

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 3

**CX/FAC 04/36/2
February 2004**

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

**Thirty-sixth Session
Rotterdam, The Netherlands, 22 -26 March 2004**

**MATTERS REFERRED/OF INTEREST TO THE COMMITTEE
ARISING FROM THE CODEX ALIMENTARIUS COMMISSION
AND OTHER CODEX COMMITTEES**

The paper is divided in two parts:

Part I relates to matters of interest to the Committee arising from the Codex Alimentarius Commission and other Codex Committees and Task Forces for which the Committee does not need to take any action.

Part II relates to matters referred to the Committee by the Codex Alimentarius Commission and other Codex Committees and Task Forces for action.

PART I**MATTERS OF INTEREST TO THE COMMITTEE ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES****1. CODEX ALIMENTARIUS COMMISSION**

1. Matters of interest to the Committee arising from the 26th Session of the Codex Alimentarius Commission (July 2003) and other Codex Committees and Task Forces are presented hereafter for information.

1.1 General Decisions of the Commission**1.1.1 Amendments to the Procedural Manual¹*****Clarification of Rule VI.4 (Voting and Procedures)***

2. The Commission amended Rule VI.4 on Voting and Procedures to include a reference to Rule X.2 related to the adoption or amendments of Codex standards by consensus.

Membership of Regional Economic Integration Organizations

3. The Commission amended the Rules on Membership to allow regional economic integration organizations to exercise rights of membership within the Codex Alimentarius Commission and its subsidiary bodies under specific conditions.

Measures to Facilitate Consensus

4. The Commission adopted the *Measures to Facilitate Consensus* for inclusion in the Procedural Manual as a general decision of the Commission.

Principles for the Establishment of Methods of Analysis

5. The Commission adopted the amendment to the *General Criteria for the Selection of Methods of Analysis using the Criteria Approach* and the new section addressing *Working Instructions for the Implementation of the Criteria Approach in Codex*.

1.1.2 Joint FAO/WHO Evaluation of the Codex Alimentarius and Other FAO and WHO Work on Food Standards²

6. The Commission took several decisions concerning the implementation of the recommendations of the Evaluation, enacting some immediately and requesting the Codex Committee on General Principles to draft the amendments to the Procedural Manual required implementing others. Some selected decisions are summarized below. Further details on this matter can be found in the report of the 26th Session of the Codex Alimentarius Commission.

General Aspects**Annual meetings of the Commission**

7. The Commission agreed to meet annually for the next two years, but that in future each session would consider the timing for the following session and the general nature of the agenda in order to achieve the appropriate balance between standards issues, general direction of work and policy matters, and taking into account the resources available for adequate participation.

¹ ALINORM 03/41, paras. 15 - 31 and Appendices II and III

² ALINORM 03/41, paras. 149 - 183

Implementation of the Evaluation

8. The Commission decided that the responsibility for following up and monitoring progress in the implementation of the recommendations from the Evaluation Report would be entrusted to the Executive Committee. Twice-yearly sessions of the Committee would be scheduled in order to absorb the additional workload.

Priorities for implementation

9. The Commission decided that the priorities should be:

- Processes for standards management, with due regard to the special needs of developing countries.
- Functions and composition of the Executive Committee, including the participation of observers in the Executive Committee and Executive Committee procedures.
- Review of the Committee structures and mandates (including Regional Committees).
- Review of Rules and Procedures including guidelines for Codex Committees.

10. The Commission concluded that all four priorities were of equal importance, and that the ranking was made on the grounds of speed of potential progress.

Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces, including Regional Committees

11. The Commission decided that all the Committees and Task Forces would be reviewed together bearing in mind the objective of reducing the number of meetings while also keeping them short and focused. The Commission endorsed the recommendation made by the Executive Committee concerning the selection of consultants that would be entrusted with the review³, and stressed the critical importance of transparency in the process.

Improved Processes for Standards Management

Critical review of proposals to undertake work and monitoring progress of standards development

12. The Commission decided to endorse the critical review process, including the preparation of project documents for major standards as well as the closely related proposal to revise the Criteria for the Establishment of Work Priorities in order to ensure the relevance of Codex standards at the international level.

Standards management responsibility

13. The Commission decided that the Executive Committee be the body to undertake the critical review of new work. The Commission did not favour the replacement of the Executive Committee with an Executive Board.

Time-bound decision-making

14. The Commission decided that the body responsible for standards management (i.e. the Executive Committee) should review the status of development of draft standards at the end of a specified time-frame, normally not more than five years, and report its findings to the Commission. The time-frame could be less than five years, where this was appropriate or had been established during the critical review process for new work.

Simplified procedures for standards development

15. The Commission decided to retain the 8-Step process, with the existing mechanisms to accelerate the process when necessary.

³ ALINORM 03/4, para. 23

Use of facilitators and Establishment of electronic and/or physical working groups

16. The Commission agreed in principle to all three proposals but decided that the modalities would require clarification by the body responsible for reviewing the Procedural Manual. With respect to electronic working groups, the Commission noted that these were an avenue for exchanging views and not for decision making. Physical working groups should be ad hoc, open to all members, take account the problems of developing country participation and only be established where there is consensus in the Committee to do so and other strategies have been considered.

Adoption of Standards

17. The Commission decided that adoption of standards with a limited amendment should be allowed, provided that the draft standard had been forwarded to the Commission on the basis of consensus, based on the recommendation of the Executive Committee.

Review of the Rules of Procedure and Other Procedural MattersResponsibility for the Procedural Review

18. The Commission decided that the procedural review would be undertaken by the Codex Committee on General Principles, at special sessions and under a limited time-frame. The Commission agreed that the Committee would need clear instructions, terms of reference from the Commission and support from the Codex Secretariat.

Amendment of the Codex Mandate

19. The Commission decided that the current Codex Mandate as expressed in Article 1 of the Statutes of the Commission, should be retained but that it might be discussed in the future.

Criteria for the establishment of work priorities

20. The Commission requested the Codex Committee on General Principles to redraft the *Criteria for Work Priorities* to reflect the current priorities of the Commission and in a manner that would provide explicit judgment tools for assessing work proposals against priorities.

1.1.3 FAO/WHO Trust Fund for participation of Developing Countries in Codex Standard Setting Procedures⁴

21. The Commission welcomed the progress made on the FAO/WHO Trust Fund for Participation of Developing Countries in Codex Standard Setting Procedures and expressed the hope that it would achieve the desirable threshold before the end of 2003, so that it would be operational by the time of the next Session of the Commission. Further details on this matter can be found in the report of the 26th Session of the Codex Alimentarius Commission.

1.2 Decisions of the Commission concerning the work of the Committee (for information)**1.2.1 Draft Standards and Related Texts adopted as Final Texts at Step 8⁵**

22. The Commission adopted at Step 8 the following draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 34th and 35th sessions:

- *Draft revisions to Table 1 of the Codex General Standard for Food Additives*
- *Draft revisions to the Annex to Table 3 of the Codex General Standard for Food Additives*
- *Draft revisions to the International Numbering System (INS) for Food Additives*
- *Draft Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals, including Annexes on Ochratoxin A, Zearalenone, Fumonisin and Tricothecenes*

⁴ ALINORM 03/41, paras. 184 - 189

⁵ ALINORM 03/41, paras. 43 - 44 and 48 - 50, Appendix V-Part 1

23. The following paragraphs provide additional information concerning the discussions that took place on certain items or contain additional decisions taken by the Commission in regard to the adoption of the following texts:

- ***Draft Code of Practice on the Prevention and Reduction of Patulin Contamination in Apple Juice and Apple Juice Ingredients in Other Beverages***
- ***Draft Maximum Levels for Patulin in Apple Juice and Apple Juice Ingredients in Other Beverages***

24. The Commission noted that the Codex Committee on Food Additives and Contaminants had discussed the development of the proposed maximum level of 50 µg/kg of patulin with a view to establishing a lower level of 25 µg/kg in the future based on the application of the Code of Practice which was aimed at achieving lower patulin levels. The Commission supported the decision of the Committee to continue to collect data on the levels of patulin in apple juice and apple juice ingredients for other beverages with the aim of reconsidering a possible reduction of the maximum level once the code of practice had been implemented (after four years).

25. The Commission adopted the two texts on patulin at Step 8 as proposed by the Codex Committee on Food Additives and Contaminants.

- ***General Standard for Irradiated Foods: Draft Revision***

26. The Delegation of Germany expressed its objection to the absence of a maximum limit of 10 kGy and stressed the need for further research on the health effects of radiolytic products especially those formed following the irradiation of fatty foods.

27. In contrast, the Delegation of the United States of America stated that doses of up to 30 kGy were necessary in some cases such as to kill micro-organisms on spices, and that the revised standard provided adequate controls to limit higher-dose irradiation to cases where it was needed and where it would not affect either wholesomeness or safety of the food. Many delegations spoke in support of the General Standard.

28. The Commission adopted the revised standard at Step 8 as proposed by the Codex Committee on Food Additives and Contaminants. The Delegations of Austria, Denmark, Germany, Greece, Hungary, Italy, Mexico, Poland, Spain and Sudan expressed their reservations to this decision.

1.2.2 Proposed draft Standards and Related Texts adopted as final texts at Step 5/8 with Recommendation to omit steps 6 and 7⁶

29. The Commission adopted at Step 5/8 with the omission of Steps 6 and 7 the following proposed draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 34th and 35th sessions:

- ***Proposed draft revisions to Table 1 of the Codex General Standard for Food Additives***
- ***Specification for the Identity and Purity of Food Additives arising from the 57th and 59th Meetings of the Joint FAO/WHO Expert Committee on Food Additives***
- ***Proposed draft revisions to the International Numbering System (INS) for Food Additives***
- ***Proposed draft revised Recommended International Code of Practice for Radiation Processing of Food***

1.2.3 Draft Standards and Related Texts adopted as final texts at Step 5 of the Accelerated Procedure⁷

30. The Commission adopted at Step 5 of the Accelerated Procedure the ***draft revisions to the International Numbering System (INS) for Food Additives*** as proposed by Codex Committee on Food Additives and Contaminants at its 34th Session.

⁶ ALINORM 03/41, Appendix V-Part 2

⁷ ALINORM 03/41, Appendix V-Part 3

1.2.4 Proposed draft Standards and Related Texts adopted at Step 5⁸

31. The Commission adopted at Step 5 and advanced to Step 6 the following proposed draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 35th session except the proposed draft Maximum Levels for Cadmium in Various Commodities (see paras. 61 - 63).

- *Proposed draft Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts*
- *Proposed draft Code of Practice for the Prevention and Reduction of Lead Contamination in Foods*

1.2.5 Proposals to elaborate new standards and related texts⁹

32. The Commission approved proposals for new work on the following standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 35th session:

- *Proposed draft Maximum Levels for Aflatoxin in Tree Nuts (almonds, hazelnuts and pistachios)*
- *Proposed draft Maximum Levels for Deoxynivalenol*
- *Proposed draft Code of Practice for the Prevention and Reduction of Tin Contamination in Foods*
- *Proposed draft revised Guideline Levels for Radionuclides in Foods Following Accidental Nuclear Contamination for Use in International Trade (CAC/GL 5-1989), including Guideline Levels for Radionuclides for Long-Term Use*
- *Proposed draft revised Preamble of the Codex General Standard for Food Additives*

33. The following paragraphs provide additional information concerning the discussion that took place on the proposal to develop a *proposed draft Code of Practice for the Safe Use of Active Chlorine*:

34. The Delegation of the United States expressed the view that the work on the development of a Code of Practice for the safe use of active chlorine by the Codex Committee on Food Additives and Contaminants should take into account the public health benefit of the use of active chlorine as means of controlling of pathogens. It was noted that risk assessment on the use of chlorine compounds and/or its reaction by-products should be performed jointly by JECFA and JEMRA or alternatively by a joint FAO/WHO expert consultation and that there would also be a need for expert advice concerning the use of chlorine for food hygiene purposes. The Commission agreed to commence the new work with the understanding that recommendations on the safe use of active chlorine would require close collaboration with other Codex committees such as the Codex Committee on Food Hygiene.

35. The Commission approved the elaboration of a *proposed draft Code of Practice for the Safe Use of Active Chlorine* as new work for the Committee.

1.2.6 Maximum Level for Lead in Milk¹⁰

36. The Commission adopted the recommendation of the Codex Committee on Food Additives and Contaminants to revise the footnote to the maximum level for lead in milk to read “*a concentration factor applies to partially or wholly dehydrated milk*”.

⁸ ALINORM 03/41, para. 122 and Appendix VI

⁹ ALINORM 03/41, para. 139 and Appendix VIII

¹⁰ ALINORM 03/41 para. 198

1.2.7 Risk Analysis Policies of the Codex Alimentarius Commission: Draft Working Principles For Risk Analysis For Application In The Framework Of The Codex Alimentarius – Arabic Gum¹¹

37. The Commission adopted the draft Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius and the Definitions related to risk analysis at Step 8. In this connection, the Delegation of Sudan, supported by the Delegation of Nigeria, indicated that the current provisions for Gum Arabic should be revised in the light of the Working Principles. The Commission noted that Gum Arabic was not currently under discussion in the Commission or Codex Committees and noted that the Delegation of Sudan could raise this issue in the Codex Committee on Food Additives and Contaminants and propose a revision of the evaluation of Gum Arabic in the light of new data.

1.2.8 *Ad Hoc* Codex Intergovernmental Task Force on Animal Feeding¹²

38. The Commission **adopted** the proposed draft Code on Good Animal Feeding at Step 5 and advanced the text to Step 8 (with the omission of Steps 6 and 7), with the exception of the definition of “*feed additive*” and paragraphs 11, 12 and 13 that were advanced to Step 6 only for further consideration by an additional session of the *ad hoc* Codex Intergovernmental Task Force on Animal Feeding. The Commission agreed that the Task Force would not consider any other issues. The text that had been advanced to Step 8 **was held** at that Step by the Commission pending finalization of the outstanding issues.

1.2.9 *Ad Hoc* Codex Intergovernmental Task Force on Fruit and Vegetable Juices¹³

Proposed Draft Codex General Standard for Fruit Juices and Nectars

39. The Delegation of New Zealand requested the inclusion of sodium and potassium caseinates in the list of processing aids. The Commission noted that those sections of the Standard subject to endorsement (food additives/processing aids, food labelling and methods of analysis and sampling) were still to be endorsed by the relevant Codex committees. Some delegations pointed out that the endorsement process should take account of the decisions agreed upon by the Task Force as amendments to these sections might generate additional discussions on matters already compromised. The Commission also noted that the endorsement process allowed the relevant Committees to introduce amendments if appropriate and that this exercise was done in consultation with the concerned commodity committee/task force when necessary. The Commission **decided** to adopt the main text of the proposed draft Codex General Standard for Fruit Juices and Nectars at Step 5 and advance it to Step 7 for further consideration by the Task Force without the need for obtaining further comments

40. The endorsement of maximum levels for additives and processing aids in the draft Codex General Standard for Fruit Juices and Nectars will be considered under Agenda Item 6 - Endorsement and/or revision of maximum levels for food additives and processing aids in Codex Standards.

1.2.10 Codex Committee on Methods of Analysis and Sampling¹⁴

General Methods of Analysis for the Detection of Irradiated Foods

41. The Commission adopted the methods as proposed by the Codex Committee on Methods of Analysis and Sampling.

General Methods for Additives and Contaminants

42. The Commission adopted the methods as endorsed by the Codex Committee on Methods of Analysis and Sampling.

¹¹ ALINORM 03/41, para. 148

¹² ALINORM 03/41, paras. 40 – 41

¹³ ALINORM 03/41, paras. 86 - 89

¹⁴ ALINORM 03/41, paras. 92 - 93

1.2.11 Codex Committee on Milk and Milk Products

*Draft Revised Standard for Whey Powders*¹⁵

43. The Commission noted that the 34th Session of the Codex Committee on Food Additives and Contaminants had not endorsed the provision of benzoyl peroxide as its proposed use in the standard was scheduled for JECFA evaluation in 2004. In recognizing the historical importance of the use of this substance in whey powders, the Commission agreed to include the following footnote in Section 4 - Food Additives: “*Benzoyl peroxide will be included in the standard subject to satisfactory evaluation by JECFA in 2004.*”

44. The Commission adopted the draft revised standard for Whey Powders at Step 8 as proposed by the Codex Committee on Milk and Milk Products with the above footnote and a few editorial changes, especially in the Spanish version.

*Proposed Draft Amendment to the Codex General Standard for Cheese: Appendix*¹⁶

45. Recognizing that the presence of wheat gluten and wheat protein products in cheese coatings can adversely affect the health of celiac patients, the Commission agreed to add a reference to the Codex Standard for Wheat Protein Products including Wheat Gluten in relation to the ingredients of cheese coatings. For this purpose the Commission added the following footnote to the first bullet point of Section “Cheese coating”: “*Wheat gluten or wheat protein products should not be used for technological reasons e.g. coating or processing aids for foods which are gluten-free by nature - Codex Standard for Wheat Protein Products including Wheat Gluten (CODEX STAN 163-1987, Rev. 1-2001).*”

46. The Commission adopted the proposed draft Amendment to the Codex General Standard for Cheese: Appendix at Steps 5 and 8, with the omission of Step 6 and 7, with the above addition.

2. OTHER CODEX COMMITTEES AND TASK FORCES

2.1 Codex Committee on Fish and Fishery Products

Draft Standard for Dried Salted Anchovies

47. The 25th Session of the Codex Committee on Fish and Fishery Products (June 2002) included a section on additives, in conformity with the format of Codex standards, and agreed that *no additives should be allowed in the products covered by these standards*¹⁷. The 26th Session of the Codex Alimentarius Commission adopted the draft Standard for Dried Salted Anchovies at Step 8 as proposed by the Codex Committee on Fish and Fishery Products¹⁸.

¹⁵ ALINORM 03/41, paras. 99 - 100

¹⁶ ALINORM 03/41, paras. 101 - 102

¹⁷ ALINORM 03/18, para. 16 and Appendix III

¹⁸ ALINORM 03/41, para. 54

PART II**MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES**

48. Matters referred to the Committee by the 26th Session of the Codex Alimentarius Commission (July 2003) and other Codex Committees and Task Forces are presented hereafter for action.

1. CODEX ALIMENTARIUS COMMISSION**1.1 General Decisions of the Commission****1.1.1 Risk Analysis¹⁹**

49. The Commission adopted the *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius* and the definitions related to risk analysis.

50. The Commission **requested** that relevant Codex Committees develop or complete specific guidelines on risk analysis in their respective areas, for inclusion in the Procedural Manual, as recommended in the Action plan adopted by the 22nd session of the Commission. The Commission noted that these texts would be submitted to the Codex Committee on General principles in order to ensure coordination of work and consistency with overarching Working Principles.

51. This subject will be considered under Agenda Item 5 - draft Risk Analysis Principles applied by the Codex Committee on Food Additives and Contaminants.

1.2 Decisions of the Commission concerning the work of the Committee (for action)**1.2.1 Draft Standards and Related Texts proposed for adoption as Final Texts at Step 8²⁰*****Draft Maximum Levels for Ochratoxin A in Raw Wheat, Barley and Rye and Derived Products***

52. The Delegation of India drew the attention of the Commission to the evaluation of the 56th Session of JECFA, which had concluded that the difference in health risk between the proposed maximum level of 5 µg/kg and a limit of 20 µg/kg was negligible and that a maximum level of 20 µg/kg could be adequate in terms of public health and safety. The Delegation, supported by many delegations, stated that the proposed maximum level was too low and should be returned to the Codex Committee on Food Additives and Contaminants for further consideration.

53. The Delegation of Greece speaking on behalf of the member countries of the European Union, and supported by other delegations, stated that the level of 5 µg/kg, as proposed, was consistent with the ALARA principle and should be adopted for Raw Wheat, Barley and Rye but not to derived products, which were of little or no importance in international trade.

54. The Commission concluded that there was a lack of consensus on the adoption of the standard both regarding the appropriate maximum level and the inclusion, or exclusion, of the reference to derived products. **The Commission returned the draft maximum levels to Step 6 for further work by the Committee.**

55. This subject will be considered under Agenda Item 14(b) - draft maximum levels of ochratoxin A in raw wheat, barley and rye and derived products.

¹⁹ ALINORM 03/41, paras. 146 - 147 and Appendix IV

²⁰ ALINORM 03/41, paras. 45 - 47

1.2.2 Proposed draft Standards and Related Texts adopted at Step 5²¹

Proposed draft Risk Analysis Principles applied by the Codex Committee on Food Additives and Contaminants

56. The Commission adopted the proposed draft Risk Analysis Principles as proposed by the Codex Committee on Food Additives and Contaminants. When considering this matter, the Committee is invited to give due consideration to the request of the Codex Alimentarius Commission as indicated in para. 50 above.

Proposed draft Food Category System of the Codex General Standard for Food Additives

57. The Commission noted that technical comments from Greece, regarding the description of ouzo in the proposed draft Category Descriptor for Food Category 14.2.6 Distilled Spirituous Beverages Containing More Than 15% Alcohol, **should be submitted to the Codex Committee on Food Additives and Contaminants for consideration at its next meeting**. In taking this decision, the Commission adopted the *proposed draft Food Category System of the Codex General Standard for Food Additives* at Step 5 as proposed by the Committee.

58. This subject will be considered under Agenda Item 7(c) - draft Food Category System of the Codex General Standard for Food Additives.

Proposed draft CCFAC Policy for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups

59. The Commission noted the expectation of the Codex Committee on Food Additives and Contaminants, expressed in the report of the 35th Session that the text “would eventually be included in the Codex Alimentarius Commission Procedural Manual as advice to Codex Committees and as an Annex to the General Standard for Contaminants and Toxins in Foods”. The Commission noted that the text could not be included in both documents and **advised the Committee to clarify whether the text was intended to be included either in the Procedural Manual, for the advice of the Commission, or in the standard, for the advice of member countries** (and by implication the Commission). The Commission adopted the *proposed draft Principles for Exposure Assessment of Contaminants and Toxins in Foods* at Step 5 as proposed by the Committee.

60. This subject will be considered under Agenda Item 13(c) - draft CCFAC Policy for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups.

Maximum Levels for Cadmium in various Commodities

61. The Delegation of Japan expressed its opinion that the proposed draft maximum levels (ML) for cadmium, which had been recommended by the 35th Session of the Codex Committee on Food Additives and Contaminants, had not been fully based on exposure assessment and risk assessment. Japan advised the Commission that it had submitted data on cadmium for consideration at the 61st meeting of JECFA, which was held in June 2003. The Delegation of Japan proposed that the Commission return the MLs to the Committee at Step 3 to enable consideration of these MLs together with the MLs currently at Step 3, taking into consideration the 61st JECFA’s risk assessment and to request the Committee to clarify to what food commodities each ML applies. The Delegation of Mexico asked that the review also take into account MLs for mollusc flesh.

62. The Commission returned the proposed draft maximum levels for cadmium to Step 3 and **asked the Codex Committee on Food Additives and Contaminants to accelerate its work to move revised draft maximum levels to Step 8 as soon as practicable**.

63. This subject will be considered under Agenda Item 15(e) - proposed draft maximum levels for Cadmium.

²¹ ALINORM 03/41, paras. 123 – 126 and Appendix VI

1.2.3 Codex Committee on Cocoa Products and Chocolate²²

Draft Standard for Chocolate and Chocolate Products

64. The Commission noted that **carnauba wax had been proposed as a food additive at the level of 500 mg/kg instead of GMP, and decided to refer this proposal to the Codex Committee on Food Additives and Contaminants for consideration.**

65. This subject will be considered under Agenda Item 6 - Endorsement and/or revision of maximum levels for food additives and processing aids in Codex Standards.

1.2.4 Codex Committee on Cereals, Pulses and Legumes²³

Proposed Draft Standard for Instant Noodles

66. The Commission recalled that this standard had been proposed by the Regional Coordinating Committee for Asia, and that based on the decision of the 47th Session of the Executive Committee²⁴ the completion of the Standard would be undertaken by the Codex Committee on Cereals, Pulses and Legumes by correspondence. The Coordinating Committee for Asia decided to forward the Proposed Draft Standard for Instant Noodles to Step 5, however, member countries could not achieve consensus, especially on the inclusion of “Peroxide Value” proposed by Japan.

67. The Delegation of Japan stressed the importance of the inclusion of Peroxide Value for the purpose of quality control and protection of consumer health and requested consideration of peroxide value by the Codex Committee on Food Additives and Contaminants and JECFA before the standard could be advanced to Step 8. The delegation also announced that Japan had started a new study of peroxide value and the results would be publicized by the end of March 2004. The Delegation of Indonesia strongly supported the adoption at Step 5 and proposed additional technical comments including the list of food additives. The Delegation of France, while supporting the draft proposed standard, raised its concern over the issue raised by Japan on peroxide value.

68. The Commission adopted the Proposed Draft Standard for Instant Noodles at Step 5 and forwarded it to the Codex Committee on Cereals, Pulses and Legumes for further consideration by correspondence including technical comments submitted by Indonesia. **The Commission also asked the Codex Committee on Food Additives and Contaminants to consider “peroxide value”.**

69. This subject will be considered under Agenda Item 17 - Priority List of Food Additives, Contaminants and Naturally Occurring Toxicants Proposed for Evaluation by JECFA.

2. OTHER CODEX COMMITTEES AND TASK FORCES

2.1 Codex Committee on Fish and Fishery Products

Draft Standard for Salted Atlantic Herring and Salted Sprats

70. The question below had been put forward to the Codex Committee on Food Additives and Contaminants by the 24th Session of the Codex Committee on Fish and Fishery Products (June 2000). However, the 33rd Session of the Codex Committee on Food Additives and Contaminants (March 2001) did not provide any guidance on the matter questioned by CCFFP. This matter is brought to the attention of the Committee again as the above product belongs a food category identified in the GSFA as “09.2.5 smoked, dried, fermented, and/or salted fish, including molluscs, crustaceans and echinoderms” which allows the use of certain food additives that are not permitted in this particular product (i.e. INS 143 Fast Green and INS 310 Propyl Gallate 100 mg/kg respectively). **The Codex Committee on Food Additives and Contaminants is therefore invited to provide comments on this matter for consideration by the Codex Committee on Fish and Fishery Products when developing/finalizing Codex standards for these products.**

²² ALINORM 03/41, para. 42

²³ ALINORM 03/41, paras. 119 - 121

²⁴ ALINORM 01/3, Appendix III

24th Session of the Codex Committee on Fish and Fishery Products

71. When discussing the *proposed draft Standard for Salted Atlantic Herring and Salted Sprats*, the 24th Session of the Codex Committee on Fish and Fishery Products (June 2000) noted that since several colours might be ultimately included in the GSFA for use in different fishery products, this question would require further consideration. The Committee recalled that the GSFA established additive levels on the basis of food categories which included several types of foods, as in the case of salted fish. **The Committee agreed to ask the advice of the Codex Committee on Food Additives and Contaminants to address the situation where an additive allowed in a food category of the General Standard with a maximum level was not allowed in a particular product within that category**²⁵.

72. This subject will be considered under Agenda Item 7(d) - proposed draft and draft Revisions to Table 1 of the Codex General Standard for Food Additives.

25th Session of the Codex Committee on Fish and Fishery Products

73. The 25th Session of the Codex Committee on Fish and Fishery Products (June 2002) noted that **INS 143 Fast Green FCF** was already included in the Codex General Standard for Food Additives (GSFA) in food category 9.2.5 “Smoked, dried, fermented, and/or salted fish and fish products, including molluscs, crustaceans, and echinoderms” but **agreed to delete this additive from the present draft Standard as it was not used in salted Atlantic herring and salted sprats**²⁶.

74. This subject will be considered under Agenda Item 7(d) - proposed draft and draft Revisions to Table 1 of the Codex General Standard for Food Additives.

26th Session of the Codex Committee on Fish and Fishery Products

75. The 26th Session of the Codex Committee on Fish and Fishery Products (October 2003) noted that the Codex General Standard for Food Additives included a level for **INS 310 propyl gallate** in category 9.2.5 “Smoked, dried, fermented, and/or salted fish and fish products, including molluscs, crustaceans, and echinoderms” but **agreed to delete this additive from the present list as its use was not technologically justified in salted Atlantic herring and salted sprats**. It was noted that this would affect some of the products covered by the food category concerned in the GSFA. **As the additives section had already been endorsed, the Committee agreed to forward this amendment to the Codex Committee on Food Additives and Contaminants for endorsement**²⁷.

76. This subject will be considered under Agenda Items 6 and 7(d) - Endorsement and/or revision of maximum levels for food additives and processing aids in Codex Standards and Proposed draft and draft Revisions to Table 1 of the Codex General Standard for Food Additives respectively.

2.2 Ad Hoc Codex Intergovernmental Task Force on Fruit and Vegetable Juices**Draft General Standard for Fruit Juices and Nectars*****Polydimethylsiloxane***

77. The 4th Session of the Ad Hoc Codex Intergovernmental Task Force on Fruit and Vegetable Juices (May 2003) noted that polydimethylsiloxane was listed as an antifoaming agent at 10 mg/kg for fruit and vegetable juices in the Codex General Standard for Food Additives and also as an antifoaming agent in the Inventory List for Processing Aids of the Codex Alimentarius. Several delegations were of the opinion that polydimethylsiloxane should be treated as a processing aid for the purposes of this Standard as the residues in these foods were below the amount that could have a technological effect in the final product. In view of this, **the Task Force agreed to request the Codex Committee on Food Additives and Contaminants to withdraw polydimethylsiloxane from the GSFA and to consider it as a processing aid for the products covered by this Standard**. The Delegation of Greece, speaking on behalf of the Member States of the European Union present at the Session, expressed its reservation on this decision²⁸.

²⁵ ALINORM 01/18, para. 118

²⁶ ALINORM 03/18, para. 32

²⁷ ALINORM 04/18, para. 42

²⁸ ALINORM 03/39A, para. 35 and Appendix II

78. This subject will be considered under Agenda Item 7(d) - proposed draft and draft Revisions to Table 1 of the Codex General Standard for Food Additives.

2.3 Codex Committee on Nutrition and Foods for Special Dietary Uses

79. When considering the additives section in the texts below, the 25th Session of the Codex Committee on Nutrition and Foods for Special Dietary Uses (November 2003) agreed to request the advice of Codex Committee on Food Additives and Contaminants as follows:

Proposed draft revised Standard for Infant Formula

Section 4. Food Additives

80. Some delegations questioned the exception to the carry-over principle for infant formula as it was not consistent with the Codex General Standard for Food Additives and the Committee **agreed to ask the Codex Committee on Food Additives and Contaminants whether the carry-over principle should apply to additives in infant formula.**

81. This subject will be considered under Agenda Item 6 - Endorsement and/or revision of maximum levels for food additives and processing aids in Codex Standards.

82. The Committee **agreed to ask the Codex Committee on Food Additives and Contaminants whether the establishment of functional classes that were not covered currently was required, especially enzymes and propelling gas.** The Committee also noted that there were some inconsistencies between the names of functional classes of additives used in different Codex texts and recalled that this question was under consideration in Codex and JECFA.

83. This subject will be considered under Agenda Item 11 – International Numbering System (INS) for Food Additives.

84. The Committee also noted that ADI does not apply to infants under 12 weeks of age because toxicity tests used to derive ADIs do not cover that phase of life, and **agreed to request that the Codex Committee on Food Additives and Contaminants refer the use of ADIs for food additives used in foods for infants under than 12 weeks of age to JECFA for re-examination,** as proposed by the Delegation of Canada.

85. This subject will be considered under Agenda Item 17 - Priority List of Food Additives, Contaminants and Naturally Occurring Toxicants Proposed for Evaluation by JECFA.

86. The Committee agreed to retain the whole section in square brackets pending clarification of the above issues and to circulate it for comments and consideration at the next session²⁹.

Proposed draft Advisory List(s) of Mineral Salts and Vitamin Compounds for the use in foods for infants and children (CAC/GL 10-1979)

87. The Committee noted that it had no mandate to elaborate the proposed advisory list of food additives for special vitamin forms and therefore decided to take it out from the document, however it was indicated that in the case of deletion there was a necessity to ensure that additives necessary for production of proposed compounds would be considered in the Codex General Standard for Food Additives. The Committee therefore agreed with the proposal of the Delegation of the United States **to ask the Codex Committee on Food Additives and Contaminants to consider the establishment of a new class of additives for “nutrient carriers”.** The Delegation of Canada proposed that these additives may need to be retained in the list as there was no carry-over allowed.

88. The Committee requested the Delegation of Germany to revise the list on the basis of written comments and comments at the current session. The revised list would then be circulated at Step 3 for comments and consideration at the next session of the Committee³⁰.

89. This subject will be considered under Agenda Item 11 – International Numbering System (INS) for Food Additives.

²⁹ ALINORM 04/26, paras. 88 – 93 and Appendix V

³⁰ ALINORM 04/26, paras. 131 – 137