



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FOOD ADDITIVES**

**Forty-fifth Session**

**Beijing, China, 18-22 March 2013**

**MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES**

**MATTERS ARISING FROM THE 35<sup>TH</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION**

**Standards and Related Texts adopted by the Commission<sup>1</sup>**

1. The Commission adopted:
  - Revision of the *Risk Analysis Principles Applied by the Codex Committee on Food Additives* (for inclusion on the Procedural Manual);
  - Food additive provisions of the *General Standard for Food Additives* (GSFA), with the exception of: (i) the provisions for phosphates in food categories 14.1.2.2 "Vegetable juice"; 14.2.2.4 "Concentrates for vegetable juices"; 14.1.3.2 "Vegetable nectars" and 14.1.3.4 "Concentrates for vegetable nectar" that were returned to the CCFA for a review of the use of phosphates, benzoates and sorbates for the purpose of ensuring consistency; and (ii) the provisions for sorbates in food category 08.4 "Edible casings (e.g. sausage casings)" for further consideration;
  - Revision of the *Standard for Food Grade Salt* (CODEX STAN 150-1985);
  - Amendments to the *International Numbering System for Food Additives* (INS) with the exception of the INS 561, which was erroneously associated with "potassium aluminium silicate";
  - *Specifications for the identity and purity of food additives* arising from the 74<sup>th</sup> JECFA meeting; and
  - Revision of the names and descriptors of food categories 16.0 and 12.6.1 of the GSFA.
2. A full record of the discussion of the 35<sup>th</sup> Session of the Commission on the adoption of the above to texts can be found in REP12/CAC, paras 19-20 and 39-47.

**Revocation of existing Codex Standards and Related Texts<sup>2</sup>**

3. The Commission approved the revocation from the Codex Alimentarius of the following texts as proposed by the 44<sup>th</sup> CCFA:
  - Food additive provisions of the GSFA;
  - *Information on the Use of Food Additives in Foods* (CAC/MISC 1-1989); and
  - Specifications for the identity and purity of potassium bromate (INS 924a).

**Discontinuation of work<sup>3</sup>**

4. The Commission approved the discontinuation of draft and proposed draft food additive provisions for the GSFA as proposed by the 44<sup>th</sup> CCFA.

**International Numbering System<sup>4</sup>**

5. When adopting the proposed draft amendments to the INS, the Commission recommended to the CCFA to reconsider a new INS number for "potassium aluminium silicate, based pearlescent pigments" on the basis of the description of the specifications monograph prepared by the 74<sup>th</sup> JECFA.

<sup>1</sup> REP12/CAC, Appendices II and III

<sup>2</sup> REP12/FA para. 130 and Appendix V

<sup>3</sup> REP12/CAC para. 152 and Appendix VII

<sup>4</sup> REP12/CAC paras 46-47

6. The Committee **is invited to consider** the above request concerning potassium aluminium silicate, based pearlescent pigments.

#### MATTERS ARISING FROM OTHER COMMITTEES AND TASK FORCES

#### 32<sup>nd</sup> Session of the Codex Committee on Fish and Fishery Products (CCFFP) (Bali, Indonesia, 1-5 October 2012)<sup>5</sup>

##### Inclusion of “carrier” as a functional class associated with dextrin, roasted starch (INS 1400)

7. The CCFFP agreed to insert the carrier dextrin, roasted starch (INS 1400), with a note “carryover from flavouring substances” to clarify that it is linked with flavouring substances and a similar amendment was made for the emulsifier for polyoxyethylene (20) sorbitan monooleate (INS 433) included in the list. As currently “carrier” is not recognised as a functional class for dextrin, roasted starch (INS 1400), the CCFFP agreed to ask the CCFA to consider the inclusion of “carrier” as a functional class for this additive in the *Class Names and the International Numbering System for Food Additives* (CAC/GL 36-1989).

8. The Committee **is invited to consider** the request concerning dextrin under Agenda Item 6 “Proposals for Changes and/or Addition to the International Numbering System for Food Additives”.

##### Inclusion of footnotes in food category 09.2.5 of the GSFA

9. The CCFFP noted that the following additives intended in the GSFA for other products in food category 09.2.5 in the applicable functional classes are not technologically justified for the specific foods covered in the draft standard for Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish, as follows:

- *Antioxidants*: propyl gallate (INS 310) and sulfites (INS 220-225, 227, 228, 539).
- *Colours*: canthaxanthin (INS 161g), caramel III – ammonia caramel (INS 150c), caramel IV (For use in surimi and fish roe products only) (INS 150d), carmines (INS 120), carotenoids (for use in surimi and fish roe products only) (INS 160a(i),a(iii),e,f), beta-carotenes, vegetable (INS 160a(ii)), chlorophylls and chlorophyllins, copper complexes (INS 141(i),(ii)), fast green FCF (INS 143), grape skin extract (INS 163(ii)), indigotine (Indigo carmines) (INS 132), iron oxides (INS 172(i)-(iii)), ponceau 4R (cochineal red A) (INS 124), riboflavines (INS 101(i),(ii)).
- *Preservatives*: butylated hydroxyanisole (BHA) (INS 320), butylated hydroxytoluene (BHT) (INS 321), sulfites (INS 220-225, 227, 228, 539).
- *Flavour enhancers or Sweetener*: acesulfame potassium (for use in sweet and sour products only) (INS 950), aspartame (For use in sweet and sour products only) (INS 951).

10. The CCFFP therefore agreed to propose to the CCFA to insert a note to these additives to specify that they were not allowed in the products covered by the present standard, within category 09.2.5.

11. The Committee **is invited to consider** the above request.

#### 26<sup>th</sup> Session of the Committee on Processed Fruits and Vegetables (CCPFV) (Montego Bay, Jamaica 15-19 October 2012)<sup>6</sup>

12. The 26<sup>th</sup> Session of the CCPFV considered the recommendations of the electronic Working Group (EWG) on food additives provisions for standards for processed fruits and vegetables already adopted or under development with a view to establishing a general reference to the GSFA when feasible and to provide justification in light of section 3 of the Preamble of the GSFA for exceptions to the general reference if/when such reference was not appropriate as follows:

##### *Standard for Table Olives* (CODEX STAN 66-1981)

13. The CCPFV agreed to make a general reference to the GSFA (see Agenda Item 4a).

14. In addition, the following was brought to the attention of the CCFA:

- Regarding the food additive provisions in the step procedure for inclusion in the food category 04.2.2.3 “vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds”, the CCPFV noted that the EWG had not received any specific comments for adipates (INS 355-357, 359), sodium diacetate (INS 262(ii)), aluminium ammonium sulphate (INS 523) and propylene glycol alginate (INS 405). Therefore, the CCPFV agreed with

<sup>5</sup> REP13/FFP, paras 13, 34 and 37-38

<sup>6</sup> REP13/PFV, paras. 35, 102-124, 141-149

the recommendation of the EWG that no technological need could be identified for these additives in table olives and to inform the CCFA accordingly.

- The CCPFV agreed to request the CCFA to classify calcium lactate (INS 327) and potassium chloride (INS 508) as firming agents in the food category 04.2.2.3 of the GSFA.

*Standard for Desiccated Coconut (CODEX STAN 177-1991)*

15. The CCPFV agreed that no changes would be made in the food additive provisions of the Standard.

*Standard for Certain Canned Citrus Fruits (CODEX STAN 254-2007)*

16. The CCPFV agreed to make a general reference to the GSFA to replace the current food additive provisions of the Standard (see Agenda Item 4a).

17. In addition, the following was brought to the attention of the CCFA:

- Regarding the food additive provisions in the step procedure for inclusion in the food category 04.1.2.4 “canned or bottled (pasteurized) fruit”, the CCPFV noted that the EWG had not received any specific comments for sodium diacetate (INS 262(ii)) and tartrates (INS 334, 335(i)(ii), 336(i)(ii), 337). Therefore, the CCPFV agreed with the recommendation of the EWG that no technological need could be identified for these additives in canned fruits and to inform the CCFA accordingly.
- The CCPFV agreed to request the CCFA to classify calcium lactate (INS 327) as a firming agent in the food category 04.1.2.4 of the GSFA.

*Standard for Preserved Tomatoes (CODEX STAN 13-1981)*

18. The CCPFV agreed to update the provisions for acidity regulators while noting that it was not possible to make a general reference to the GSFA as only a limited number of acidity regulators were technologically justified for this product. The CCPFV further agreed to replace the list of firming agents by a general reference to Table 3 of the GSFA (see Agenda Item 4a).

19. In addition, the following was brought to the attention of the CCFA:

- Regarding the food additive provisions in the step procedure for inclusion in the food category 04.2.2.4 “canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweeds”, the CCPFV noted that the EWG had not received any specific comments for sodium diacetate (INS 262(ii)) and tartrates (INS 334, 335(i)(ii), 336(i)(ii), 337). Therefore, the CCPFV agreed with the recommendation of the working group that no technological need was identified for these additives for preserved tomatoes and to inform the CCFA accordingly.

*Standard for Processed Tomato Concentrates (CODEX STAN 57-1981)*

20. The CCPFV agreed to update the list of acidity regulators while noting that it was not possible to make a general reference to the GSFA as only a limited number of acidity regulators were technologically justified for this product (see Agenda Item 4a).

*Standard for Pickled Fruits and Vegetables (CODEX STAN 260-2007)*

21. The CCPFV noted that it needed to have more information and adequate time to review food additive provisions for pickled fruits and vegetables and requested the Codex Secretariat to issue a circular letter soliciting comments on the proposal for a general reference to the GSFA.

22. The 26<sup>th</sup> Session of the CCPFV also considered other matters related to food additive provisions as follows:

- As regards the request of the 43<sup>rd</sup> session of the CCFA on **the use of other tartrates as acidity regulators in canned bamboo shoots including the appropriate report basis and the use of other colours and flavour enhancers in canned mushrooms as listed in the food category 04.2.2.4 of the GSFA**, the CCPFV agreed to inform the CCFA that these matters would be further considered at its 27<sup>th</sup> session to be held in the second half of 2014.

23. As regards **food additive provisions for water-based flavoured drinks**, the CCPFV agreed to request the CCFA whether water-based flavoured drinks were adequately covered by the food categories in the GSFA and if not whether the appropriate food categories could be expanded to include these products. If the food categories, 14.1.4.2 “Non-carbonated water-based flavoured drinks, including punches and ades” and 14.1.4.3 “Concentrates (liquid or solid) for water-based flavoured drinks” did cover these water-based flavoured drinks, to determine whether there was a need to expand the list of food additives e.g., to include flavour enhancers, preservatives, acidity regulators and colours.

24. As per the above discussion, the Committee **is invited to**:

- Note the decision of the CCPFV on food additive provisions in the *Standard for Desiccated Coconut*, the continuous work on food additive provisions in the *Standard for Pickled Fruits and Vegetables* with a view to a general reference to the GSFA; and the further work on the use of other tartrates as acidity regulators in the *Standard for Canned Bamboo Shoots* and on the use of other colours and flavour enhancers in the Annex on Mushrooms of the *Standard for Certain Canned Vegetables*.
- Note that provisions for food additives in the *Standards for Table Olives*, *Certain Canned Citrus Fruits*, *Preserved Tomatoes* and *Processed Tomato Concentrates* will be considered under Agenda Item 4(a) "Endorsement and/or Revision of Maximum Levels for Food Additives and Processing Aids in Codex Standards";
- Consider the CCPFV's request concerning addition functional classes associated with calcium lactate (INS 327) and potassium chloride (INS 508) under Agenda Item 6 "Proposals for Changes and/or Addition to the International Numbering System for Food Additives".
- Consider the CCPFV's advice concerning the technological need for certain food additives in the GSFA food categories 04.2.2.3, 04.1.2.4 and 04.2.2.4, as indicated above in points regarding the standards for table olives, certain canned citrus fruits and preserved tomatoes;
- Consider the CCPFV's request on food additive provisions for water-based flavoured drinks.

25. A full extract of the CCPFV relevant discussion is presented in Annex 1 to facilitate the consideration of the above matters.

#### **18<sup>th</sup> Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC) (San José, Costa Rica, 19-23 November 2012)<sup>7</sup>**

##### Use of Note 161 in the GSFA

26. The CCLAC agreed to recommend to the CCFA to (a) evaluate on a case-by-case basis all uses of note 161 and to set a time limit for its elimination from the GSFA and (b) not use such note any longer in the development of new maximum level in the GSFA. A full extract of the CCLAC discussion on Note 161 is presented in Annex 2.

27. The Committee **is invited to note** the CCLAC recommendation when considering Agenda Item 9(b) "Discussion paper on Recommendations for Note 161 of the GSFA".

#### **OTHERS**

28. When updating the GSFA to reflect the decision of the 36<sup>th</sup> Session of the Commission, it has been noted that for sixteen (16) food additives included in the GSFA there is no corresponding specifications. An analysis, prepared by the JECFA Secretariat, of the status of the JECFA evaluation for these substances is presented in Table 1.

29. The analysis has shown that:

- a) Five (Table 3 food additives) have ADI not specified/not limited (five), namely: ammonium acetate (INS 264), ammonium lactate (INS 328), potassium ascorbate (INS 303), potassium hydrogen malate (INS 351(i)) and potassium malate (INS 351(ii));
- b) Seven (Table 1 and 2 food additives) have a group ADI, namely sodium adipates (INS 356), potassium adipates (INS 357), ammonium adipates (INS 359), monosodium tartrate (INS 335(i)), monopotassium tartrate (INS 336(i)), dipotassium tartrate (INS 336(ii)) and potassium bisulfite (INS 228).
- c) Propane (INS 944), no specifications was prepared (the 23<sup>rd</sup> JECFA decided that it was not necessary to establish an ADI)

30. For the remaining three food additives:

- d) Chlorine dioxide (INS 926), the specifications was withdrawn;
- e) Choline salts and esters (INS 1001), only exists a specification for choline chloride as a flavouring agent;
- f) Formic acid (INS 236), only exists a specification as a flavouring agent;

<sup>7</sup> REP13/LAC, paras 136-141

31. In order to deal with the situation and keep in the GSFA only the food additives for which specifications have been developed by JECFA and adopted by Codex the following two-step process is recommended:

- Issue a Circular Letter requesting information on the commercial use of the additives listed under (a) (b) and (c) and for the commercial use and technological justification of choline salts and esters (d).
- Based on the information provided, the next CCFA will recommend to remove from the GSFA all food additives for which information on their commercial use has not been provided and will include in the priority list for JECFA the others with the understanding that countries should make a firm commitment to provide data for drafting the specifications to JECFA by the 47<sup>th</sup> CCFA (pending the commitment the food additive will be removed).

32. For the remaining substance it is recommended that the CCFA:

- Chlorine dioxide (INS 926)

First consider whether is a food additive or a processing aid and include it in the Circular Letter above in case it is considered a food additive.

- Formic acid (INS 236)

Ask JECFA Secretariat to clarify why the food additives specification was withdrawn.

33. The Committee **is invited to consider** the above recommendations.

**Table 1 – Review of the status of the JECFA evaluation**

Additive	INS	GSFA Table 1	GSFA Table 3	Codex specs	JECFA evaluation	JECFA specs	Possible action
Ammonium acetate	264	No	Yes	No	26 <sup>th</sup> Meeting: ADI not specified	26 <sup>th</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Ammonium lactate	328	No	Yes	No	17 <sup>th</sup> Meeting: ADI not limited	17 <sup>th</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Chlorine dioxide	926	Yes (1 adopted)	No	No	7 <sup>th</sup> Meeting: acceptable for flour treatment	7 <sup>th</sup> Meeting: prepared FNP 52/1: tentative 55 <sup>th</sup> Meeting: withdrawn, no reply to call for data	<ul style="list-style-type: none"> <li>• Discussion whether food additive or processing aid ?</li> <li>• If additive, JECFA priority form to be submitted for re-evaluation in view of new toxicological data</li> </ul>
Choline salts and esters	1001	No	Yes	No	15 <sup>th</sup> Meeting: ADI not limited 73 <sup>rd</sup> Meeting: choline chloride as a flavouring	15 <sup>th</sup> Meeting: not prepared 73 <sup>rd</sup> Meeting: choline chloride as a flavouring	<ul style="list-style-type: none"> <li>• Ask for commercial use, technological justification</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications, possibly also re-evaluation (?)</li> </ul>
Formic acid	236	Yes (2 adopted)	No	Flavouring (!)	17 <sup>th</sup> Meeting: ADI 0 – 3 mg/kg bw 55 <sup>th</sup> Meeting: flavouring use acceptable, ADI maintained	17 <sup>th</sup> Meeting: prepared FNP 52/1: full specification as preservative, flavour adjunct 55 <sup>th</sup> Meeting: revised due to flavouring use, re-evaluation at future meeting needed	<ul style="list-style-type: none"> <li>• Ask JECFA Secretariat for clarification why for additive specifications were withdrawn [could be a mistake]</li> </ul>
Potassium ascorbate	303	Yes (5 adopted, many in step process)	Yes	No	17 <sup>th</sup> Meeting: group ADI 0-15 mg/kg bw 25 <sup>th</sup> Meeting: group ADI not specified	17 <sup>th</sup> Meeting: not prepared 25 <sup>th</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Potassium bisulfite	228	Yes	No	No	51 <sup>st</sup> Meeting: group ADI of 0-0.7 mg/kg bw to sulfur dioxide and to sulfur dioxide equivalents (including Potassium hydrogen sulfite)	51 <sup>st</sup> Meeting: No information was made available ... no specifications were prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>

Additive	INS	GSFA Table 1	GSFA Table 3	Codex specs	JECFA evaluation	JECFA specs	Possible action
Potassium malate	351ii	No	Yes	No	23 <sup>rd</sup> Meeting: group ADI not specified	22 <sup>nd</sup> Meeting: prepared tentative specifications (for Potassium DL-Malate solution) 23 <sup>rd</sup> Meeting: revised tentative specifications 30 <sup>th</sup> Meeting: Withdrawn, no use reported	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Propane	944	No	Yes	No	23 <sup>rd</sup> Meeting: ADI not specified <sup>8</sup>	23 <sup>rd</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask CCFA for their view whether based on JECFA this is still an acceptable Table 3 additive</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications, possibly also re-evaluation (?)</li> <li>• If no, remove</li> </ul>
Sodium adipates	356			No	21 <sup>st</sup> Meeting: group ADI not specified	21 <sup>st</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Potassium adipates	357			No	21 <sup>st</sup> Meeting: group ADI not specified	21 <sup>st</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Ammonium adipates	359			No	21 <sup>st</sup> Meeting: group ADI not specified	21 <sup>st</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Monosodium tartrate	335(i)			for 335(ii)	21 <sup>st</sup> Meeting: group ADI of 0-30 mg/kg bw	21 <sup>st</sup> Meeting: specifications exist, not revised (p 37)	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Monopotassium tartrate	336(i)			for 337	21 <sup>st</sup> Meeting: group ADI of 0-30 mg/kg bw	21 <sup>st</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>
Dipotassium tartrate	336(ii)			for 337	21 <sup>st</sup> Meeting: group ADI of 0-30 mg/kg bw	21 <sup>st</sup> Meeting: not prepared	<ul style="list-style-type: none"> <li>• Ask for commercial use</li> <li>• If yes, JECFA priority form to be submitted for drafting specifications</li> </ul>

<sup>8</sup> *Propane* : Owing to the limited use and limited residues in food of this compound the Committee decided it was not necessary to establish an **ADI**. No toxicological monograph or specifications were prepared. (TRS 648 / p 23).

Annex 1**Extracts of the CCPFV discussion on the food additive provisions for processed fruits and vegetables: additional provisions for inclusion in selected adopted standards and standards under development**

(REP13/PFV, paras 102-118)

102. The Committee recalled that at its 25<sup>th</sup> Session it had requested the electronic Working Group on Food Additives, chaired by the European Union and co-chaired by the United States of America, to look into the food additive provisions associated with table olives and certain canned fruits and selected standards for processed fruits and vegetables i.e., desiccated coconut, preserved tomatoes, processed tomato concentrates, certain canned citrus fruits and pickled fruits and vegetables within the framework of the General Standard for Food Additives with a view to establishing a general reference to the GSFA when feasible and to provide justification in light of section 3 of the Preamble of the GSFA for exceptions to the general reference if/when such reference was not appropriate.

103. The Delegation of the European Union reported to the Committee on the analysis, conclusions and recommendations of the working group (CX/PFV 12/26/7).

104. The Committee considered the recommendations from the working group and made the following comments and decisions:

Desiccated Coconut:

105. The Committee agreed that no changes would be made in the food additive provisions of the Standard for Desiccated Coconut (CODEX STAN 177-1991).

Table Olives:

106. The Committee noted that the recommendations for food additive provisions of the Standard for Table Olives had already been included when the Committee considered the revision of this Standard (see paragraph 35).

107. Regarding the food additive provisions in the step procedure for inclusion in the food category 04.2.2.3 (vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds), the Committee noted that the EWG had not received any specific comments for adipates, sodium diacetate, aluminium ammonium sulphate and propylene glycol alginate and therefore the Committee agreed with the recommendation of the working group that no technological need could be identified for these additives in table olives and to inform Committee on Food Additives accordingly.

108. The Committee also agreed to request the CCFA to classify calcium lactate (INS 327) and potassium chloride (INS 508) as firming agents in the food category 04.2.2.3 of the GSFA.

Certain Canned Citrus Fruits:

109. A general reference to the GSFA should be inserted in section 4 of the Standard for Certain Canned Citrus Fruits (CODEX STAN 254-2007) to replace the current food additive provisions of the Standard.

110. Regarding the food additive provisions in the step procedure for inclusion in the food category 04.1.2.4 (canned or bottled (pasteurized) fruit), the Committee noted that the EWG had not received any specific comments for sodium diacetate and tartrates, and therefore the Committee agreed with the recommendation of the working group that no technological need could be identified for these additives in canned fruits and to inform the CCFA accordingly.

111. The Committee agreed to also request the CCFA to classify calcium lactate as a firming agent in the food category 04.1.2.4 of the GSFA.

Preserved Tomatoes:

112. The Committee agreed to update the provisions for acidity regulators of the Standard for Preserved Tomatoes (CODEX STAN 13-1981) as recommended by the working group. The Committee noted that it was not possible to make a general reference to the GSFA as only a limited number of acidity regulators were technologically justified for this product. The Committee further agreed to replace the list of firming agents by a general reference to Table 3 of the GSFA.



113. Regarding the food additive provisions in the step procedure for inclusion in the food category 04.2.2.4 (canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweeds), the Committee noted that the EWG had not received any specific comments for sodium diacetate and tartrates and therefore the Committee agreed with the recommendation of the working group that no technological need was identified for these additives for preserved tomatoes and to inform the CCFA accordingly.

Processed Tomato Concentrates:

114. The Committee agreed to update the list of acidity regulators of the Standard for Processed Tomato Concentrates (CODEX STAN 57-1981) as recommended by the working group. The Committee noted that it was not possible to make a general reference to the GSFA as only a limited number of acidity regulators were technologically justified for this product and agreed to inform the CCFA accordingly.

Pickled Fruits and Vegetables:

115. Regarding the use of a general reference to the GSFA in the Standard for Pickled Fruits and Vegetables (CODEX STAN 260-2007), the Delegation of the European Union expressed concern as although this approach was recommended in the Procedural Manual, it could be problematic because pickled fruits and vegetables fell under several food categories in the GSFA, resulting in a very long list of food additives allowed for this commodity. The Delegation pointed out that it would therefore be in conflict with the provision in section 3.2 of the Preamble of the GSFA stating that food additives should be used only when needed.

116. The Committee noted that it needed to have more information and adequate time to review this matter and requested the Codex Secretariat to issue a circular letter soliciting comments on the proposal for a general reference to the GSFA.

117. The Delegation of the United States of America expressed concern with continuing this time- and resource-consuming effort and was of the opinion that the recommendations should be accepted and sent to the CCFA for endorsement. The Delegation further noted that the working group had recommended the removal of some food additives as not being technologically justified based on the fact that no comments had been received, which was not appropriate, as members and/or observers might simply not have commented even though food additives were used and were technologically justified.

118. The Delegation of the EU reiterated its general concern with regard to a direct reference to the GSFA. The Delegation of Brazil also expressed its concern with a general reference, in particular to the use of colours.

**Extracts of the CCPFV discussion on the development of a standard for  
Flavoured Water-based Drinks**

(REP13/PFV, paras 141-149)

141. The Delegation of Kenya introduced the discussion paper and explained that water-based flavoured drinks were usually concentrates that were diluted before consumption or sold ready-to-drink, were non-carbonated and manufactured and sold globally in both developed and developing countries. The predominant ingredients were water, colours, sugar and flavour enhancers; and the colours and flavour enhancers used, were either synthetic or natural extracts from fruits and vegetables.

142. The Delegation noted that these formulated non-carbonated drinks did not quite fall under the food categories 14.1.4 water-based flavoured drinks, including "sports", "energy" or "electrolytes" drinks and particulated drinks, 14.1.4.2 carbonated water-based flavoured drinks, including punches and ades which were based on fruits and vegetables, and 14.1.4.3 for concentrates (liquid and solid) for water-based flavoured drinks of the General Standard for Food Additives.

143. Noting that the Committee on Processed Fruits and Vegetables was not the committee to address this matter and that the main concern was the unsafe or unregulated use of certain food additives, such as flavour enhancers, colours and preservatives, the Delegation requested the support of the Committee for work on safe use of food additives in water-based flavoured drinks in the GSFA and to recommend the Commission to request the Committee on Food Additives to consider the expansion of the food categories mentioned above, and to further develop the list of food additives under those food categories of the GSFA to cover these products. In doing so, it would ensure transparency and harmonisation of standards that would assist in particular those developing countries which did not have provisions in this respect in their legislation.

144. The Delegation also noted that labelling was sufficiently addressed in the General Standard for the Labelling of Pre-packaged Foods (CODEX STAN 1-1989), and flavourings through several other standards, including the Guidelines for the Use of Flavourings (CAC/GL 66-2008).

145. Several delegations understood or supported the concerns expressed by Kenya and supported the proposal that the Committee request the CCFA to consider the matter. Some of these delegations also suggested that this matter be brought to the attention of Committee on Food Labelling. A delegation further noted that acidity regulators should also be included in the list of additives to be addressed.

146. An Observer pointed out that concentrates for water-based flavoured drinks were included in the food category 14.1.4.3 and if the food additives of concern were not specifically addressed in this food category, those food additives in the broader category, 14.1.4, would also apply, due to the hierarchical nature of the GSFA.

147. With regard to the concerns with specific food additives, the Observer noted that there were procedures in Codex to raise these concerns whether related to labelling or additives or flavourings.

148. In addition, it was noted that the GSFA was built to address functional classes across food categories and that there was a priority process for addressing food additives in the General Standard. Currently there were two circular letters requesting proposals for new additive provisions or revision of additive provisions (CL 2012/5-FA) and for proposals for additions or changes to the priority list of food additives proposed for evaluation by JECFA (CL 2012/8-FA).

149. Acknowledging the importance of the concerns raised by Kenya, the Committee agreed to request the CCFA to consider whether water-based flavoured drinks were adequately covered by the food categories in the GSFA and if not whether the appropriate food categories could be expanded to include these products. If the food categories, 14.1.4.2 to 14.1.4.3 did cover these water-based flavoured drinks, to determine whether there was a need to expand the list of food additives e.g., to include flavour enhancers, preservatives, acidity regulators and colours.

**Extracts of the CCLAC on the use of Note 161 in the GSFA**

(REP13/LAC, paras 136-141)

**Use of note 161 in the GSFA**

136. The Chairperson recalled that the CCLAC had already taken a position on this matter at its last session as noted in paragraph 141 of the Report of the 17th Session of the Committee (REP11/LAC).

137. The Committee noted that while the discussion on this matter had been suspended at the 44th Session of the CCFA, it has been re-introduced in the agenda of its 45th Session to be held in March 2013 in Beijing, China.

138. The Committee noted also that the note 161 had not been used since its last session but the concern remained with the existing notes which allowed countries to define their own maximum levels.

139. A delegation noted that the existence of the note reflects a lack of consensus concerning certain maximum limits often related to sweeteners and colours. The delegation suggested that all maximum levels for which the note had been introduced should be reviewed on a case-by-case basis with the objective to gradually eliminate the use of the note.

140. Some delegations did not favour to examine all MLs in the General Standard for Food Additives on a case-by-case basis as this would take too much time. If the elimination of the note was done on a case-by-case basis, a time limit should be given to complete the process. It was noted that, as the CCFA agenda is very busy it would be best to leave the setting of such a time limit to the CCFA.

**Conclusion**

141. The Committee agreed to recommend to the CCFA to (a) evaluate on a case-by-case basis all uses of note 161 and to set a time limit for its elimination from the GSFA and (b). not use such note any longer in the development of new maximum level in the GSFA.