

codex alimentarius commission



FOOD AND AGRICULTURE
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Agenda Item 8

CX/FAC 04/36/10-Add. 1
March 2004
[Original language only]

JOINT FAO/WHO FOOD STANDARDS PROGRAMME **CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS**

Thirty-sixth Session

Rotterdam, The Netherlands, 22 -26 March 2004

DISCUSSION PAPER ON THE CONSIDERATION OF PROCESSING AIDS AND CARRIERS **COMMENTS**

The following comments have been received from: Australia, Canada, Cuba, European Community, Ghana, Norway, Poland, United States of America, Association of Manufacturers of Fermentation Enzyme Products (AMFEP), European Chemical Industry Council (CEFIC), Federation of Food Additives and Food Enzymes Industries (ELC), International Federation of Fruit Juice Producers (IFU), and the Institute of Food Technologists (IFT).

AUSTRALIA:

This is in response to CX/FAC04/36/10, requesting comments on the Discussion Paper on the Consideration of Processing Aids and Carriers.

Australia thanks the Drafting Group under the Chairmanship of Switzerland for preparing a comprehensive discussion paper on realistic approaches and recommendations on the consideration of processing aids and carriers.

Australia agrees with the Drafting Group that detailed safety evaluations of all the substances in the Codex Inventory of Processing Aids (IPA) would be a resource intensive task for CCFAC, although many of the processing aids have been previously evaluated. CCFAC decided not to consider the inclusion of processing aids in the General Standard for Food Additives for the time being due to the complexity of this task and the priority to address food additives.

Australia agrees that the inclusion of processing aids in commodity standards can be regarded as a realistic approach, while acknowledging the drawback that commodity standards only cover a small percentage of foods that are internationally traded.

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CANADA:

II. Options for Future Consideration of Processing Aids

Canada agrees with the Drafting Group's recommendation favouring adoption of Option C (i.e. the establishment of Guidelines on the use of Processing Aids, including establishment of a non-restrictive list of processing aids as presented in Appendix A of the *Inventory of Processing Aids*).

Canada does not support consideration of Option B (inclusion of processing aids in commodity standards). Canada has long held the view that the Codex Commodity Committees are in the best position to recommend to CCFAC for endorsement those additives and processing aids appropriate for use in standardized commodities, however the long-term plan is to transfer food additive provisions to the General Standard on Food Additives (GSFA). If the food additive provisions are going to be lifted out of standards and transferred to the GSFA, then we feel that processing aid provisions should be taken out of standards and transferred to the newly-located *Inventory of Processing Aids*.

Canada has noted the Drafting Group's statement in Paragraph 15 to the effect that implementation of the Guideline would necessitate a close collaboration between CCFAC and the Codex Commodity Committees which have, to cite the Drafting Group's words "the best knowledge about the technological need and types of substances used in the relevant foodstuffs." This collaboration is alluded to in Paragraph 16 also. While Canada has no objection to such close collaboration, the members of CCFAC itself, many of whom also have expert knowledge of processing aids use in foods of all types – both standardised and unstandardised, must not be eclipsed by Commodity Committees in having responsibility for processing aids. Canada has some concern that there is some suggestion to extend the role of commodity committees into the realm of unstandardised foods.

III. Inventory of Processing Aids

Canada does not support this recommendation as it contradicts the recommendation that Appendix A of the *Inventory of Processing Aids* become a part of the Guidelines for the Use of Processing Aids.

Canada does not believe that it should be difficult for member countries to add processing aids to any inventory, especially the type of processing aids that Canada believes to be ("true") processing aids (i.e. those that fulfill a technological need in processing, that are not present in the final product, and therefore cannot be functional in the final product). Canada believes that more rigorous scientific treatment should be reserved for processing aids that leave residues in food.

With regard to Appendix A of the *Inventory of Processing Aids*, Canada believes that if it is to be retained and transferred to the proposed Guidelines for the Use of Processing Aids, then it should be improved by mentioning the scenario under which each substance on the list is considered to be a processing aid. Under other scenarios, some of the substances on the list of processing aids may well be food additives.

IV. Inclusion of Carriers in the GSFA

Although Canada has no objection to any of these recommendations we are of the view any work related to "secondary food additive provisions" should be limited to solvents and carriers because, when used, they can be present in the finished foods at higher levels than the compounds they are actually introducing. But this does not generally hold true for other additive-to-additive scenarios.

Canada has noted the UK definition for a carrier, which is apparently based on the European Union definition.¹ Canada believes that if CCFAC is to regulate carriers in food additive preparations, then it should also regulate carriers in flavour preparations also (in many cases, the carriers are the same). In Canada's view, the UK definition would preclude the dual role of some carriers, for example, Polysorbates as solvents and emulsifiers, in carrying food additive and flavour materials into foods because the last part of the UK definition states that the carrier cannot exert "any technological effect itself." Similarly, propylene glycol and glycerol, often used to introduce colour and antioxidant preparations into food, may play dual roles in functioning also as humectants.

With regard to the definition of a carrier, Canada proposes the following definition:

A carrier is a food additive that is intended to serve as a vehicle for introduction, or facilitate delivery of, another food additive or flavour to a food.

Canada understands the term "carrier" to include both solid and liquid (i.e. solvent) carriers.

There is a need to clarify whether carriers would also include commonly-used ingredients like salt and sugar (the latter is often used to carry gums like carrageenan or acacia gum into dairy products, e.g. creams).

CUBA:

Es importante continuar trabajando en este tema, bastante olvidado en muchos países.

EUROPEAN COMMUNITY (ENGLISH):

The European Community thanks the Chair of the Drafting Group for the time and effort put into this discussion paper on the consideration of processing aids and carriers.

As stated in the discussion paper, the 35th session of the CCFAC decided not to consider the inclusion of processing aids into the GSFA for the time being. It decided to set up a Drafting Group to elaborate a Discussion Paper on realistic approaches and recommendations on the consideration of processing aids and carriers.

Please find below specific comments of the European Community to the different sections of the paper:

Sections II and III: Options for the future consideration of processing aids and inventory of processing aids

The discussion paper sets out three different options for the future consideration of processing aids. Please find below more specific comments to these options:

Option A: Development of a positive list

The European Community agrees with the Drafting Group that in view of the lack of resources, the development of a positive list on processing aids or their inclusion in the GSFA is not a realistic approach.

Option B: Inclusion of processing aids in Commodity Standards

The European Community agrees with the Drafting Group that it seems feasible that processing aids are included in the Commodity Standards. In fact, some of the Commodity Standards already list processing aids.

Option C: Guidelines on the use of processing aids

The European Community would welcome such guidelines, to be used in conjunction with the provisions on processing aids in the Commodity Standards.

Accordingly, the European Community can agree with the recommendations given in paragraphs 16 and 18 of the document, i.e. to combine options B and C and to withdraw the Inventory of Processing Aids.

¹ Paragraph 24 of Discussion Paper

Section IV: Inclusion of carriers in the GSFA

The European Community agrees with the recommendations given in paragraph 31 of the document. These recommendations foresee that the term “carrier” is defined, that this definition is included in the preamble of the GSFA and that a specific list of carriers is added as an additional Annex to the GSFA. The European Community also agrees that this list could include any other type of food additive needed for handling or use another food additive.

Concerning the definition of a carrier, the European Community would like to recall the definition of carrier as contained in the EC legislation:

“carriers, including carrier solvents, are substances used to dissolve, dilute, disperse or otherwise physically modify a food additive without altering its technological function (and without exerting any technological effect themselves) in order to facilitate its handling, application or use”

The European Community would also be willing to make a proposal concerning the carriers that should be included in the GSFA as requested in paragraph 31 of the discussion paper.

In summary, the European Community can agree with the content of the discussion paper, with a reservation on the definition of a carrier.

EUROPEAN COMMUNITY (ESPAÑOL):

La Comunidad Europea agradece a la Presidencia del grupo de redacción el tiempo y el esfuerzo dedicados a este documento de examen sobre el examen de los coadyuvantes de elaboración y sustancias inertes.

Como se indica en dicho documento de examen, en la 35ª reunión del CCFAC se decidió no estudiar, por el momento, la inclusión de los coadyuvantes de elaboración en la NGAA. Asimismo, se decidió crear un grupo de redacción con el mandato de elaborar un documento de examen sobre métodos prácticos y recomendaciones para el examen de coadyuvantes de elaboración y sustancias inertes.

A continuación se exponen algunas observaciones específicas de la Comunidad Europea con respecto a las diferentes secciones del documento.

Secciones II Y III: Opciones para el examen futuro de los coadyuvantes de elaboración e inventario de los mismos

El documento de examen plantea tres opciones para el examen futuro de los coadyuvantes de elaboración, que se comentan con más detalle a continuación.

Opción A: Elaboración de una lista positiva

La Comunidad Europea está de acuerdo con el grupo de redacción en que, a la vista de la escasez de recursos, no es realista plantear la elaboración de una lista positiva o la inclusión de los coadyuvantes de elaboración en la NGAA.

Opción B: Inclusión de los coadyuvantes de elaboración en las normas sobre productos

La Comunidad Europea está de acuerdo con el grupo de redacción en que esta opción sí parece viable. De hecho, algunas de las normas sobre productos incluyen ya listas de coadyuvantes de elaboración.

Opción C: Directrices sobre el uso de los coadyuvantes de elaboración

La Comunidad Europea acogería con satisfacción tales directrices, que se emplearían en combinación con las disposiciones sobre coadyuvantes de elaboración contenidas en las normas sobre productos.

Por consiguiente, está de acuerdo con las recomendaciones hechas en los apartados 16 y 18 del documento, a saber, combinar las opciones B y C y suprimir el inventario de coadyuvantes de elaboración.

Sección IV: Inclusión de las sustancias inertes en la NGAA

La Comunidad Europea está de acuerdo con las recomendaciones hechas en el apartado 31 del documento, las cuales prevén que se defina el término «sustancia inerte», que su definición se incluya en el Preámbulo de la NGAA y que se añada a ésta, como anexo adicional, una lista específica de sustancias inertes. Asimismo, está de acuerdo en que esta lista podría incluir cualquier otro tipo de aditivo alimentario necesario para manipular o utilizar un aditivo alimentario distinto.

Con respecto a la definición de «sustancia inerte» (traducción del término *carrier* en el documento del Codex), la Comunidad Europea desearía recordar la definición de «soporte» (traducción del término *carrier* en la legislación comunitaria citada) contenida en la legislación comunitaria

«"soportes", incluidos los disolventes soportes, las sustancias utilizadas para disolver, diluir, dispersar o modificar físicamente de otra manera un aditivo alimentario sin alterar su función tecnológica (y sin ejercer por sí mismos ningún efecto tecnológico) a fin de facilitar su manejo, aplicación o uso».

La Comunidad Europea también estaría dispuesta a hacer una propuesta en relación con las sustancias inertes que deberían incluirse en la NGAA, tal como se pide en el apartado 31 del documento de examen.

En resumen, la Comunidad Europea está de acuerdo con el contenido del documento de examen, con reservas en cuanto a la definición de sustancia inerte/soporte.

EUROPEAN COMMUNITY (FRANÇAIS):

La Communauté européenne remercie le président du groupe de rédaction pour le temps et les efforts investis dans l'élaboration du document de travail sur l'examen des auxiliaires technologiques et des supports.

Comme indiqué dans le document de travail, il a été décidé durant la 35^{ème} session du CCFAC de ne pas envisager pour le moment l'inclusion des auxiliaires technologiques dans la Norme générale Codex pour les additifs alimentaires. Il a été décidé de créer un groupe de rédaction chargé d'élaborer un document de travail présentant des approches réalistes et des recommandations pour l'examen des auxiliaires technologiques et des supports.

Voici les observations spécifiques de la Communauté européenne sur les différents chapitres du document:

Chapitres II et III: Options pour l'examen futur des auxiliaires technologiques et répertoire des auxiliaires technologiques

Le document de travail présente trois différentes options pour l'examen futur des auxiliaires technologiques.

Option A: Développement d'une liste positive

La Communauté européenne partage l'avis du groupe de rédaction selon lequel, au vu du manque de ressources, l'élaboration d'une liste positive d'auxiliaires technologiques ou l'inclusion de ces auxiliaires dans la NGAA ne sont pas des approches réalistes.

Option B: Inclusion des auxiliaires technologiques dans les normes de produits

La Communauté européenne partage l'avis du groupe de rédaction selon lequel il semble envisageable d'inclure les auxiliaires de fabrication dans les normes de produits. En fait, certaines normes de produits incluent déjà des auxiliaires technologiques.

Option C: Directives pour l'utilisation d'auxiliaires technologiques

La Communauté européenne accueillerait favorablement de telles directives qui seraient utilisées conjointement avec les dispositions relatives aux auxiliaires technologiques prévues par les normes de produits.

Par conséquent, la Communauté européenne pourrait approuver les recommandations présentées aux paragraphes 16 et 18 du document, à savoir l'association des options B et C et la suppression du répertoire des auxiliaires technologiques.

Chapitre IV: Inclusion des supports dans la NGAA

La Communauté européenne approuve les recommandations présentées au paragraphe 31 du document. Outre la définition du terme «support», ces recommandations prévoient d'inclure cette définition dans le préambule de la NGAA et d'annexer à la norme précitée une liste spécifique d'additifs alimentaires. La Communauté européenne accepte également que cette liste inclue l'utilisation de tout autre type d'additif alimentaire nécessaire à la manipulation ou l'utilisation d'un autre additif alimentaire.

En ce qui concerne la définition d'un support, la Communauté européenne souhaite rappeler la définition prévue par la réglementation communautaire:

«[les] supports, y compris les solvants porteurs, [sont] les substances utilisées pour dissoudre, diluer, disperser ou modifier physiquement de toute autre manière un additif alimentaire sans modifier sa fonction technologique (et sans avoir elles-mêmes de rôle technologique) afin de faciliter son maniement, son application ou son utilisation.»

La Communauté européenne est également disposée à proposer des supports à inclure dans la NGAA, comme le suggère le paragraphe 31 du document de travail.

En résumé, la Communauté européenne pourrait approuver le contenu du document, sauf en ce qui concerne la définition des supports.

GHANA:

II. Options for the future consideration of processing

Ghana supports Option B and C combined approach.

IV. Inclusion of carriers in the GSFA

Ghana proposes that the definition in paragraph 22 be maintained with the retention of the phrase in brackets, and preferring the term “stabilise” to “maintain the integrity of”

NORWAY:

Norway would like to thank the working group for their work on the discussion paper on the consideration of processing aids and carriers. Norway would like to make the following comments.

II Processing aids

Norway agrees to option A – that the development of a positive list of processing aids is not a realistic approach as the General Standard for Food Additives (GSFA) is expected to take several more years to complete.

Norway can support option B Inclusion of processing aids in commodity standards. However, in order to ensure a uniform and harmonised approach on the use and understanding of processing aids in commodity standards and non standardised foods Norway believes that option C, to develop Guidelines on the use of processing aids should have first priority. Norway would therefore suggest that the 36th session of the CCFAC might consider setting up a drafting group in order to develop such guidelines for processing aids.

Option C of the discussion paper proposes several points to be taken into consideration in developing guidelines on the use of processing aids. Norway agrees to most of these, but would like to emphasise the importance of having definitions in the preamble of the GSFA. Option C also suggests the elaboration of a non-restrictive list of processing aids as presented in the Appendix A of the Inventory of Processing Aids. Norway does not support this suggestion. Even if stressed that this is merely a non-restrictive list, it might be a possibility that this list would be seen as a CCFAC positive list of approved processing aids. We also find this to be in contradiction with the Working Group’s recommendation in part III of the discussion paper.

III Inventory of Processing Aids

Norway supports the Working Groups proposal to withdraw the Inventory of Processing Aids as we agree to the view that the substances on the list could be interpreted as being assessed as safe for use in food.

IV Inclusion of carriers in the GSFA

Norway supports the recommendations made by the working group considering carriers.

POLAND:

Poland supports the approach to the future consideration of processing aids by the CCFAC given in the option B and C, i.e. inclusion of processing aids in commodity standards and development of a Codex Guideline on the use of processing aids.

UNITED STATES OF AMERICA:

This responds to CX/FAC 04/36/10 (December 2003) which requests comments on the Discussion Paper on the Consideration of Processing Aids and Carriers. The United States of America appreciates the opportunity to provide the following comments for consideration at the forthcoming 36th Session of the Codex Committee on Food Additives and Contaminants (CCFAC).

During the 35th session of the CCFAC, the Committee decided not to consider the inclusion of processing aids in the General Standard for Food Additives (GSFA) for the present time. The Committee also decided that a drafting group, headed by Switzerland, would elaborate a discussion paper on realistic approaches and recommendations on the consideration of processing aids and carriers for further discussion at the 36th session (ALINORM 03/12A, paras. 59 and 60).

General Comments:

From the discussion paper, it is not clear to us what issues regarding processing aids in the Codex system the discussion paper is trying to resolve or clarify. The discussion paper does not clearly state whether or not there are any identified safety or trade problems with regard to the use of processing aids. If there are no safety or trade problems with the current status of processing aids within the Codex system, we question the need for the CCFAC to pursue this issue further.

Specific Comments:

Please find below the United States' comments on the discussion paper's three options for addressing processing aids and additional comments on the inclusion of Carriers in the GSFA.

Option A: Development of a Positive List

The United States agrees that substances used as processing aids in the production of food should be safe for their intended use, and also agrees with the decision of the CCFAC not to include processing aids in the GSFA at this time. The United States

recognizes the amount of effort involved in reviewing all of the substances in the Inventory of Processing Aids (IPA), and notes that we are not aware of any known safety or trade issues relating to processing aids. We therefore concur with the drafting group that developing a positive list of processing aids would not be a realistic approach for dealing with processing aids at this time.

Option B: Inclusion of Processing Aids in Commodity Standards

The United States notes, as pointed out in the discussion paper, that the Codex Procedural Manual already specifically provides for the inclusion of processing aids in the food additive section of the Commodity Standards. The Procedural Manual (12th edition, P. 84) also states that substances listed in the food additive sections of the commodity standards are endorsed by the CCFAC on the basis of technological justification, provided by the Commodity Committees, recommendations of the Joint FAO/WHO Expert Committee on Food Additives concerning the safety-in-use, and an estimate of potential or actual intake, thereby ensuring conformity with the General Principles for the use of Food Additives. The United States agrees with the discussion paper that the inclusion of processing aids in commodity standards is a feasible approach and notes that it is not a departure from how processing aids are currently handled within Codex. Therefore, we do not see the need for the Codex Secretariat to communicate this in a more specific manner, or to provide additional guidance to the commodity committees since the Procedural Manual references all the guidance required. We also note that some commodity standards already include provisions for processing aids.

Option C: Guidelines on the Use of Processing Aids

The United States recommends that any Codex guidelines to be developed on the use of processing aids should be based on principles of sound scientific analysis and evidence and should integrate risk management principles.

The United States offers the following comments regarding the proposed content of such Codex guidelines.

Principles for the use and control of processing aids:

General principles for the use of food additives that are subject to the provisions of the GSFA are defined in the Preamble to the GSFA. The general principles in the Preamble to the GSFA expand on the Codex General Principles for the Use of Food Additives which were adopted by the Commission in 1972 as advisory text for Codex Commodity Committees to follow when developing food additive provisions. We recommend that, should Codex decide to begin new work on the elaboration of guidelines for the use of processing aids, they should be based on the principles outlined in the Preamble to the GSFA.

Advice on good manufacturing practice as regards processing aids

Good manufacturing practice relating to the use of food additives that are subject to the provisions of the GSFA is defined in the Preamble to the General Standard for Food Additives. These principles are based on the Codex Procedural Manual (12th Ed., page 85). We recommend that any new principles for the good manufacturing practices for processing aids be consistent with the Procedural Manual and the Preamble to the GSFA.

Definitions with a clear distinction between processing aids and food additives

The United States believes that the definitions of Food Additive and Processing Aid, as given in the Procedural Manual, adequately describe and define these classes of substances. Processing aids are the subset of all food additives that have no technical effect in the finished food. These definitions make that concept clear. Therefore a change in the definitions is not required to distinguish processing aids from other food additives.

Different acceptable types/classes of processing aids

It is not clear whether the discussion paper envisions a guidance document that classifies processing aids according to technological function, as in the current Inventory of Processing Aids, or a different classification scheme.

A nonrestrictive list of processing aids as presented in Appendix A of the Inventory of Processing Aids

The drafting group concluded, under Option A, that the creation of a list of processing aids would not be a feasible undertaking at this time. The difference between the list proposed in Option C and that proposed in Option A is not clear to us. The drafting group also proposed, under Option C, that such a list be based on Appendix A of the IPA. However, the IPA also contains an Appendix B that lists enzymes that are known to be used as processing aids in the production of food. It appears that the drafting group intends that the list of processing aids in the proposed guidance exclude enzymes from Appendix B of the IPA. The United States does not understand the rationale for excluding enzymes from a list of processing aids.

Information on handling and safety aspects of processing aids including how to remove them from the final foods

The purpose and scope of this section of the proposed guidance is unclear to us.

In the absence of information identifying food safety or trade issues with the current IPA, we do not see the development of a guidance document for processing aids, with an associated list of processing aids to be a priority for the Committee at this time.

The United States notes that in accordance with the proposed amendments to the Rules of Procedure for the Elaboration of Codex Standards and Related Texts it is anticipated that the 54th session of the Codex Executive Committee will begin to exercise a new role in the management of Codex Standards development. The new procedures will require the submission of a project document submitted in a systematic and uniform manner to enable the Executive Committee to fully conduct the critical review of proposals to undertake new work.²

² CX/EXEC 04/53/2, paras. 21-25

Inventory of processing aids

The United States supports maintaining the Inventory of Processing Aids at this time. The Inventory of Processing Aids represents the current knowledge of Codex about the use of processing aids. Such information may from time to time be valuable to member states, or to the Committee, and losing that information does not advance the Codex mission of ensuring consumer protection or promoting fair trade practices. The Inventory of Processing Aids clearly states that it is an advisory text and it is for individual governments to decide what use they wish to make of the inventory. The discussion paper implies that the current Inventory of Processing Aids is being misrepresented by some member countries and International non-governmental organizations as an up-to-date list of all approved processing aids,⁶ but such assertions do not change the status of the substances in the list.

Inclusion of carriers in the GSFA

The United States supports the decision of the 33rd session of the CCFAC to include carriers for other additives in the GSFA, and the recommendations of the drafting group (CX/FAC 02/9) to define the term *Carrier*.⁷ We further believe that such a definition should be included in the Codex INS System (Class Names and the International Numbering System for Food Additives, XOT 04-1999).

The discussion paper states (paragraph 27) that carriers are introduced into the final food only by carryover, and therefore do not exert any technical effect in the final food. Consequently, the paper concludes that it would not be possible to provide the technological justification to include carriers in Table 1 and Table 2 of the GSFA. Further, the drafting group concludes that a definition for carrier

should not be included in the Table of Functional Classes, Definitions and Technological Functions because that table is intended for labeling purposes, and food additives carried over into food at levels less than required to achieve a technological function are not subject to labeling.

The United States disagrees that carriers are introduced into food only by carryover and that they have no technical effect in the final food. Therefore, the United States believes that carriers can be included in Tables 1 & 2 (or Table 3, if appropriate) of the GSFA, that a definition for carrier should be included in the Table of Functional Classes, Definitions and Technological Functions, and that carriers should be subject to labeling requirements.

As noted in the discussion paper, the United States previously proposed a definition for the term *Carrier*,⁸ (CX/01/9), and subsequently amended that definition by replacing the word “stabilize” with “maintain the integrity of” (US comments, CX/FAC 03/10). Our proposed definition, as amended, read as follows:

“A carrier is a substance that is intended to serve as a vehicle for the introduction of, or facilitate the delivery of another food additive into the final food, or to maintain the integrity of another food additive, or to otherwise enhance the other food additive’s intended functional effect in the final food.”

Importantly, by this proposed definition, carriers exert a technical effect in the final food, and are therefore not processing aids. The technical effect they provide is the release or dispersion of another additive *into the final food matrix*. Therefore, substances that are used as carriers are intentionally added to the final food, and their concentration in the final food is determined by the quantity of the additive that it carries. Carriers, as food additives that are not processing aids, would naturally be included in Table 1 and 2 (or in Table 3) of the GSFA. Also, inclusion of the above definition of carrier in the *Table of Functional Classes Definitions and Technological Functions (Class Names and the International Numbering System for Food Additives, XOT 04-1999)* should not present any difficulties.

However, the United States now believes that this definition should be further clarified regarding what is meant by “final food.” The foods referred to in the GSFA, as defined under the categorization system (FCS; latest revision 35th CCFAC, ALINORM 03/12A, Appendix II), are for foods *as marketed* unless otherwise stated (Preamble to the GSFA, Section 5b). Thus, a carrier exerts its technical effect in the final food *as marketed to the consumer*.

For example, in the United States, substances that are generally recognized as safe, or approved for use as food additives in baked goods (e.g. triglycerides) may be used in combination with aspartame to ensure its functionality as a sweetener in finished baked goods. The triglycerides can be used to coat granular aspartame in order to prevent its decomposition until its release during baking. The triglycerides exert their technical effect (maintaining the integrity of aspartame) in the final food that is marketed to the consumer (i.e. the baking mix), not the final food as consumed (i.e. the cake prepared from the mix).

On the other hand, substances that are intended to serve as a vehicle for, or facilitate the delivery of another food additive in a food that is to be further processed before being sold to the consumer are processing aids by definition. They have no technical effect in the final food as marketed to the consumer, and are not included in the GSFA. Processing aids become components of the final food only by carry-over. For example, a substance may be used to

encapsulate a flavor oil in a syrup. That syrup is sold to another manufacturer to be mixed with carbonated water to make soda. The encapsulating substance is present in the soda by carryover from the syrup. The syrup is not marketed to the consumer. Thus, in this example, the encapsulator is a processing aid.

Therefore, we suggest modifying the above definition by adding the phrase “*as sold to the consumer*” such that our proposed definition for “carrier” would now read:

“A carrier is a substance that is intended to serve as a vehicle for the introduction of, or facilitate the delivery of another food additive into the final food as sold to the consumer, or to maintain the integrity of another food additive, or to otherwise enhance the other food additive=s intended functional effect in the final food as sold to the consumer.”

The United States believes that the definition of “carrier” should be included in the *Table of Functional Classes Definitions and Technological Functions* (Class Names and the International Numbering System for Food Additives, XOT 04-1999). Further, the United States does not support the recommendation of the drafting group to list food additives that may be used as carriers in an additional Annex to the GSFA. Carriers, as food additives, may naturally be included as part of Table 1 and 2 in the GSFA without further complicating the GSFA with another Annex.

ASSOCIATION OF MANUFACTURERS OF FERMENTATION ENZYME PRODUCTS (AMFEP):

First of all, Amfep finds it important that there is a clear distinction between processing aids and food additives, as previous CCFAC discussions on this issue revealed that there are different perceptions on how the definitions should be interpreted. Furthermore, Amfep finds it important to keep the inventory of processing aids (IPA) and to have it updated regularly.

Accordingly, solution C seems to be the preferred solution, however in a slightly modified form. We think the following elements are the most relevant to include in the guideline:

- Principles for the use and control of processing aids
- Advice on Good Manufacturing Practices as regards processing aids
- Definitions (with a clear distinction between food additives and processing aids)
- A non-restrictive list of processing aids as presented in the Appendix A of the Inventory of Processing Aids.

A listing of different classes/types of processing aids seems not to be necessary to include in the guideline, as this is already covered in Appendix A of the Inventory of Processing Aids. Nor do we think that a specific section on handling etc would be needed, as this would be a logic part of the GMP section.

In case solution B will be chosen, then it should be in a way that the class of processing aids are listed in a commodity standard, i.e. not the specifically permitted processing aid.

EUROPEAN CHEMICAL INDUSTRY COUNCIL (CEFIC):

The CEFIC Food Regulations Panel as an international association of food additive manufacturers supports the definition of processing aids as presently given in the Procedural Manual. This definition requires any remaining residues be "non-intentional but unavoidable".

The CEFIC Food Regulations Panel does therefore support considerations to develop advice on Good Manufacturing Practice in the use of processing aids but does not see a need for detailed standards for substances meeting the definition..

The CEFIC Food Regulations panel would like to draw attention to the fact that the inventory was developed as a mere listing of substances known to be used as processing aids without further intentions. It is therefore proposed to maintain it as such informative listing.

The CEFIC Food Regulations Panel supports considerations to include carriers for food additives into the GSFA and supports the definition proposed by the UK and proposes substances be listed as carriers which meet this definition.

FEDERATION OF FOOD ADDITIVES AND FOOD ENZYMES INDUSTRIES (ELC):

Options for future considerations of processing aids.

ELC agrees with the drafting group that it is not realistic at this stage to develop a positive list of processing aids because of lack of resources (**option A**).

ELC does not agree with **option B** which proposes to include processing aids in Commodity standards. As pointed out by the drafting group, only a small percentage of foods are regulated by Codex commodity standards and there would be no international guidance for those foods that are not regulated by commodity standards and have a technological need for processing aids.

ELC believes **option C** is the best option of the three. However, ELC proposes that the Codex Guideline on the use of processing aids would only need to cover

- Principles for the use and control of processing aids
- Advice on Good Manufacturing Practice as regards processing aids
- Definitions with a clear distinction between food additives and processing aids

The information mentioned in the remaining bullet points would not be necessary given the first three bullet points.

The existing Inventory of Processing Aids could serve as a non-restrictive list of processing aids as mentioned in bullet point 5. Therefore, ELC does not agree with the recommendation in paragraph 18 which proposes that CCFAC considers withdrawing the IPA. Rather we would like to update the Inventory and point out clearly what its function is (not a positive list) and it should then become part of the Codex guideline.

Recommendations on the inclusion of carriers in the GSFA

ELC agrees with the recommendations of the drafting group that the CCFAC defines the term 'carrier'. The definitions provided by the USA and the UK, which is based on the EU definition of a carrier, would be the preferred definitions. CCFAC should include the agreed definition in the Preamble of the GSFA, as recommended.

CCFAC could provide a specific list of food additives that may be used as carriers (and that comply with the definition of carriers) as an additional Annex in the GSFA.

INTERNATIONAL FEDERATION OF FRUIT JUICE PRODUCERS (IFU):

Our position is to a great extent the result of our experience when establishing the new Codex Standard for Fruit Juices and Nectars. For our organisation it was clear from the very first moment, that this standard should also contain a list of processing aids. When this list was discussed during the Sessions of the ad hoc Intergovernmental Task Force on Fruit and Vegetable Juices it became clear, that the number of processing aids should also be as restricted as possible. Strong discussions about certain substances showed, that some proposed processing aids were not acceptable for part of the members, whereas the other part of the members was interested to add additional substances. The list, which is now included in the standard at step 7, is a compromise of the various opinions.

This experience shows, that it is obvious, that commodity committees can be very interested to establish on their own a list of processing aids and we are therefore in favour of Option B.

Our comment would not be complete if we would not mention the question how new, technologically more efficient processing aids could be added to the list of processing aids in a commodity standard, which has been established by a Task Force with limited time of activity.

INSTITUTE OF FOOD TECHNOLOGISTS (IFT):

The Institute of Food Technologists (IFT) is pleased to have this opportunity to provide comments on CX/FAC 04/36/10, *Discussion Paper on the Consideration of Processing Aids and Carriers*. This document will be considered at the thirty-sixth Session of the Codex Committee on Food Additives (CCFAC), March 22-26, 2004.

IFT is an international scientific society with 27,000 individual members working throughout the food science and technology profession. IFT's mission is to advance the science and technology of food through the exchange of knowledge.

IFT congratulates the Drafting Group for its work on this discussion paper, which provides several options for CCFAC to consider in addressing processing aids and carriers. In view of the large amount of work remaining in completing the General Standard on Food Additives (GSFA), IFT recommends that consideration of processing aids and carriers should not take place until the GSFA is completed.

IFT submits the following specific comments on the recommendations in the Discussion Paper.

Processing Aids

As stated above, IFT believes that any consideration of a definition or a new approach to processing aids should be not take place until the GSFA is completed.

If, however, the Committee decides to proceed with its consideration of processing aids and carriers, IFT supports Option C, as we believe that it is the only feasible option.

The development of a positive list is presented as Option A; however, the Drafting Group states that developing a positive list is not a realistic approach; IFT agrees. Similarly, Option B, which recommends including processing aids in commodity standards, is not a feasible approach. Undertaking such a task would involve an immense amount of resources for an issue that has not been shown to present a risk to human health nor any other problem.

Thus, of the three options, Option C—developing guidelines on the use of processing aids—is the only realistic and feasible approach. Any guidelines that are developed should have a reasonable approach to listing processing aids and be inclusive of all processing aids currently in use when the list is developed.

Inventory of Processing Aids

IFT opposes the recommendation to withdraw the Inventory of Processing Aids. The Inventory is a useful reference for Member Countries and food manufacturers; IFT recommends that the Inventory continue to be maintained and updated.

Inclusion of Carriers in the GSFA

IFT believes that defining the term "carrier" has value. However, further consideration of carriers should not take place until the food additive provisions of the GSFA are completed.

Summary

In summary, IFT recommends that processing aids and carriers should not be considered until the GSFA is completed. IFT believes that completion of the GSFA should remain the priority of CCFAC. IFT recommends that the Inventory of Processing Aids be maintained and updated, as it is a useful reference.

IFT appreciates the opportunity to provide comments on the Discussion Paper on the Consideration of Processing Aids and Carriers.