



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

**Thirty-First Session**

**Tromsø, Norway**

**11 – 16 April 2011**

**PROPOSED FOOD ADDITIVE PROVISIONS IN STANDARDS FOR FISH AND FISHERY  
PRODUCTS**

**(Prepared by the Electronic Working Group led by the United States of America and the  
European Union)**

In response to the call for proposals on food additives in fish and fishery products standards sent to EWG members on October 22, 2010, comments were received from five Codex members (Australia, European Union, New Zealand, South Africa, and United States), and one observer (International Food Additives Council). The EWG would like to thank participants for their efforts. The list of participants is attached as Appendix 2.

**Background**

The 29<sup>th</sup> Session of the CCFPP discussed the food additive matters referred by the Codex Alimentarius Commission (CAC) (CX/FFP 08/29/2).<sup>1, 2</sup> The committee noted the decision of the CAC that “*no consequential changes should be made to commodity standards at this stage when adopting food additive provisions in the General Standard for Food Additives (GSFA)*”<sup>3</sup>, recognizing that inconsistencies would exist between the GSFA and commodity standard until the GSFA would be finalized”. The Committee went on to consider that since one of its functions was to revise standards when necessary, it could proceed to revise current standards to bring in line its food additive provisions with those of the GSFA or that it could retain the inconsistencies until such time as the GSFA had been completed. In addition it was noted that there were several inconsistencies in the way in which the Committee approached general statements relating to food additive provisions. The Committee therefore agreed to consider work on aligning food additive provisions across the different standards for fish and fishery products and to ensure consistency with GSFA, where possible, at the next session.

The 30<sup>th</sup> Session of the CCFPP noted that the issue of food additive provisions was a rather complex matter that could not be adequately dealt with in that session. The Committee therefore agreed to establish an electronic working group to be coordinated by the United States of America and the European Union, working in English only, which would consider comments submitted to the session in response to the circular letter (CL 2009/16-FFP)<sup>4</sup> and prepare proposals for food additives in standards for fish and fishery products

<sup>1</sup> CX/FFP 08/29/2 (Matters Referred by the Codex Alimentarius Commission and/or other Codex Committees to the Committee on Fish and Fishery Products)

Electronic link: [http://ftp.fao.org/codex/ccffp29/fp29\\_02e.pdf](http://ftp.fao.org/codex/ccffp29/fp29_02e.pdf)

<sup>2</sup> ALINORM 08/31/18, paras 7-8, 176-177, (Report of the 29<sup>th</sup> Session of the Codex Committee on Fish and Fishery Products)

Electronic link: <http://www.codexalimentarius.net/web/archives.jsp?year=08>

<sup>3</sup> CODX STAN 192-195 (General Standard for Food Additives).

Electronic link: [http://www.codexalimentarius.net/gsfaonline/CXS\\_192e.pdf](http://www.codexalimentarius.net/gsfaonline/CXS_192e.pdf)

<sup>4</sup> CL 2009/16-FFP (Food Additives Provisions in Standards for Fish and Fishery Products)

and to focus on the technological justification for those food additives and if necessary, propose changes to the GSFA (ALINORM 10/33/18, paras 151-152).<sup>5</sup>

### **GSFA / Commodity Standards Alignment**

There is inconsistency in additive provisions between the GSFA and Commodity Standards for fish and fishery products. Solutions are difficult because divergence has grown over several years. When Codex members propose new additive provisions that apply to standardized fish and fishery products, the CCFFP has the mandate to review the provision before it is adopted into the GSFA as applicable to the standardized product.<sup>6,7,8</sup> This procedure should assure alignment between the GSFA and the Commodity Standard.

The Codex Committee on Food Additives (CCFA) solicits proposals for new additive provisions based on their responsibility for non-standardized foods. By default, these proposals are applied to standardized foods that fall into the same GSFA food categories as the non-standardized foods. However, these additive provisions do not undergo CCFFP review for possible inclusion in the applicable standards. The primary alignment issue now, is that the GSFA lists more additive provisions for standardized foods than have been adopted into the Commodity Standards. Both standards are legally valid, leading to confusion in application of Codex Alimentarius.

The GSFA is being developed as a single reference point for food additives within the Codex Alimentarius and should, therefore, be fully consistent with food additive provisions in Commodity Standards, and preferably Commodity Standards should refer to the GSFA.

### **EWG Summary**

A *Proposed Procedure for the Development of Additive Provisions in Draft Fish and Fishery Product Standards* was presented to the EWG for consideration. The purpose of the procedure is to maintain uniformity in developing additive provisions in line with the Codex Procedural Manual and in harmony with the GSFA, and to illustrate additive review considerations that are specific to Commodity Standards. There was general EWG satisfaction with the proposed procedure. Comments received on the procedure were considered, and a revised version is included as Appendix 1. The document was maintained in text format, rather than a proposed flow chart, in order to minimize footnotes and to facilitate editing. The Codex Procedural Manual does not directly address a review process for additive provisions in adopted Commodity Standards; however, the proposed procedure can also be used for this purpose. Therefore, the title was changed to include "Review". The EWG recommends that members refer to this document when proposing new or revised additive provisions.

Comments received by the EWG focused on procedural issues. The majority of contributors agree that the alignment process will require amending the GSFA, because many of the existing additives provisions in fish and fishery product standards are likely to be found acceptable as is. In this case the existing Commodity Standard additive provisions should be incorporated into the GSFA by default in order for the GSFA to be the single authoritative source. On the other hand, some opportunities exist to add, delete or modify certain additive provisions, and to correct names, functional classes, and other details.

Comments recommend referral to several good alignment principles listed in past CCFA working group reports. We also note a recent CCFA working group report (CX/FA 11/43/6)<sup>9</sup> indicating that "there is a difference of views on certain fundamental approaches to aligning food additive provisions in the Commodity Standards and GSFA which reflect long standing disagreements...", including which standard

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Electronic link: [ftp://ftp.fao.org/codex/Circular\\_letters/CXCL2009/cl09\\_16e.pdf](ftp://ftp.fao.org/codex/Circular_letters/CXCL2009/cl09_16e.pdf)

<sup>5</sup> ALINORM 10/33/18, paras 151-152 (Report of the Thirtieth Session of the Codex Committee for Fish and Fishery Products).

Electronic link: [ftp://ftp.fao.org/codex/Alinorm10/al33\\_18e.pdf](ftp://ftp.fao.org/codex/Alinorm10/al33_18e.pdf)

<sup>6</sup> Codex Alimentarius Commission Procedural Manual, Nineteenth edition. Pages 45, 48. Procedures for Consideration of the Entry and Review of Food Additive Provisions in the General Standard for Food Additives.

Electronic link: [http://www.codexalimentarius.net/web/procedural\\_manual.jsp](http://www.codexalimentarius.net/web/procedural_manual.jsp)

<sup>7</sup> ALINORM 05/28/41, para 144 (*Codex Alimentarius Commission, 28<sup>th</sup> Session*)

Electronic link: [ftp://ftp.fao.org/codex/Alinorm05/al28\\_41e.pdf](ftp://ftp.fao.org/codex/Alinorm05/al28_41e.pdf)

<sup>8</sup> CODX STAN 192-195, page 1 (General Standard for Food Additives, Section 1.2).

Electronic link: [http://www.codexalimentarius.net/gsfonline/CXS\\_192e.pdf](http://www.codexalimentarius.net/gsfonline/CXS_192e.pdf)

<sup>9</sup> CX/FA 11/43/6, Codex Committee on Food Additives, 43<sup>rd</sup> Session, Discussion Paper on the Alignment of the Food Additive Provisions of the Standards for Meat Products and Relevant Provisions of the GSFA.

Electronic link: [ftp://ftp.fao.org/codex/ccfa43/fa43\\_06e.pdf](ftp://ftp.fao.org/codex/ccfa43/fa43_06e.pdf)

should be the default when aligning, and if the commodity committee should review individual additives or only additive functional classes. This report also includes an “Approach to harmonizing Commodity Standard Food additive permissions with the GSFA” that the committee may wish to consider. Policy is evolving, and the CCFFP may want to provide input on these issues from a commodity committee viewpoint.

The EWG received some proposals for new additive provisions for GSFA food categories covering both standardized and non-standardized fishery products. These proposals were beyond the scope of this EWG, and the committee may wish to consider what to do with them.

### **Next Steps**

The EWG recommends establishing an in-session working group during the upcoming CCFFP session to:

1. Review the *Proposed Procedure for the Development and Review of Additive Provisions in Draft Fish and Fishery Product Standards*.
2. Discuss if the CCFFP should perform a systematic standard by standard review of additive provision in adopted standards, or if the existing provisions should be added to the GSFA by default in the absence of proposed changes by CCFFP members.
3. Discuss the commodity committee’s role in reviewing individual additives and additive functional classes.
4. Discuss coordination between the CCFFP and CCFA to maintain alignment of the GSFA with Commodity Standards.
5. Develop proposals for the plenary of CCFFP. The plenary will then finalize the proposals and transmit them appropriately.

**Appendix I****Proposed Procedure for the Development and Review of Additive Provisions in Fish and Fishery Product Standards**Abbreviations:

CCFA: Codex Committee on Food Additives

CCFFP: Codex Committee on Fish and Fishery Products

GSFA: General Standard for Food Additives

1. Establish if a technological need for an additive exists in the standardized product.
2. If a technological need is identified, document the precise technological purpose, and determine the corresponding GSFA or INS functional class.
  - Functional classes are a systematic method to categorize additives.
    - Functional classes include additives with different, but related, technological purposes.
    - An individual additive that performs a variety of technological purposes may be listed in more than one functional class.
    - Individual additives in a functional class perform differently and may not perform as expected in a specific food, or may reduce product quality.
3. Propose an additive, and level of use, known to perform the documented technological purpose in the product. Document the evidence that the provision meets the requirements below and that the proposed level of use is appropriate for the specific product.
  - Determine if the proposed additive provision meets the requirements in the GSFA<sup>10</sup> Preamble, Section 3:
    - The additive must have an advantage
    - The additive must not present an appreciable health risk
    - The additive must not mislead the consumer
    - The additive must serve a technological objective (see GSFA Section 3.2)
    - The additives technological objectives cannot be practically achieved by existing means
  - Determine if the additive provision causes any unacceptable quality effects unique to the specific additive and product combination, such as:
    - Quality damage (texture, colour, flavour, nutritional value)
    - Misleading presentation (colour, net weight)
4. If the proposed additive provision fails to meet the criteria listed in step #3 above, delete the provision or adjust the level of use as appropriate.
5. Determine if the proposed additive provision is already included in the GSFA.
  - Is the additive name listed in GSFA Table Two, under the appropriate food category, or in GSFA Table Three?
    - Note that GSFA Table Three does not apply to food categories 09.1 and 09.2 (fresh and processed fish, molluscs, crustaceans and echinoderms). These foods are governed by the provisions in GSFA Tables One and Two.
  - Does the proposed level of use match the GSFA level of use?

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<sup>10</sup> CODX STAN 192-195, Preamble, Section 3 (General Standard for Food Additives).

Electronic link: [http://www.codexalimentarius.net/gsfaonline/CXS\\_192e.pdf](http://www.codexalimentarius.net/gsfaonline/CXS_192e.pdf)

- Note that the GSFA generally lists only one maximum level of use for each additive, based on the GSFA approved use that requires the greatest amount.
  - Is the additive listed in a GSFA functional class identified in step #2?
6. If the proposed additive provision does not align with the GSFA in step #5 above, and cannot be revised to align with the GSFA and still meet the requirements of step #3 above, then the proposed provision would need to be added to the GSFA to achieve alignment.
- See: *Codex Alimentarius Commission Procedural Manual, Nineteenth edition. Procedures for Consideration of the Entry and Review of Food Additive Provisions in the General Standard for Food Additives*<sup>11</sup>.
  - Note that newly adopted GSFA additive provisions may be listed in the *GSFA Online Database*<sup>12</sup>, or in the current version of the *Information Document to the Discussion on the GSFA*<sup>13</sup>.
7. Repeat the steps above for other proposed additive provisions and/or other identified technological needs.
8. Determine if any additional additives are listed in the GSFA, Table Two and Table Three in the appropriate food category and for the functional class(es) identified in step #2.
- The GSFA functional classes for additives listed in GSFA Table Two can be found in GSFA Table 1. This information may also be determined using the *GSFA Online Database*<sup>3</sup>.
9. If additional additive provisions (in the appropriate food category and functional class) are identified in the GSFA, then review them for possible inclusion or exclusion from the draft standard, based on the criteria listed in step #3 above.
- Note that GSFA food categories may have a broader scope of applications than individual food standards.
  - Note that an additive provision's effect on food quality attributes is a consideration for inclusion in a commodity standard, while not for inclusion in the GSFA.
  - Information on levels of use and technological performance of specific additives in specific products should be available from the CCFA member proposing the provision, or from the seafood industry and scientific/trade literature.
10. Review the draft standard's final list of additive provisions (INS#, additive name, level of use, functional class).
- If all the GSFA additive provisions (in the applicable food category and functional class) match corresponding draft standard additive provisions, and vice-versa, then alignment is achieved.
    - Consider a reference to the GSFA specifying the GSFA food category and functional class (See the *Codex Procedural Manual* for suggested wording)<sup>14</sup> and forward the additive provisions to the CCFA for endorsement.
  - If the draft standard contains provisions not listed in the GSFA, or if the GSFA contains applicable additive provisions that were not approved for inclusion in the draft standard during step #9 above, then further alignment is needed.
    - Forward the proposed additive provisions, and/or the excluded GSFA provisions, with supporting information to the CCFA for endorsement. Supporting information is not needed if no additives are allowed.

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<sup>11</sup> Codex Alimentarius Commission Procedural Manual, Nineteenth edition. Page 43, Procedures for Consideration of the Entry and Review of Food Additive Provisions in the General Standard for Food Additives.

Electronic link: [http://www.codexalimentarius.net/web/procedural\\_manual.jsp](http://www.codexalimentarius.net/web/procedural_manual.jsp)

<sup>12</sup> GSFA Online Database

Electronic link: <http://www.codexalimentarius.net/gsaonline/index.html?lang=en>

<sup>13</sup> FA/42 INF/01, Appendix I, II, III (Information Document to the Discussion on the GSFA)

Electronic link: [ftp://ftp.fao.org/codex/ccfa42/fa42\\_inf1e.pdf](ftp://ftp.fao.org/codex/ccfa42/fa42_inf1e.pdf)

<sup>14</sup> Codex Alimentarius Commission Procedural Manual, Nineteenth edition; Page 34, Relations between Commodity Committees and General Subject Committees. Page 40, Format for Codex Commodity Standards.

Electronic link: [http://www.codexalimentarius.net/web/procedural\\_manual.jsp](http://www.codexalimentarius.net/web/procedural_manual.jsp)

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- In the case of review of existing additive provisions in previously adopted standards, and the provisions are found still adequate, notify the CCFA of any misalignments that require GSFA amendment.
  - Maintain the list of proposed additive provisions (or a qualified reference to the GSFA) in the draft standard until alignment is achieved, then consider the appropriate reference to the GSFA.

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