

# codex alimentarius commission



FOOD AND AGRICULTURE  
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Agenda Item 9

CX/FFP 05/27/10

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS

### Twenty-seventh Session

Cape Town, South Africa, 28 February – 4 March 2005

### PROPOSED DRAFT STANDARD FOR STURGEON CAVIAR GOVERNMENT COMMENTS AT STEP 3 (Canada, United States)

#### CANADA

##### General Comments:

1. Canada appreciates the work of the Russian Federation on this proposed draft standard. We note, however, that several sections of this proposed draft standard deviate from the existing Codex fish and fishery products standards and recommend that amendments should be made.
2. Canada notes that this standard made several references to a development of a “*Code of Practice for Sturgeon Caviar*.” Canada would like to support the proposal to include a specific section for the processing of caviar in the Code of Practice for Fish and Fishery Products. We are of the view that the application of the General Principle of Food Hygiene and especially HACCP is essential in producing a safe caviar product. It is therefore imperative for the CCFFP to have a Code that would address food safety issues specific to caviar. Canada further suggests that the standard and the Code for caviar should be developed in parallel to facilitate discussions on matters of principle.

##### Specific Comments:

#### Title and Scope

3. Regarding the use of the descriptive term “*granular*” in the standard, Canada notes that the terms “*granular caviar*” and “*caviar*” were used interchangeably throughout this standard. For consistency and to avoid confusion, Canada suggests strictly using the term “*caviar*”. Canada understands that for the purposes of this standard, “*granular caviar*” needs to be clearly distinguished from caviar that is encased in the connective tissue of the ovary. To retain this important distinction, Canada recommends the following amendments:
4. **Scope section** - add a new sentence at the end as follows: “**This standard does not cover caviar with the connective tissue of the ovary attached.**”
5. Title and all sections - delete the term “*granular*”

#### Section 2 - Description

##### Section 2.1 - Definition & Section 2.2 - Product Definition

6. Canada recognizes that definitions of key words are helpful. However, terms and their definitions are currently included in the Code of Practice for Fish and Fishery Products. We also note that some terms do not appear in the Standard (i.e. *secondary package*). With respect to the description of “*granular caviar*”, Canada notes that there is some duplication with Section 2.2 Product Definition and Section 2.3 Process Definition. Canada therefore recommends that, with exception of the term “*fish eggs*”, Section 2.1 - Definition should be deleted and is more appropriately discussed in the Code of Practice.

7. **2.1.1** With respect to the description of “*fish eggs*” that was discussed at the 26<sup>th</sup> Session of the CCFFP, Canada recommends appending it as a new sentence at the end of the product definition in Section 2.2 Product Definition. A suggested wording for **Section 2.2 - Product Definition** could be as follows:

**“The product is prepared from fish eggs of sturgeon fishes belonging to the Acipenseridae family (four genus Acipenser, Huso, Pseudoscaphirhynchus and Scaphirhynchus and hybrids of these species). Fish eggs are obtained from ovules separated from the connective tissue of ovary.”**

#### **Section 2.4 - Handling Practices**

8. Canada recommends that this section be deleted as hygienic provisions would be more appropriately addressed in the Code of Practice for Fish and Fishery Products. The Code, which includes the application of Hazard Analysis and Critical Control Point (HACCP) and Defect Action Point (DAP), should adequately address hygienic handling practices and quality preservation for this product.

### **Section 3 - Essential Composition and Quality Factors**

#### **Section 3.3.1 and Table 1**

9. Canada questions the need for this section and offers the following suggestions to deal with the indices presented in Table 1:
10. With respect to the “*salt*”: Canada recommends that the issue of salt should be discussed and addressed in Section 2.3.1 - Process Definition.
11. With respect to the “*colour*” and “*appearance*”: Canada notes that the approach taken to establish and include the criteria: colour and appearance in this standard deviates from the existing Codex Fish and Fishery Products Standards. Canada recalls that requirements related to commercial defects were optional in the Standard but to retain their usefulness, they were incorporated as an Appendix in the Code of Practice for Fish and Fishery Products. Canada supports this approach for these two indices.
12. With respect to “*taste and odour*”, “*consistency and state*” and “*foreign admixtures*”, there appears to be duplication with these provisions in Section 9 - Definition of Defects. Canada prefers the description of the defectives provisions in Section 9 - Definition of Defects and therefore recommends that these three indices be deleted from the table.

If agreed, consideration should be given to delete Section 3.3.1 and Table 1.

### **Section 7 - Labelling**

#### **Section 7.1**

13. 2<sup>nd</sup> paragraph, last sentence: With respect to the clause, “*The information on the salient feature (characteristic) of caviar (granular) may be placed in the immediate vicinity of the product name*”, Canada notes that this wording deviates from some existing Codex fish standards. For consistency, Canada recommends deleting the sentence: “*The information on the salient feature . . . the product name*” and appending a new paragraph containing the adopted Codex text. Canada notes that the wording used in some existing Codex fish standards is: “**There shall appear on the label reference to the form of presentation in close proximity to the name of the food in such additional words or phrases that will avoid misleading or confusing the consumer.**”

A consequential change would be to add a new section regarding “**Presentation**” in the Section 2 - Description to elaborate on the characteristics and presentation of the product covered in the standard. Canada is of view that these changes will fundamentally promote the principle that descriptive labelling information must not be misleading to consumers and that consistency with existing Code Fish standards should be maintained. A suggested wording is as following:

#### **“PRESENTATION**

**Any presentation of the product shall be permitted provided that it:**

- (i) meets all requirements of this standard; and**
- (ii) is adequately described on the label to avoid confusing or misleading the consumer;**

(iii) contain only one biological fish species.”

## Section 7.2

14. **2<sup>nd</sup> paragraph:** With respect to the clause, “*The package shall bear clear instructions for the regime and time of keeping the product including the following information: . . . the storage time should be calculated as from the date of making, and the marking should include the “storage time”, and a reference to the place of the label where the date of making is shown,*” Canada notes that in some countries, the “best before date” is regulated differently and that the application of the best before date does not apply categorically for all pre-packaged foods. We propose that this practice should be recognized in this standard and suggest that the clause “as appropriate” be appended to any references made to the “*time of keeping*” (best before date). The 2 bullets in paragraph two should be deleted.
15. **3<sup>rd</sup> paragraph:** With respect to the clause, “*The information on the salt share index, eg. malossol, should be shown in the label when the weight share of salt in the product shown is less than 3.5%,*” Canada seeks clarification on the intent of this requirement. Additionally, we question the value of this information to consumers and therefore recommends that this clause should be deleted.
16. **4<sup>th</sup> paragraph:** With respect to the provision, “*It is allowed to show the information on the container of granular caviar at one or several places, suitably legibly, as well as to use the background on the labels, or on lithographed containers, according to the species of raw material, as follows: blue for beluga and kaluga, yellow for sturgeon, red for sevruga, green for starlet in accordance with the information in Annex C,*” Canada notes that this information is unnecessarily prescriptive and questions the value of this information to consumers. We are of the opinion that Codex should avoid developing overly prescriptive standards that become difficult for member countries to adopt. Canada therefore recommend that this clause should be deleted.

## Section 8 - Sampling, Examination and Analysis

### Section 8.1 - Sampling

17. **Section 8.1.1, 2<sup>nd</sup> paragraph:** With regards to the clause “*A lot of granular caviar shall mean a volume of product prepared in accordance with Section 2.1.5.*”, Canada notes that the Codex Committee on Methods of Analysis and Sampling (CCMAS) is elaborating the “Proposed Draft General Guidelines on Sampling” (Alinorm 03/23, Appendix IV) - at Step 5 which contains a definition of the term “*lot*”. Since Codex is in the process of developing a definition of “*lot*” for the purposes of sampling, Canada recommends deleting this 2<sup>nd</sup> paragraph. To ensure consistency with CCMAS, Canada suggests adding a reference to the “Proposed Draft General Guidelines on Sampling” in this section.

### Section 8.2.1 - Sensory and Physical/Chemical Examination

18. Regarding the title and the provision, Canada noted the following inconsistencies with existing Codex Fish Standards:
19. The inclusion of chemical examination in this section is unusual since this section has been traditionally reserved for the examination of product defects (i.e. extraneous material, sensory attributes, etc);
20. With respect to the clause, “. . . shall be assessed by **experts** trained in such examination. . .,” Canada notes that the “expert” status differs from existing Codex fish standards that presently only stipulate that any **person** trained in sensory and physical examinations can conduct such examinations. We suggest use of the term “person” instead of “experts”. Canada is of the view that only allowing experts to perform sensory and physical analysis on caviar is restrictive. Recognition of an analyst to be an “*expert*” for the purposes of regulatory enforcement would require the development of criteria, accreditation and periodic monitoring of the analyst to maintain this status and;
21. The “*Codex Guidelines for the Sensory Evaluation of Fish and Shellfish in Laboratories (CAC/GL 31-1999)*” needs to be referenced in this standard.

For consistency, Canada recommends deleting the term “*chemical*” used in this section and furthermore, replace this provision with the provision currently adopted in Codex fish standards. A suggested wording is as follows:

**“Samples taken for sensory and physical examination shall be assessed by persons**

trained in such examination and in accordance with procedures elaborated in Section 8.2.2 and Annex A and the *Guidelines for the Sensory Evaluation of Fish and Shellfish in Laboratories (CAC/GL 31 - 1999)*”

## **Section 9 - Definitions of Defects**

### **Section 9.3 - Consistency and Condition**

22. The terms “*easily chewable*”, “*tenuous*”, “*destroyed when the grains are separated*” are subjective in nature and are open to interpretation. If retained, Canada recommends that these terms be defined using critical limits. For example, the Codex Quick Frozen Finfish standard (Codex Stan 36-1981, Rev. 1-1995) defines “*flesh abnormality*” as “*a sample unit affected by excessive gelatinous condition of the flesh together with greater than 86% moisture found in any individual fish or sample unit with pasty texture resulting from parasitic infestation affecting more than 5% of the sample unit by weight.*”

## **UNITED STATES**

In response to CL 2003/37-FFP, October 2003, the United States respectfully submits the following comments on the Proposed Draft Standard for Granular [Sturgeon] Caviar, at step 3. Recommended additional language within sentences is highlighted in bold for the convenience of the reader.

## **PROPOSED DRAFT STANDARD FOR GRANULAR [STURGEON] CAVIAR**

**Title**, remove brackets

**Reason:** It should be made clear that this standard applies only to Granular Caviar from Sturgeon. There is international concern that this standard could be misunderstood to stand for the proposition that only the eggs from sturgeon may have the term “caviar” associated with them. It is important that the language clarify this matter at every reasonable opportunity.

**2.2 Product Definition, first para**, revise to read:

“The product is prepared from fish eggs of the sturgeon fishes belonging to the Acipenseridae family (four ~~genus~~ **genera**, *Acipenser*, *Huso*, *Pseudoscaphirhynchus*, and *Scaphirhynchus* and hybrids of ~~these~~ **species from these genera**).

**Reason:** To use proper taxonomic language.

**2.2 Product Definition, second para** (which is a single sentence), remove commas.

**Reason:** Grammatical correction.

**2.3. Process Definition**, delete Section 2.3.2.

**Reason:** This subsection contains specific processing information that belongs in a code of practice rather than the standard.

**2.4 HANDLING PRACTICE**, delete and renumber the subsequent sections accordingly.

**Reason:** This subsection contains specific processing information that belongs in a code of practice rather than the standard.

**2.4 HANDLING PRACTICE, second bullet, last sentence**, This sentence is incomplete and needs clarification if retained.

**3.1 Raw Material**, revise to read:

“Granular **sturgeon** caviar shall be prepared from ovaries extracted from sturgeons ~~of the biological species~~ described in Section 2.2, which are of a quality necessary for human consumption.”

**Reason:** The word sturgeon is added to be clear that this standard applies only to granular caviar from sturgeon. It is inaccurate to refer to biological species here because Section 2.2 refers to genera.

**3.3.1, Table 1**, change “Foreign admixtures” to “Foreign **matter**”

**Reason:** It was noted at the last session that foreign matter is the usual term.

4. **FOOD ADDITIVES**, delete Sections 4.1 and 4.2 and replace them with:

“The following provisions in respect of food additives and their specifications have been endorsed [are subject to endorsement] by the Codex Committee on Food Additives and Contaminants.

Additive	Maximum Level in the Final Product
<b><u>Colorants</u></b>	
150c Caramel Colour, Class III	GMP
150d Caramel Colour, Class IV	GMP
143 Fast Green FCF	100 mg/kg

Reason: These are all the additives that are listed in the General Standard for Food Additives (CODEX STAN 192) in Food Category 09.3.3 Salmon substitutes, caviar, and other fish roe products. The bracketed language should be removed when CCFAC endorses these food additives.

5.1 **Pesticide Residues**, revise paragraph to read:

“The product covered by this standard should comply with those maximum residue limits established in **Pesticide Residues in Food, Volume 2 of the Codex Alimentarius** for these products.”

Reason: The requirement of the Procedural Manual to list specific residue levels has not been followed for practical reasons, but the reference to Pesticide Residues in Food, Volume 2 of the Codex Alimentarius should be included here.

6. **HYGIENE**, remove brackets from entire section and:

- delete 6.1

- renumber 6.2 to 6.1 and revise to read: “**The products should comply with any microbiological criteria established** in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).”

- renumber 6.3 to 6.2 and add at the end of the sentence, “..., **and other relevant Codex texts such as Codes of Hygienic Practice and Codes of Practice.**”

Reason: The section on Food Hygiene in the Procedural Manual for Committee relations states that commodity committees should use this language in commodity standards. Any deviation from this language should be given to the CCFH with justification for the deviation.

7. **LABELLING**, delete all subsections and replace them with the following language:

#### **“7. LABELLING**

**In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991) the following specific provisions apply:**

##### **7.1 The Name of the Food**

**7.1.1 The name of the product shall be “sturgeon caviar” or “granular sturgeon caviar.”**

**7.1.2 For caviar made from sturgeon species with well recognized common or usual names, such as “beluga” or “kaluga,” the common or usual name may be included before of after “caviar.”**

**7.1.3 For sturgeon species lacking a common or usual name, no additional descriptor is required, but an optional system of descriptors for the various species of sturgeon may be used. The identification code for these descriptors is in Annex B to this standard.**

##### **7.2 Country of Origin**

**The country of origin of the food shall be declared.**

##### **7.3 Source Identification**

**When the source of the caviar is from aquaculture it shall be declared as “from aquaculture”.**

Reason: This proposed format is consistent with general Codex standard labeling provisions. To the extent that other requirements listed in the current draft of Section 7. Labelling are retained in the standard (e.g. species designation), they should be optional and could be listed in Annex B with Table B.1 Identification Codes of Sturgeon Species.

The name of the product should be “sturgeon caviar” or “granular sturgeon caviar” to be consistent with the name of the standard and to clarify that this standard distinguishes sturgeon caviar from other types of caviar.

**8.2.1 Sensory and Physical/Chemical Examination**, revise to read:

“Samples taken for sensory and physical/chemical examination shall be assessed by experts trained in such examination and in accordance with methods elaborated in Sections 8.2.1-8.2.2 **and the Guidelines for the Sensory Evaluation of Fish and Shellfish in Laboratories (CAC/GL 31-1999)**.”

Reason: This reference was included in Annex A, item number 2, in the current draft regarding the assessment of odour in an uncooked sample. This reference does not need to be in an annex and may be listed here. Also see our reason below for proposing to delete Annex A. It is inaccurate to refer to a document that is not under consideration by the CCFFP so, a Code of Practice for the Sensory Evaluation of Caviar and Caviar Products should not be mentioned here.

**9.1 Foreign admixtures**, change “admixtures” to “matter”

**9.4 Extraneous Material**, remove brackets and revise to read:

“**Bones, membranes and fats**-clusters shall be absent from finished granular **sturgeon** caviar.”

Reason: Including “bones” in section 9.4 removes the need for number 1 of Annex 1 and inserting “sturgeon” before caviar is consistent with the title and scope of the code, for clarity. However, the U.S. questions the inclusion of bones as possible extraneous matter or something for which to examine a sample unit because sturgeon have cartilage rather than bones. The drafters may want to consider including scutes (the large bony plates covering sturgeon’s skin) instead of bones.

**ANNEX A**, delete and renumber ANNEX B TO ANNEX A

Reason: Annex A is not referred to in the draft standard and is unnecessary. Number 1 is already explained in Sections 3.3.1 and 9.4 (as suggested by U.S. comment). Number 2 would be included in 8.2.2 if the U.S. comment is accepted for that section. The U.S. is unaware of caviar ever being cooked and does not believe that number 3 is relevant.

**ANNEX C**, renumber to ANNEX B