



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD ADDITIVES

#### Forty-fifth Session

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

### PROPOSALS FOR NEW ADDITIVE PROVISIONS IN FOOD CATEGORY 16.0 “PREPARED FOODS”

(Replies to CL 2012/5-FA, Part B, Point 9)

#### BACKGROUND

1. The 44<sup>th</sup> Session of the Codex Committee on Food Additives (CCFA) recalled that issues regarding food category 16.0 have been under discussion since the 40<sup>th</sup> Session because of the uncertainty of the scope of the products included in this category. At the 43<sup>rd</sup> Session, the Committee established an electronic Working Group (eWG) to develop a discussion paper that would provide a detailed description of the products to be included in this category and make proposals for revision of the name and descriptor of food category 16.0, as necessary. The resultant discussion paper<sup>1</sup> was discussed at the 44<sup>th</sup> CCFA.<sup>2</sup>
2. The 44<sup>th</sup> CCFA agreed to forward to the 35<sup>th</sup> session of the Codex Alimentarius Commission (CAC): (i) the revised title and descriptor of food category 16.0 for adoption at Step 8;<sup>3</sup> and (ii) the GSFA provisions currently in food category 16.0 (adopted and in the step process) for revocation and discontinuation.<sup>4</sup> The 35<sup>th</sup> CAC subsequently acted on these proposals.<sup>5</sup>
3. The Committee also agreed to issue a Circular Letter requesting proposals for new provisions for inclusion in the revised food category 16.0.<sup>6</sup> The United States of America (USA) was requested to compile, in a structured form, the new proposals for food category 16.0.<sup>7</sup> The Committee also agreed to establish a physical Working Group, which would meet immediately prior to the 45<sup>th</sup> Session and be chaired by the USA, working in English only, to consider and prepare recommendations for the Plenary based on the information compiled by the USA.<sup>8</sup>
4. CL 2012/5-FA, Part B, Point 9 requested new proposals for food category 16.0 (Prepared foods). Comments were received from Costa Rica and International Council of Grocery Manufacturers Associations (ICGMA).

<sup>1</sup> CX/FA 12/44/11.

<sup>2</sup> REP 12/FA, paras. 105-115.

<sup>3</sup> REP 12/FA, para. 114 and Appendix X.

<sup>4</sup> REP 12/FA, para. 114 and Appendices VII and VIII.

<sup>5</sup> The 35<sup>th</sup> CAC adopted the revision of the name and descriptor of food category 16.0 (REP/12 CAC, Appendix III, Part 4), and revoked (REP/12 CAC, Appendix V) or discontinued (REP 12/CAC, Appendix VII) work on all current GSFA provisions in food category 16.0.

<sup>6</sup> REP 12/FA, para. 115.

<sup>7</sup> REP 12/FA, para. 134.

<sup>8</sup> REP 12/FA, para. 135.

## SUMMARY OF COMMENTS AND RECOMMENDATION

The following additive provisions are **proposed for inclusion in food category 16.0 (Prepared foods) of the GSFA at Step 3:**

INS No.	Additive	Max Level (mg/kg)	Notes	Comment Summary
339(iii)	Phosphates	2,600	Notes 33 & AA	Sodium Phosphate (Trisodium Phosphate) is used as a protein stabilizer. It swells the proteins to give a mouth feel to mimic that of fat.
160b(i)	Annatto extracts, bixin-based	200 mg/kg	Note 8	Restore yellow color to the prepared food. Color additives are used to standardize the color of the food product or to impart a yellow color to the food.
160b(ii)	Annatto extracts, norbixin-based	200 mg/kg	Note 185	Color for microwavable meal (e.g., beef ravioli in tomato and meat sauce; chicken and noodle composite food; chicken flavored rice and vegetable products; spinach and cheese ravioli)
334	Tartrates	200 mg/kg	Notes 45 & BB	L(+)-tartaric acid is used as a flavour synergist (e.g., in the microwavable meal "beef steak and peppers") where it has a flavour softening effect in products that might use salt/sodium substitutes which could impart harsh notes.

### Notes:

**Note 8:** As bixin.

**Note 33:** As phosphorus.

**Note 45:** As tartaric acid.

**Note 185:** As norbixin.

**Note AA:** INS 339(iii) (trisodium phosphate) only, for use as a stabilizer.

**Note BB:** INS 334 (L(+)-tartaric acid) only, for use as a flavour synergist.

## TECHNOLOGICAL JUSTIFICATION IN SUPPORT OF COMMENTS

### Costa Rica

Costa Rica does not have new proposals in response to the request in this section.

### International Council of Grocery Manufacturers Associations

The Codex Secretariat issued a Circular Letter requesting proposals for inclusion of provisions in the revised food category 16.0<sup>9</sup>, to be submitted according to the Procedures for Consideration of the Entry and Review of Food Additive Provisions in the General Standard for Food Additives (Codex Procedural Manual). In particular, the proposals should clarify why the provisions could not be covered by food categories 1-15.

ICGMA contends that food additives present in composite foods, intended to have a functional effect in the final food, should be identified and listed under this category and should not qualify as "carry-over". Thus, even colors and sweeteners which ultimately are intended to standardize the color of the final food or improve the organoleptic property of the final food to the consumer, respectively, should be listed. However, the discussions emanating from the 43<sup>rd</sup> CCFA led to the revision of Section 4.0 in the Preamble to the GSFA<sup>10</sup>. Section 4.0 now suggests that as long as an additive is present in the raw material, ingredient or

<sup>9</sup> Food Category 16.0 - Prepared foods

These foods are not included in the other food categories (01-15) and should be considered on a case-by-case basis. Prepared foods are mixtures of multiple components (e.g., meat, sauce, grain, cheese, vegetables); the components are included in other food categories. Prepared foods require minimal preparation by the consumer (e.g., heating, thawing, rehydrating). Provisions for additives will be listed in this food category in the GSFA only if the additive is needed: (i) solely to have a technological function in the prepared food as sold to the consumer; or (ii) at a use level that has an intentional technological function in the prepared food that exceeds the use level that can be accounted for by carry-over from the individual components.

<sup>10</sup> SECTION 4 of Preamble to GSFA - CARRY-OVER OF FOOD ADDITIVES INTO FOODS Section 4.1 CONDITIONS APPLYING TO CARRY-OVER OF FOOD ADDITIVES FROM INGREDIENTS AND RAW MATERIALS INTO FOODS Other than by direct addition, an additive may be present in a food as a result of carry-over from a raw material or ingredient used to produce the food, provided that:

a) The additive is acceptable for use in the raw materials or other ingredients (including food additives) according to this Standard;

food component in sufficient quantities such that the amount carried over still maintains the intended function in the final food, it is no longer necessary to list that provision in the final food. Although a category for “pre-mixes” for prepared meals is not included in the GSFA, those pre-mixes could possibly be placed under the “table-top sweetener”, “sauces”, “seasonings”, and other components (e.g., grain, vegetable, etc.) categories<sup>11</sup> and, consequently, the newly defined carry-over principle would apply.

As such, it would appear as though the combination of Section 4.0 of the Preamble to the GSFA along with the newly revised descriptor of Food Category 16.0<sup>1</sup> may provide more flexibility for product development than previously understood. As long as member delegations are willing to accept this flexibility and retain FC 16.0 with its newly revised descriptor in combination with the definition of the Carry-Over principle as described in Section 4.0 thereby providing opportunity for review of future food additive provisions, ICGMA would be willing to concede that many prepared meal food additive provisions could be covered by other categories with a few exceptions as noted in the following table.

ICGMA is requesting that the following provisions be considered for inclusion at Step 3 in the GSFA.

Type of Prepared Meal	Additive	INS	ADI (mg/kgbw/d)	Direct Addition	Maximum Level (mg/kg)	Notes/Justification
Frozen entrees – Meat component, cheese component, sauce component, pasta component, vegetable component	Sodium Phosphate	339(iii)	A group MTDI of 70 mg/kg bw, as phosphorus from all food sources	Direct Addition (mixtures of slurry)	2,600 as P	Stabilizer - Used as a protein stabilizer. It swells the proteins to give a mouth feel to mimic that of fat. Current adopted provisions for Sauces FC 12.6 is 2,200 mg/kg as P.
	colour, annatto bixin-/norbixin-based	160b (i) and (ii)	An ADI for bixin of 0 – 12 mg/kg bw and a group ADI for norbixin and its disodium and dipotassium salts of 0 – 0.6 mg/kg bw expressed as norbixin.		200 mg/kg	Annatto, bixin-based has GSFA adopted provision for only butter. Annatto, norbixin-based currently has no adopted provision in the GSFA. Pending provisions for the cheese sauce and non-emulsified sauce categories is limited to 100mg/kg (as either bixin- or norbixin. Norbixin-based annatto is used to restore the yellow color to the composite food. Color additives are typically

b) The amount of the additive in the raw materials or other ingredients (including food additives) does not exceed the maximum use level specified in this Standard;

c) The food into which the additive is carried over does not contain the additive in greater quantity than would be introduced by the use of raw materials, or ingredients under proper technological conditions or manufacturing practice, consistent with the provisions of this standard.

#### Section 4.2 - SPECIAL CONDITIONS APPLYING TO THE USE OF FOOD ADDITIVES NOT DIRECTLY AUTHORISED IN FOOD INGREDIENTS AND RAW MATERIALS

An additive may be used in or added to a raw material or other ingredient if the raw material or ingredient is used exclusively in the preparation of a food that is in conformity with the provisions of this standard, including that any maximum level applying to the food is not exceeded.

<sup>11</sup> Food Category 11.6 Table-top sweeteners, including those containing high-intensity sweeteners: Includes products that are preparations of high-intensity sweeteners (e.g., acesulfame potassium) and/or of polyols (e.g., sorbitol) which may contain other additives and/or nutritive ingredients, such as carbohydrates. These products, which are sold to the final consumer, may be in powder, solid (e.g., tablets or cubes), or liquid form.

Food Category 12.2.2 Seasonings and condiments: Condiments include seasonings such as meat tenderizers, onion salt, garlic salt, Oriental seasoning mix (dashi), topping to sprinkle on rice (furikake, containing, e.g., dried seaweed flakes, sesame seeds and seasoning), and seasoning for noodles. The term “condiments” as used in the FCS does not include condiment sauces (e.g., ketchup, mayonnaise, mustard) or relishes.

Food Category 12.6.2 Non-emulsified sauces (e.g., ketchup, cheese sauce, cream sauce, brown gravy):

Include water-, coconut milk-, and milk-based sauces, gravies and dressings. Examples include: barbecue sauce, tomato ketchup, cheese sauce, Worcestershire sauce, Oriental thick Worcestershire sauce (tonkatsu sauce), chilli sauce, sweet and sour dipping sauce, and white (cream-based) sauce (sauce consisting primarily of milk or cream, with little added fat (e.g., butter) and flour, with or without seasoning or spices).

Food Category 12.6.3 Mixes for sauces and gravies:

Concentrated product, usually in powdered form, to be mixed with water, milk, oil or other liquid to prepare a finished sauce or gravy. Examples include mixes for cheese sauce, hollandaise sauce, and salad dressing (e.g., Italian or ranch dressing).

Type of Prepared Meal	Additive	INS	ADI (mg/kgbw/d)	Direct Addition	Maximum Level (mg/kg)	Notes/Justification
						used to standardize the color of the food product. Other purposes include to impart a yellow color to the food. Color for microwavable meal (e.g., beef ravioli in tomato and meat sauce; chicken and noodle composite food; chicken flavored rice and vegetable products; spinach and cheese ravioli)
Ready-to-eat meals that are thermally-processed (meat component, vegetable component, sauce component)	Tartaric Acid, L-	334	ADI of 0-30 mg/kg bw	Added to pre-made seasoning blend which gets combined with all other ingredients in final food.	200 mg/kg	Flavor synergist Tartaric acid in the microwavable meal "beef steak and peppers" has a flavor softening effect in products that might use salt/sodium substitutes which could impart harsh notes. As more of those components are used, there is a negative impact on acceptability. There are currently no adopted provisions in the GSFA. Pending provisions for sauces range from 2,800 – 5,000 mg/kg and for seasonings, 7,500 mg/kg.

Regarding prior examples shared with the 44<sup>th</sup> CCFA as reflected in CRD13 to Agenda Item 5(e) of CX/FA 12/44/1, ICGMA provides the following clarifications...<sup>12</sup>

Type of Prepared Meal	Additive	INS	ADI (mg/kg bw/d)	Direct Addition	Maximum Level (mg/kg)	Notes/Justification
Frozen entrees – Meat component, cheese component, sauce component, pasta component, vegetable component	DATEM	472e	50	It is the first ingredient added to the second slurry.	2,000	Emulsifier - Used as an emulsifier to keep the oil and fat blended to have a consistency similar to a vinaigrette. Levels of 10,000 mg/kg are permitted in sauces. DATEM is used in, for example, in chicken marsala and acts as a stabilizer.
Frozen Entrée - Pizza	Monocalcium Phosphate	341(i)	A group MTDI of 70 mg/kg bw, as phosphorus from all food sources	Premix	300	Emulsifier Permitted in seasonings in GSFA at 2,200 mg/kg as P.
	Sorbitan Monostearate	491	A group ADI of 25 mg/kg bw/d	Premix	300	Emulsifier Permitted in seasonings in GSFA at 2,200 mg/kg as P.
Frozen Entrée – Pizza Rolls	Polysorbate 60	435	25	Premix	200	Emulsifier GSFA adopted provision for mixes for sauces and

<sup>12</sup> In a telephone conference held December 4, 2012 between ICGMA and the USA, ICGMA indicated that the additive uses listed in this table are for information only, as the uses are captured in an existing GSFA provision for the additive in one of the other food categories (01 – 15).

Type of Prepared Meal	Additive	INS	ADI (mg/kg bw/d)	Direct Addition	Maximum Level (mg/kg)	Notes/Justification
						gravies at levels of 5,000 mg/kg as served to the consumer.
	<b>Polysorbate 80</b>	433	25	Premix	200	Emulsifier GSFA adopted provision for mixes for sauces and gravies at levels of 5,000 mg/kg as served to the consumer.
<b>Dried Culinary Product – Mixed grain, cheese, and/or vegetable/bean components</b>	<b>Dipotassium phosphate</b>	340(ii)	A group MTDI of 70 mg/kg bw, as phosphorus from all food sources	Premix	500	Emulsifier Current adopted provisions for Sauces FC 12.6 is 2,200 mg/kg as P.
	<b>Disodium phosphate</b>	339(ii)	A group MTDI of 70 mg/kg bw, as phosphorus from all food sources	Premix	750	Emulsifier Current adopted provisions for Sauces FC 12.6 is 2,200 mg/kg as P. Emulsifying, gelling, stabilizing or thickening agent - Product - Herb Chicken Flavored Vegetable Rice is a dried culinary product that contains dried vegetables, chicken fat, precooked rice, modified corn starch
	<b>Caramel IV</b>	150d	200	Premix	7,500	Colour Currently adopted provisions for Seasonings in FC 12.2 (Herbs, Spices, Seasonings, and Condiments) is 10,000 mg/kg.
<b>Thermally processed RTE food – Asian type foods</b>	<b>Sunset Yellow</b>	110	2.5	Premix	70	Standardize color of final product. GSFA adopted level of 300 mg/kg for sunset yellow in seasonings.
<b>Ready-to-eat meals that are thermally-processed (meat component, vegetable component, sauce component)</b>	<b>Sodium Bisulfite</b>	222	0.7 as SO <sub>2</sub>	Added during formulation of finished food	200-500 mg/kg as SO <sub>2</sub>	Antibrowning agent (Antioxidant) Sulfites permitted in seasonings, sauces, and dried vegetables at 200 mg/kg as SO <sub>2</sub> , 300 mg/kg as SO <sub>2</sub> , and 500 mg/kg as SO <sub>2</sub> , respectively. Sodium bisulfite in Beef Steak Tips would be used to help keep the potatoes from browning in the mixture of components. Sodium bisulfite is used for its color lightening effect in the brown gravy to soften to an expected chicken gravy color. It is necessary because the retort (cooking) process will definitely cause a darkening with all of the ingredients combined in a

Type of Prepared Meal	Additive	INS	ADI (mg/kg bw/d)	Direct Addition	Maximum Level (mg/kg)	Notes/Justification
	<del>Tartaric Acid, L<sup>13</sup></del>	334	ADI of 0-30 mg/kg bw	Added to pre-made seasoning blend which gets combined with all other ingredients in final food.	200 mg/kg	<p>closed system under relatively high heat. RTE meals MUST be thermally-processed. Sulfites are also used to help keep potatoes from browning in mixture of components. Beef and potato component with sauce.</p> <p><del>Flavor synergist Tartaric acid in the microwavable meal "beef steak and peppers" has a flavor softening effect in products that might use salt/sodium substitutes which could impart harsh notes. As more of those components are used, there is a negative impact on acceptability. There are currently no adopted provisions in the GSFA. Pending provisions for sauces range from 2,800-5,000 mg/kg and for seasonings, 7,500 mg/kg.</del></p>

<sup>13</sup> In a telephone conference held December 4, 2012 between ICGMA and the USA, ICGMA indicated that L-tartaric acid was included in this table in error, and should be deleted.