



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FATS AND OILS

Twenty-Seventh Session

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### PROPOSED REVISION TO THE STANDARD FOR FAT SPREADS AND BLENDED SPREADS

(Prepared by IMACE)

IMACE welcomes the valuable feedback received from Codex Members, Observers and the CCFO Secretariat to Agenda Item 7.4 of CX/FO 21/27/8 Part IV – PROPOSED AMENDMENT/REVISION TO THE STANDARD FOR FAT SPREADS AND BLENDED SPREADS (CXS 256-2007): SECTIONS 2 (DESCRIPTION) AND 3 (ESSENTIAL COMPOSITION AND QUALITY FACTORS). We note that some of these are technical in nature and suggest these could best be addressed through a circular letter or working group once the proposal for new work is accepted by CCFO and CAC respectively. The following document details the clarifications and responses to the feedback received.

#### Defining fat spreads with milkfat content up to 3%

As noted by the Thai delegation, the proposed revision to the Standard did not provide a category for fat spreads containing milkfat, up to 3% of total volume. To ensure the revised Standard covers all relevant products within the Fat Spreads category, an extension of the term “blended spreads” is proposed, as follows:

- 1) *A product containing mixed animal- and plant-fat, where the animal (e.g. dairy) fat comprises **between 3%-more than 0% and up to 50%** shall be a Blended Spread*
- 2) *A product containing only plant-fat, with a total fat content of less than 80% shall be a Plant Spread (previously ‘Fat Spread’)*
- 3) *A product containing only plant-fat, with a total fat content of 80-90% shall be a Plant Butter (previously Margarine)*
- 4) *Low- and Reduced-fat terms may be applied in accordance with CAC/GL 23-1997*

Since all such products falling under this revised category of “Blended Spreads” consist of a blend of animal- and plant-fat, this term is appropriate to describe them.

#### Compositional requirements for the proposed revision

We thank Iran for their comment requesting an updated limit for the percentage of milkfat in Blended Spreads. However, we would like to assure Members and Observers that Blended Spreads with below 20% milkfat are already commonly available and can be tested for their composition. Indeed, the existing Standard for Fat Spreads and Blended Spreads stipulates that Margarines and Fat Spreads must contain no more than 3% milkfat.

We also thank India for their suggestion on the removal of a maximum fat percentage for Plant Spreads. However, to ensure parity between the relevant dairy Standards (Dairy Fat Spreads and Dairy Butter) and their counterparts in the Fat Spreads and Blended Spreads category, we propose that the 80% threshold remains appropriate. Parity between these Standards allows consumers to make purchasing decisions on an equal basis.

#### Use of the term “plant butter”

We acknowledge that some members expressed concerns about the proposal potentially conflicting with existing guidance on use of dairy terms, such as the Codex General Standard on Use of Dairy Terms (CXS 206-1999). Regarding section 4.6 of that General Standard:

4.6.1 first establishes that milk terms should only be used for milk and milk products

4.6.2 provides the caveat that a ‘milk’ term can be used to name a non-milk product when it is clear (to the consumer) that the product is not a milk product. This condition is satisfied by the plant-based descriptor in the term “*plant* butter”

4.6.3 dictates that labels and advertising materials for non-milk products cannot suggest or imply that they are milk products. However, this does not include terms like “plant butter” as there is a specific exemption for these terms in 4.6.2

4.6.4 defines additional requirements that apply specifically and only to terms covered by clause 4.6.3 – this is explicitly stated in the text, they do not apply to 4.6.1 or 4.6.2.

Hence the proposal in CX/FO 21/27/8 Part IV is aligned with 4.6.2 and does not conflict with the text of section 4.6 of CXS206-1999. Therefore, it remains within the scope of CCFO discussions.

In the case of consumer understanding of the term “plant butter,” this is already an accepted term in many markets including the USA, where consumers understand that “plant butters” are plant-based alternatives to dairy butter, made with plant-based ingredients. This follows the USA’s recent [landmark court ruling](#) which allowed a manufacturer of clearly-labelled plant-based butters to continue using the term “butter” on-pack, when accompanied by a plant-based descriptor.

The existing terms “margarine” or “fat spreads,” are unsuitable for 100% plant-based products, since these terms have long been associated with products containing up to 3% milkfat. As such, consumers who require dairy-free foods (for reasons of lactose intolerance or because they follow a plant-based or vegan diet) would not recognise foods labelled with these terms as suitable for their dietary needs.

### **Codex procedure**

To address the procedural feedback received from Members, we want to assure all parties that the proposal has already been subject to a circular letter (CL 2021/36/OCS-FO). Of course, further input and feedback may be solicited from the secretariat if they see fit.

We also note the remark that new work proposals receive support from a Member. We hope that Members will assess the merits of the proposal and choose to support it if they agree that such a revision is necessary and appropriate.