Canadian Food Inspection Agency (CFIA) updated its Industry Labeling Tool regarding guidance on "Organic claims on food labels".
- The update clarifies acceptable uses of terms, such as "certified organic", when declaring the name of a certification body on a product label.

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General Issues of Interest to the CCB:

USDA Reports on EU Proposal for Regulation of New Genomic Techniques

- The USDA has now published a report covering the European Commission's (EC) July 5th Proposal for a new Regulation on plants produced by certain new genomic techniques (*BCI Monitor 7-5-23*).
- As previously reported in the Monitor, the proposal creates a legal framework for plants produced by new genomic techniques (NGT), namely mutagenesis and cisgenesis, by establishing two pathways for NGT plants to be placed on the market: 1) a verification procedure for NGT plants that could also occur naturally or by conventional breeding (category 1 NGT plants); and 2) application of current GMO legislation for all other NGT plants (category 2 NGT plants).
- Comments on the proposal can be submitted through the EC's Have Your Say Portal on the web page for the initiative "Legislation for plants produced by certain new genomic techniques" until September 19, 2023. Feedback will be summarized by the EC and presented to the European Parliament and Council. The two legislative bodies will consider amendments to the proposal, which can take between 18 months to two years according to the USDA. After approval by both legislative bodies, it will be published in the Official Journal of the European Union and shall enter into force on the 20th day following its publication.