



11 March 2025

(25-1690)

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Committee on Sanitary and Phytosanitary Measures

Original: English/French

NOTIFICATION

1.	<b>Notifying Member:</b> CANADA <b>If applicable, name of local government involved:</b>
2.	<b>Agency responsible:</b> Health Canada
3.	<b>Products covered (provide tariff item number(s) as specified in national schedules deposited with the WTO; ICS numbers should be provided in addition, where applicable):</b> Caffeine; Hard, soft, or semi-soft candies (ICS codes: 67.220.20; 67.180.10)
4.	<b>Regions or countries likely to be affected, to the extent relevant or practicable:</b> <input checked="" type="checkbox"/> All trading partners <input type="checkbox"/> Specific regions or countries:
5.	<b>Title of the notified document:</b> Proposal to modify the use of caffeine as a supplemental ingredient. <b>Language(s):</b> English and French. <b>Number of pages:</b>
6.	<p><b>Description of content:</b> The Food and Nutrition Directorate received a request to modify the <i>List of Permitted Supplemental Ingredients</i> (<a href="https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html">https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html</a>) to allow the use of synthetic caffeine (caffeine anhydrous) in "gummies with a texture spanning from hard to soft" in a maximum amount of 100 mg per serving under the same conditions of use set out for caffeine as a supplemental ingredient in chocolate confectioneries.</p> <p>No safety concerns were identified regarding the use of caffeine in foods belonging to the category listed in item 6 of the <i>List of Permitted Supplemented Food Categories</i> (<a href="https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/technical-documents/list-permitted-food-categories.html">https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/technical-documents/list-permitted-food-categories.html</a>) under the same conditions as already permitted for caffeine as a supplemental ingredient in foods listed in item 7 of the same List, provided that products containing more than 56 mg of caffeine carry the label statement "Do not [eat/drink] on the same day as any other source of caffeine" to caution consumers against consuming these products and other sources of caffeine on the same day.</p> <p>To prevent excessive caffeine intake, Health Canada proposed that the statement "Do not [eat/drink] on the same day as any other source of caffeine" be required for all solid supplemented foods, including candies, but also chocolate confectioneries, protein-isolate- and cereal-based bars, and chewing gums, when the food contains more than 56 mg caffeine per serving (or more than 56 mg per multiple-serving pre-packaged product, in the case of chewing gums). Therefore, Health Canada proposes modifying the <i>List of Permitted Supplemental Ingredients</i>.</p> <p>The purpose of the notice is to publicly announce Health Canada's intentions in this regard and provide the appropriate contact information for those wishing to submit comments on the proposal.</p>

7.	Objective and rationale: <input checked="" type="checkbox"/> food safety, <input type="checkbox"/> animal health, <input type="checkbox"/> plant protection, <input type="checkbox"/> protect humans from animal/plant pest or disease, <input type="checkbox"/> protect territory from other damage from pests.
8.	<p>Is there a relevant international standard? If so, identify the standard:</p> <p><input type="checkbox"/> Codex Alimentarius Commission (e.g. title or serial number of Codex standard or related text):</p> <p><input type="checkbox"/> World Organization for Animal Health (OIE) (e.g. Terrestrial or Aquatic Animal Health Code, chapter number):</p> <p><input type="checkbox"/> International Plant Protection Convention (e.g. ISPM number):</p> <p><input checked="" type="checkbox"/> None</p> <p>Does this proposed regulation conform to the relevant international standard?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, describe, whenever possible, how and why it deviates from the international standard:</p>
9.	<p>Other relevant documents and language(s) in which these are available:</p> <p>Health Canada Website: <a href="https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/acts-regulations/notices-proposal-notices-modification.html">https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/acts-regulations/notices-proposal-notices-modification.html</a>, posted on 7 March 2025 (available in English and French)</p>
10.	<p><b>Proposed date of adoption (dd/mm/yy):</b> The proposed modifications will be legally enabled once published in the <i>List of Permitted Supplemental Ingredients</i>. <a href="https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html">https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html</a></p> <p><b>Proposed date of publication (dd/mm/yy):</b> To be determined.</p>
11.	<p><b>Proposed date of entry into force:</b> <input type="checkbox"/> Six months from date of publication, and/or (dd/mm/yy): Modifications to the <i>List of Permitted Supplemental Ingredients</i> come into force the day they are made to the list. <a href="https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html">https://www.canada.ca/en/health-canada/services/food-nutrition/supplemented-foods/list-permitted-food-ingredients.html</a></p> <p><input type="checkbox"/> Trade facilitating measure</p>
12.	<p><b>Final date for comments:</b> <input type="checkbox"/> Sixty days from the date of circulation of the notification and/or (dd/mm/yy): 21 May 2025</p> <p><b>Agency or authority designated to handle comments:</b> <input type="checkbox"/> National Notification Authority, <input checked="" type="checkbox"/> National Enquiry Point. Address, fax number and e-mail address (if available) of other body:</p>

**13. Text(s) available from: [ ] National Notification Authority, [X] National Enquiry Point. Address, fax number and e-mail address (if available) of other body:**

The notice "Proposal to modify the use of caffeine as a supplemental ingredient" is available through the following weblinks:

<https://www.canada.ca/en/health-canada/services/food-nutrition/legislation-guidelines/acts-regulations/notices-proposal-notices-modification/proposal-modify-use-caffeine-supplemental-ingredient.html> (English)

<https://www.canada.ca/fr/sante-canada/services/aliments-nutrition/legislation-lignes-directrices/lois-reglements/avis-proposition-avis-modification/proposition-modifier-utilisation-cafeine-ingredient-supplementaire.html> (French)

Or requested from:

Canada's Notification Authority and Enquiry Point

Technical Barriers and Regulations Division

Global Affairs Canada

111 Sussex Drive

Ottawa, Ontario, K1A 0G2

Canada

Tel: +(343) 203 4273

Fax: +(613) 943 0346

E-mail: [enquiry@international.gc.ca](mailto:enquiry@international.gc.ca)