

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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Agenda Item 4 (e)

CX/MMP 02/10-Add 1  
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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON MILK AND MILK PRODUCTS

#### Fifth Session

Wellington, New Zealand, 8-12 April 2002

### PROPOSED DRAFT REVISED STANDARDS FOR PRODUCTS IN WHICH MILK COMPONENTS ARE SUBSTITUTED BY NON-MILK COMPONENTS

#### COMMENTS AT STEP 3

The following comments were received from: Argentina, Canada, Denmark, New Zealand, Poland, United Kingdom and United States of America.

#### GENERAL COMMENTS ON ALL STANDARDS (APPENDICES I, II AND III)

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##### DENMARK

###### Title

Only one term should be selected for the title and be reflected within the standard in those sections which do not address the naming of the products (i.e. to be applied as a technical term).

Notwithstanding the use of such terms as technical terms, the naming section (7.1) should provide for the use of various options for naming the products (see our comment to section 7.1).

##### NEW ZEALAND

New Zealand congratulates the Working Group for an excellent job of incorporating government comments, particularly in addressing concerns over naming of the products. We support progression of the revised draft standards, with the following preferences for text in square brackets, in all three standards.

##### UNITED KINGDOM

We would like to congratulate the Drafting Group in their efforts on this issue. The UK believes that the key issue lies with the labelling of these products to ensure that it is acceptable in the country of retail sale. The proposed names incorporating "blend of .." may best inform UK consumers of the true nature of these products.

## 1 SCOPE

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### NEW ZEALAND

Of the proposed titles in square brackets, New Zealand supports the titles phrased “blend of ...”, as these most accurately describe the products.

## 3.2 PERMITTED INGREDIENTS

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### CANADA

Canada supports the addition of “Nutrients” as a permitted ingredient along with a statement that references the Codex General Principles for the Addition of Essential Nutrients for Foods (CAC/GL 09-1987) and adds, “Where allowed in accordance with the General Principles, maximum and minimum levels for vitamins A, D and other nutrients, where appropriate, should be laid down by national legislation in accordance with the needs of each individual country including, where appropriate, the prohibition of the use of particular nutrients.”

## 4 FOOD ADDITIVES

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### NEW ZEALAND

New Zealand supports the listing of categories of food additives and does not see a need to list individual additives when they are already listed in the GSFA.

### POLAND

The sum of additives: 339; 340; 341; 450; 451; 452 can not exceed:

- 1 g/kg in condensed milk where solids content is lower than 28%;
- 1,5 g/kg in condensed milk where solids content is higher than 28%.

## 7.1 NAME OF THE FOOD

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### DENMARK

#### 1<sup>st</sup> and 2<sup>nd</sup> Paragraph

Firstly, we recommend that this section provides a “positive list” of suitable names options with a notation that it is left to national jurisdiction to make the choice among these names so as to pick the one which is recognizable and non-misleading.

Therefore, we suggest the following wording, using the powdered product (appendix III) as a model:  
*“The name shall be either [skimmed milk powder with vegetable fat] or [blend of skimmed milk powder with vegetable fat] as found appropriate and/or as requested by legislation in the country of retail sale. The name of products containing milkfat shall include the qualifier “partly” as a prefix to the term “skimmed”.”*

Secondly, we can accept the naming options suggested.

#### 3<sup>rd</sup> Paragraph

Denmark can only support reference to the use of the term “filled” under the following circumstances:

- if the use is in accordance with CODEX STAN 206 (i.e. traditional name), or
- if non-adherence to CODEX STAN 206 is supported by the TBT Agreement of the WTO, i.e. that deviation is supported by a legitimate objective.

Further, the standards should also recognize that other names which are in compliance with the CODEX STAN 206 may be required by national legislation.

The wording should be rephrased as follows, using the powdered product (appendix III) as a model:  
***“Alternate names may be used when authorized by national legislation of or public authorities in the country of retail sale, provided that such names are recognizable and not misleading to the consumer in the country of retail sale.”***

#### **NEW ZEALAND**

New Zealand supports inclusion of the statement regarding other names allowed by national legislation.

#### **POLAND**

The sentence [Other names may be used if allowed by national legislation in the country of retail sale. For example....] should be deleted as it can mislead consumers.

### **7.2 DECLARATION OF FAT CONTENT**

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#### **CANADA**

Canada supports the removal of square brackets around this section with the following amendments: “A statement shall appear on the label as to presence of edible vegetable fat and/or edible vegetable oil. Where required by the ingredient naming requirements of the country of sale, this statement shall include the common name of the vegetable from which the fat or oil is derived.”

#### **DENMARK**

The type of vegetable fat used has a significant impact on the nature of the end product. Therefore, it is in accordance with the General Standard for Labelling of Prepacked Foods (CODEX STAN 1) to require that the name of the vegetable fat shall be stated as part of the name or in close proximity to the name, e.g. “skimmed milk powder with coconut oil”

Such a statement should appear in sections 7.1 rather than sections 7.2, as it relates to the name of the food.

### **7.3 DECLARATION OF MILK PROTEIN**

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#### **CANADA**

Canada questions why the milk products for protein adjustment would not be declared in the list of ingredients.

### **7.5 ADVISORY STATEMENT**

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#### **CANADA**

Canada recommends to amend the text in square brackets as follows: “[Where required for corresponding dairy products by the country of sale, a statement shall appear on the label to indicate that the product is not suitable for infants. For example, “NOT SUITABLE FOR INFANTS”]”

## APPENDIX 1

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### TITLE

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#### ARGENTINA

Since, according to the description, the product can be manufactured with partially skimmed milk, and in such case could not be called “skimmed”, Argentina proposes omitting the word skimmed from the title and renaming the Standard: “Blend of Sweetened Condensed Milk and Vegetable Fat”.

#### CANADA

Canada does not support the two proposed names for this product. We believe from the description of the product in Section 2, that this product is not made from sweetened condensed skim milk but is made from a blend of skimmed milk with vegetable fat that is condensed and sweetened. Canada would therefore support the following common names:

- Sweetened Condensed Blend of (Skimmed) Milk and Vegetable Fat or
- Sweetened Condensed (Skimmed) Milk and Vegetable Fat.

#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and revising the title to include sweetened condensed partly skimmed milk as follows:

“Proposed Draft Standard for Sweetened Condensed Skimmed Milks with Vegetable fat”

### 1 SCOPE

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#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and expanding the scope of the standard to include sweetened condensed partly skimmed milk. The revised first sentence of the scope would read as follows:

“This Standard applies to sweetened condensed skimmed milks with vegetable fat, intended for direct consumption in conformity with the description in Section 2 of this Standard.”

### 2 DESCRIPTION

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#### UNITED STATES OF AMERICA

The U.S. recommends expanding the description to include sweetened condensed partly skimmed milk and revising the first sentence of section 2 as follows:

“Sweetened condensed skimmed milks with vegetable fat are products consisting of milk in which milkfat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”

### 3.3 COMPOSITION

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#### ARGENTINA

We suggest limiting the total fat content to 8%, as is the case in the Standard for Sweetened Condensed Milks.

We suggest revising the last paragraph to read as follows:

“The amount of sugar in the blend of condensed skimmed milk with vegetable fat is restricted by Good Manufacturing Practice (GMP) to a minimum value which safeguards the keeping quality of the product and a maximum value above which crystallisation of sugar, may occur”.

## UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and including sweetened condensed partly skimmed milk. We recommend revising the composition information in section 3.3 to read as follows:

### *Sweetened condensed skimmed milk with vegetable fat*

Minimum total fat	8% m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

### *Sweetened condensed partly skimmed milk with vegetable fat*

Minimum total fat	8% m/m
Milkfat	More than 1% and less than 8 % m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

## 7.1 NAME OF THE FOOD

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### ARGENTINA

We suggest including products manufactured with partially skimmed milk in the labelling and revising the first paragraph to read as follows: *"The name of the food shall be Blend of sweetened condensed skimmed milk and vegetable fat or Blend of sweetened condensed partially skimmed milk and vegetable fat"* depending on the initial milkfat content.

We suggest deleting the square brackets in the second paragraph. In this paragraph, the Spanish translation of “sweetened condensed filled milk” as *“leche condensada adicionada”* is an incorrect translation.

## 7.2 DECLARATION OF FAT CONTENT

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### ARGENTINA

We suggest revising the first paragraph to read as follows: *“The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated. This shall be the case for both milkfat and vegetable fat.”*

We recommend removing the square brackets in the second paragraph since we believe the presence of vegetable fat should be stated.

We further recommend that the percentage of milkfat should be stated in the labelling.

## 8 METHODS OF SAMPLING AND ANALYSIS

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### ARGENTINA

We suggest including an appropriate method for determining the percentage of milkfat.

**APPENDIX II**

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**TITLE**

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**ARGENTINA**

Since, according to the description, the product can be manufactured with partially skimmed milk, and in such case could not be called “skimmed”, Argentina proposes omitting the word skimmed from the title and renaming the Standard: “Blend of Evaporated Milk and Vegetable Fat”. For greater clarity and in the interest of avoiding any confusion, we suggest replacing the preposition “with” with the conjunction “and”.

**CANADA**

For similar reasons as outlined for Appendix I, Canada would support the following common names to replace the present proposals:

- Evaporated Blend of (Skimmed) Milk and Vegetable Fat or
- Evaporated (Skimmed) Milk and Vegetable Fat

**UNITED STATES OF AMERICA**

The U.S. recommends removing the brackets and revising the title to include evaporated partly skimmed milk as follows:

“Proposed Draft Standard for Evaporated Skimmed Milks with Vegetable Fat”

**1 SCOPE**

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**UNITED STATES OF AMERICA**

The U.S. recommends removing the brackets and expanding the scope of the standard to include evaporated partly skimmed milk. The revised first sentence of the scope would read as follows:

“This standard applies to evaporated skimmed milks with vegetable fat, also known as unsweetened condensed skimmed milks with vegetable fat, which is intended for direct consumption in conformity with the description in Section 2 of this Standard.”

**2 DESCRIPTION**

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**ARGENTINA**

We suggest including the reconstitution of milk as an alternative procedure in the preparation since it produces a product with the same characteristics and composition.

**UNITED STATES OF AMERICA**

The U.S. recommends expanding the description to include evaporated partly skimmed milks and revising the first sentence of section 2 as follows:

“Evaporated skimmed milks with vegetable fat are products consisting of milk in which milkfat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”

### 3.3 COMPOSITION

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#### ARGENTINA

We suggest limiting the total fat content to 7.5%, as is the case in the Standard for Evaporated Milks.

#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and including evaporated partly skimmed milk. We recommend revising the composition information in section 3.3 to read as follows:

*Evaporated skimmed milk with vegetable fat*

Minimum total fat	7.5% m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

*Evaporated partly skimmed milk with vegetable fat*

Minimum total fat	7.5% m/m
Milkfat	More than 1% and less than 7.5 % m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

### 7.1 NAME OF THE FOOD

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#### ARGENTINA

We suggest including products manufactured with partially skimmed milk in the labelling and revising the first paragraph to read as follows: *"The name of the food shall be Blend of evaporated skimmed milk and vegetable fat or Blend of evaporated partially skimmed milk and vegetable fat"* depending on the initial milkfat content.

### 7.2 DECLARATION OF FAT CONTENT

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#### ARGENTINA

We suggest revising the first paragraph to read as follows: *"The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated. This shall be the case for both milkfat and vegetable fat."*

We recommend removing the square brackets in the second paragraph since we believe the presence of vegetable fat should be stated.

We further recommend that the percentage of milkfat should be stated in the labelling.

## 8 METHODS OF SAMPLING AND ANALYSIS

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#### ARGENTINA

We suggest including an appropriate method for determining the percentage of milkfat.

## APPENDIX III

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### TITLE

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#### ARGENTINA

Since, according to the description, the product can be manufactured with partially skimmed milk, and in such case could not be called “skimmed”, Argentina proposes omitting the word skimmed from the title and renaming the Standard: “Blend of Milk Powder and Vegetable Fat”. For greater clarity and in the interest of avoiding any confusion, we suggest replacing the preposition “with” with the conjunction “and”.

#### CANADA

For similar reasons as outlined for Appendix I, Canada would support the following common names to replace the present proposals:

- Powdered/Dry Blend of (Skimmed) Milk and Vegetable Fat or
- (Skimmed) Milk Powder and Vegetable Fat

#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and revising the title so it includes partly skimmed milk powder as follows:

“Proposed Draft Standard for Skimmed Milk Powders with Vegetable Fat”

## 1 SCOPE

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#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and expanding the scope of the standard to include partly skimmed milk powder with vegetable fat. The revised first sentence of the scope would read as follows: “This Standard applies to skimmed milk powders with vegetable fat, intended for direct consumption in conformity with the description in Section 2 of this Standard.”

## 2 DESCRIPTION

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#### UNITED STATES OF AMERICA

The U.S. recommends expanding the description so it includes evaporated partly skimmed milk powder with vegetable fat and revising the first sentence of section 2 as follows:

“Skimmed milk powders with vegetable fat are products consisting of milk in which milkfat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”

## 3.3 COMPOSITION

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#### UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and including minimum milkfat for partly skimmed milk powder with vegetable fat. We recommend the information be revised as follows:

*Skimmed Milk Powder with Vegetable Fat*

Minimum total fat	26 % m/m
Minimum water	5 % m/m



Minimum milk protein in milk solids-not-fat	34 % m/m
<i>Partly Skimmed Milk Powder with Vegetable Fat</i>	
Minimum total fat	26%
Milkfat	More than 1.5 % and less than 26% m/m
Minimum total fat	26 % m/m
Minimum water	5 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

#### **4 FOOD ADDITIVES**

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##### **DENMARK**

###### **Anti-caking agents**

Numerical values should be included for INS 551-559.

##### **7.1 NAME OF THE FOOD**

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###### **ARGENTINA**

We suggest labelling these products as follows: “*Skimmed milk powder and vegetable fat*” or “*Partially skimmed milk powder and vegetable fat*”, depending on the initial milkfat content.

##### **7.2 DECLARATION OF FAT CONTENT**

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###### **ARGENTINA**

We suggest revising the first paragraph to read as follows: “*The total fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass or volume, or (ii) in grams per serving as quantified in the label provided that the number of servings is stated. This shall be the case for both milkfat and vegetable fat.*”

We recommend removing the square brackets in the second paragraph since we believe the presence of vegetable fat should be stated.

We further recommend that the percentage of milkfat should be stated in the labelling.

#### **8 METHODS OF SAMPLING AND ANALYSIS**

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##### **ARGENTINA**

We suggest including an appropriate method for determining the percentage of milkfat.