



WORLD HEALTH ORGANIZATION

EXECUTIVE BOARD
114th Session
Provisional agenda item 6.4

EB114/12
8 April 2004

Nongovernmental organizations: reconsideration of two applications for admission into official relations with WHO

1. The report of the Executive Board's Standing Committee on Nongovernmental Organizations to the Board at its 113th session contained, *inter alia*, a recommendation to admit into official relations with WHO the International Council of Grocery Manufacturers Associations and the Confederation of the Food and Drink Industries of the EU.¹
2. During its consideration of this recommendation at its 113th session, the Executive Board requested² supplementary information about the nongovernmental organizations for consideration at its 114th session. Accordingly, the responses from the Council and the Confederation are reproduced, without attachments, at Annexes 1 and 2, respectively. Copies of the attachments are available upon request.
3. Also during the discussion in the Board in January 2004, particular reference was made to obtaining more information on any possible links of the nongovernmental organizations concerned with the tobacco industry. The letters from the two organizations indicate their policies on tobacco.
4. In addition, it should be noted that membership of each nongovernmental organization consists of national organizations, which in turn are constituted by a large number of individual companies. Ownership of these companies is a matter that it is impractical to study in depth, but in its work on both tobacco and food the Secretariat has taken into account the fact that one of the major food companies that is a member in some of these national organizations is substantially owned by a company that also wholly owns a major tobacco company. That has not, however, led the Secretariat to avoid interacting when required with the food company concerned.

ACTION BY THE EXECUTIVE BOARD

5. The Executive Board is invited to consider the information provided by the International Council of Grocery Manufacturers Associations and the Confederation of the Food and Drink Industries of the EU, and to decide whether to admit them into official relations with WHO.

¹ See document EB113/23.

² Document EB113/2004/REC/2, summary record of the tenth meeting, section 5.



March 1, 2004

Ms. Eva Wallstam
Director
Civil Society Initiative
External Relations & Governing Bodies
World Health Organization

Dear Ms. Wallstam:

Thank you for your communication of February 19. ICGMA is pleased to respond to your request for further information in support of our application for entering into official relations with the World Health Organization (WHO).

ICGMA's Work in Health and Health-Related Fields

With regard to the work of the Council in health or health related fields, I refer you to ICGMA's previous communications to WHO of October 28 and November 10, 2003, which highlight ICGMA's various activities in the areas of food safety, health promotion and disease prevention, and diet and nutrition. As stated at the time, ICGMA seeks to facilitate harmonization among national and international policies and standards, promote scientific research and advance consumer information and understanding in each of these areas in a manner consistent with the principles of WHO. This would include:

- Sponsoring outreach programs stressing the value of a nutritionally-balanced diet, physical activity and the need for all consumers to moderate their food intake to match their level of physical activity.
- Supporting and participating in government-sponsored obesity prevention programs and workshops.
- Supporting the American Council for Fitness & Nutrition (ACFN)- a group of food, beverage and consumer products companies and associations that advocate for sustainable solutions to achieving a health balance for life, and among other things,

- Sponsoring consumer research to determine how consumers use the food label for calorie information, how to more effectively communicate the amount of calories in single serving packages and how consumers use reduced-calorie foods as part of their total diet.

(See attached October 28 correspondence, points 3.1 and 3.6; see attached November 10 correspondence, points 5, 10.1 and 10.2).

Additionally, this focus and commitment is seen in the activities and outreach programs pursued by individual ICGMA members. These programs have been developed at the national level with the unique public health, dietary and nutritional needs of their citizens in mind, and include:

- The “All Foods Can Fit” program developed by the Dietitians of Canada with the support of the Food & Consumer Product Manufacturers of Canada (FCPMC). The program promotes balanced diets and healthy lifestyles among Canadian consumers.
- FCPMC also supports the Dietitians of Canada and the Canadian Diabetes Foundation in teaching Canadians how to interpret and apply nutrition information on packaged foods through their consumer education program entitled, “Healthy Eating is in Store for You.”
- The U.K. Food & Drink Federation provides advice for parents on “healthy eating and an active lifestyle” on its website and makes educational materials (including a CD-Rom) available to U.K. primary school teachers to promote enjoyable healthy eating and physical activity.
- The Australian Food & Grocery Council publicly supports “Active Australia,” a federal government initiative managed by the Australian Sports Commission.
- The Grocery Manufacturers of America (GMA) recently approached the U.S. Food & Drug Administration for guidance in making carbohydrate nutrient content claims. FDA guidance will help ensure that product claims in the marketplace are being made in a consistent manner that does not confuse nor mislead U.S. consumers.
- GMA also provided the industry’s scientific and marketing expertise to FDA in helping it to develop a science-based, pre-market notification system for qualified health claims. The system will permit food companies to develop new products and communicate more information to consumers so they can make more informed choices.

ICGMA’s Support for WHO Activities

With regard to ICGMA’s support for WHO’s activities, I refer you again to ICGMA’s previous communication to WHO of October 28, 2003, which highlights the Council’s participation and support for WHO and WHO-related programs dating back to 1982 and notes the following specific activities:

- “ICGMA is a recognized international non-governmental organization of the joint WHO/FAO Standards Setting Body – Codex Alimentarius and actively participates in all Codex Alimentarius horizontal meetings and regional meetings.
- ICGMA members have participated with WHO on WHO Bioterrorism Exercises.
- ICGMA contributed to the Joint WHO/FAO Consultation on the Draft Report of the Expert Consultation on Diet, Nutrition and the Prevention of Chronic Diseases since April 2002.
- ICGMA contributed to and participated in two consultative meetings on the WHO Global Strategy on Diet, Physical Activity and Health.
- ICGMA Co-Chaired the industry consultation session on the WHO Global Strategy on Diet, Physical Activity and Health.
- ICGMA actively participated in the WHO/FAO/International Consultative Group on Food Irradiation Expert Groups in 2001 and 2003.
- ICGMA members co-sponsored the 2003 World Symposium on Food Irradiation in collaboration with the WHO/FAO/International Consultative Group on Food Irradiation.
- ICGMA contributed to the WHO/FAO Codex Alimentarius Review Process.”

ICGMA is Free of Commercial or Profit-Making Concerns

With regard to the Council’s commercial status, I refer you to ICGMA’s original application for WHO accreditation dated July 30, 2003 (attached), which notes the Council’s status as a “non-profit organization”. This status precludes the Council from pursuing profit-related or commercial activities. Furthermore, ICGMA’s membership is comprised of not-for-profit entities, which themselves may not pursue profit related or commercial activities. In light of its membership, ICGMA is certainly “free from concerns which are primarily of a commercial or profit making nature.”

ICGMA’s Practice and Policy Regarding Tobacco Products

Regarding our involvement with or representation of tobacco interests, the ICGMA member associations either focus their activities only on food and beverage issues as required by their association by-laws, or, as a matter of policy, have never taken a position with respect to matters such as prohibitions on the use of tobacco, health issues related to tobacco, the propriety of “non-smoking” areas, or the regulation of tobacco as a drug, etc.

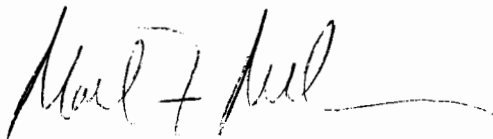
The ICGMA itself has never advocated for or taken a position with respect to matters such as prohibitions on the use of tobacco, health issues related to tobacco, the propriety of “non-smoking” areas, or the regulation of tobacco as a drug, etc. To reaffirm this long-standing practice we recently have taken the extra step of codifying it in the ICGMA Articles of Association (attached):

Article VI – Legal Requirements

The Council shall not have as any object, purpose or function, nor shall it have the power to 1) engage in any activity with respect to its members or members' members, individual sales and marketing functions or independent decisions with respect thereto or to the effect any type of cooperation by and between or among the Council and its members' country, in spirit or effect, or attempt to influence any member in any such cooperative activity; or 2) **engage in any tobacco-related activity or advocacy involving issues such as prohibitions on the use of tobacco, health issues related to tobacco, the propriety of "non-smoking" areas, the regulation of tobacco as a drug, and similar matters. All activity in violation of this provision is expressly prohibited.** [emphasis added]

Ms. Wallstam, thank you for the opportunity to provide these clarifications and to provide a complete portfolio of the industry's public health, nutrition and food safety activities. I welcome any additional questions and communications at the address listed above.

Sincerely,



Mark F. Nelson, Ph.D.
Vice President, Scientific & Regulatory Policy
Grocery Manufacturers of America in its capacity as Secretariat for the ICGMA

cc: Dr. Kazem Behbehani

Attachments: Letter of July 30, 2003, ICGMA to Dr. Lee Jong-wook
Letter of October 28, 2003, ICGMA to Ms. Eva Wallstam
Letter of November 10, 2003, ICGMA to Ms. Eva Wallstam
ICGMA Articles of Association

Ms Eva Wallstam
Director
Civil Society Initiative
External Relations and Governing Bodies
World Health Organization

Brussels, March 1, 2004.

Dear Ms Wallstam,

I hereby acknowledge receipt of your letter dated 19 February and I thank you for informing and giving us the opportunity to provide additional information supporting the CIAA's application for official relation status with the World Health Organization .

We understand that the WHO Executive Board requested additional information about the CIAA's work in health or health related fields and the extend to which CIAA supports WHO 's activities, more specifically, with regard to the WHO's draft global strategy on diet, physical activity and health.

CIAA, the European food and drink association, has been working on different areas of food safety and diet and nutrition together with WHO as explained in our previous letter on 31 October 2003 (a copy is enclosed).

In our communication, the following activities supporting and participating in WHO-related Programmes were highlighted:

- CIAA is a recognized international non-governmental organization of the joint WHO/FAO Standards Setting Body – Codex Alimentarius and actively participates in all Codex Alimentarius horizontal meetings and regional meetings.
- CIAA contributed to the Joint WHO/FAO Consultation on the Draft Report of the Expert Consultation on Diet, Nutrition and the Prevention of Chronic Diseases since April 2002.
- CIAA contributed to and participated in two consultative meetings on the WHO Global Strategy on Diet, Physical Activity and Health.
- CIAA co-chaired the industry consultation session on the WHO Global Strategy on Diet, Physical Activity and Health.
- CIAA contributed to the first Action Plan for Food and Nutrition Policy of the WHO European Region, 2000 –2005.
- CIAA participated in the European Parliament Intergroup 'Food & Health' chaired by Professor Christian Cabrol, MEP. CIAA provided secretariat to the EP Intergroup during the year 1997.
- CIAA participated in the FAO/WHO Pan-European Conference on Food Safety and Quality in February 2002 and preparatory meetings.
- CIAA experts are actively involved in the dossier 'Acrylamide in Foods' since May 2002, by providing data and expertise on analytical methodology and on mechanisms of formation and prevention.
- CIAA contributed to the WHO/FAO Codex Alimentarius Review Process

We would like to emphasize that CIAA welcomes the development of a global strategy that will be helpful to individual member states in developing nutrition policies appropriate to their own national circumstances and level of economic development, and wishes to establish an official relation status with the WHO as non governmental association as soon as possible to work on its execution. A CIAA statement released on 19 January 2004 welcoming the WHO draft global strategy is enclosed for your information.

CIAA is committed to using their scientific knowledge and technological expertise to develop enjoyable good tasting, nutritious, convenient foods which make it easier for consumers to make appropriate food choices and to follow a diet suitable for their individual lifestyle and physical activity levels. CIAA is also committed to providing responsible and helpful communication about their food and drink products, including those consumed by children. These communications are made to help consumers to make well-informed food choices appropriate for their lifestyle, diet and physical activity levels, e.g. clear and 'user-friendly' nutrition labelling, product nutrition information campaigns, educational materials and information services.

Moreover, on diet and nutrition activities at European level, we would like to inform you that CIAA is working in close collaboration with the European Commission. CIAA is engaged in a constructive dialogue contributing with its expertise on the development of a Community strategy to improve public health nutrition.

CIAA is also working together with other stakeholders, including public health authorities, healthcare, educational, governmental and other organisations to promote improved nutrition, healthy diets and physical activity, in order to contribute to healthier lifestyles and a reduced incidence of obesity and its associated diseases.

We understand that the executive Board enquired concerning the CIAA's commercial or profit making nature and the CIAA's connection with the tobacco industry.

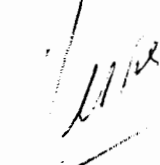
With regard to the purpose of the Confederation, CIAA's by-laws clearly state that CIAA is free of commercial or profit-making concerns. CIAA has the status on 'non-governmental organization' which exclude all commercial and profit-making activities.

With regard to CIAA's involvement regarding tobacco products, CIAA's by-laws specifically exclude any advocating on behalf of any non-food or drink products.

We hope that the information provided here above will help to clarify to the WHO Executive Board the role carried out by the CIAA and the application of CIAA for official relation status will be endorsed at the World Health assembly in May 2004.

We remain at your disposal if additional information is needed.

Yours sincerely,



R. Destin
Director General

Attachments: CIAA letter of October 31, 2003
CIAA Press Release of January 19, 2004
CIAA Coordinated statutes