

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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ALINORM 06/29/11

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-ninth Session

Geneva, Switzerland, 3-7 July 2006

REPORT OF THE SEVENTH SESSION OF THE CODEX COMMITTEE ON MILK AND MILK PRODUCTS

Queenstown, New Zealand, 27 March - 1 April 2006

Note: *This report includes Codex Circular Letter CL 2006/8-MMP*

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CL 2006/8-MMP
April 2006

To: Codex Contact Points
Interested International Organizations

From: Secretary,
Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00100 Rome, Italy

Subject: **Distribution of the Report of the Seventh Session of the Codex Committee on Milk and Milk Products (ALINORM 06/29/11)**

The report of the Seventh Session of the Codex Committee on Milk and Milk Products will be considered by the 29th Session of the Codex Alimentarius Commission (Geneva, Switzerland, 3-7 July 2006).

PART A: MATTERS FOR ADOPTION BY THE 29TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Draft and proposed draft Standards and Related Texts at Step 8

1. *Draft Amendment to Section 2 "Description" of the General Standard for Cheese* (ALINORM 06/29/11 para. 25 and Appendix II);
2. *Draft Standard for a Blend of Evaporated Skimmed Milk and Vegetable Fat* (ALINORM 06/29/11, para. 39 and Appendix III);
3. *Draft Standard for a Blend of Skimmed Milk and Vegetable Fat in Powdered Form* (ALINORM 06/29/11 para. 39 and Appendix IV);
4. *Draft Standard for a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat* (ALINORM 06/29/11 para. 39 and Appendix V);
5. *Draft Revised Standard for Cheddar (C-1)* (ALINORM 06/29/11 para. 64 and Appendix VI);
6. *Draft Revised Standard for Danbo (C-3)* (ALINORM 06/29/11 para. 64 and Appendix VII);
7. *Draft Revised Standard for Whey Cheeses* (ALINORM 06/29/11 para. 71 and Appendix VIII);

Governments and interested international organizations wishing to propose amendments or comments on the above documents should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 of the procedure for the Elaboration of Codex Standards including Consideration of any Statements relating to Economic Impact (*Codex Alimentarius Procedural Manual*, Fifteenth Edition). Comments should be forwarded to the Secretary, Codex Alimentarius Commission, Viale delle Terme di Caracalla, 00100 Rome, Italy (fax +39 06 57054593; e-mail codex@fao.org preferably), **not later than 31 May 2006**.

Draft and proposed draft Standards and Related Texts at Step 5/8

1. *Proposed draft Revised Standard for Edam (C-4)* (ALINORM 06/29/11 para. 85 and Appendix IX);
2. *Proposed draft Revised Standard for Gouda (C-5)* (ALINORM 06/29/11 para. 85 and Appendix X);
3. *Proposed draft Revised Standard for Havarti (C-6)* (ALINORM 06/29/11 para. 85 and Appendix XI);
4. *Proposed draft Revised Standard for Samsø (C-4)* (ALINORM 06/29/11 para. 85 and Appendix XII);

5. *Proposed draft Revised Standard for Emmental (C-9)* (ALINORM 06/29/11 para. 85 and Appendix XIII);
6. *Proposed draft Revised Standard for Tilsiter (C-11)* (ALINORM 06/29/11 para. 85 and Appendix XIV);
7. *Proposed draft Revised Standard for Saint-Paulin (C-13)* (ALINORM 06/29/11 para. 85 and Appendix XV);
8. *Proposed draft Revised Standard for Provolone (C-15)* (ALINORM 06/29/11 para. 85 and Appendix XVI);
9. *Proposed draft Revised Standard for Cottage Cheese (C-16)* (ALINORM 06/29/11 para. 85 and Appendix XVII);
10. *Proposed draft Revised Standard for Coulommiers (C-18)* (ALINORM 06/29/11 para. 85 and Appendix XVIII);
11. *Proposed draft Revised Standard for Cream Cheese (C-31)* (ALINORM 06/29/11 para. 85 and Appendix XIX);
12. *Proposed draft Revised Standard for Camembert (C-33)* (ALINORM 06/29/11 para. 85 and Appendix XX);
13. *Proposed draft Revised Standard for Brie (C-34)* (ALINORM 06/29/11 para. 85 and Appendix XXI);
14. *Proposed draft Standard for Mozzarella (C-4)* (ALINORM 06/29/11 para. 85 and Appendix XXII);
15. *Proposed draft Standard for Dairy Fat Spreads* (ALINORM 06/29/11 para. 106 and Appendix XXIII).

Governments and interested international organizations wishing to propose amendments or comments on the above documents should do so in writing in conformity with the Guide to the Consideration of Standards at Step 8 of the procedure for the Elaboration of Codex Standards including Consideration of any Statements relating to Economic Impact (*Codex Alimentarius Procedural Manual*, Fifteenth Edition). Comments should be forwarded to the Secretary, Codex Alimentarius Commission, Viale delle Terme di Caracalla, 00100 Rome, Italy (fax +39 06 57054593; e-mail codex@fao.org preferably), **not later than 31 May 2006.**

Proposed Draft Standards and Related Texts at Step 5

1. *Proposed Draft Model Export Certificate for Milk and Milk Products* (ALINORM 06/29/11 para. 143 and Appendix XXIV);

Governments and interested international organizations wishing to propose amendments or comments on the above document should do so in writing in conformity with the Procedures for the Elaboration of Codex Standards and Related Texts (at Step 5) (*Codex Alimentarius Procedural Manual*, Fifteenth Edition). Comments should be forwarded to the Secretary, Codex Alimentarius Commission, Viale delle Terme di Caracalla, 00100 Rome, Italy (fax +39 06 57054593; e-mail codex@fao.org preferably), **not later than 31 May 2006.**

PART B: REQUEST FOR COMMENTS AND INFORMATION

Methods of Analysis and Sampling for milk and milk products (ALINORM 06/29/11 para. 167)

Governments and interested international organizations are invited to provide comments on the above. Comments should be forwarded to Ms. Audrey Taulalo, Codex Committee on Milk and Milk Products, New Zealand Food Safety Authority, P.O. Box 2835 Wellington, New Zealand Fax +64 4 463 2583 - E-mail: audrey.taulalo@nzfsa.govt.nz with a copy to the Secretary, Codex Alimentarius Commission, Viale delle Terme di Caracalla, 00100 Rome, Italy (fax +39 06 57054593; e-mail codex@fao.org preferably) for **not later than 30 September 2007.**

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SUMMARY AND CONCLUSIONS

The Seventh Session of the Codex Committee on Milk and Milk Products reached the following conclusions:

Matters for Adoption by the 29th Session of the Codex Alimentarius Commission:

The Committee recommended the following draft Standards for adoption at Step 8:

- Amendment to Section 2 “Description” of the Codex General Standard for Cheese (para. 25 and Appendix II);
- Draft Standards for a Blend of Evaporated Skimmed Milk and Vegetable Fat; a Blend of Blend of Skimmed Milk and Vegetable Fat in Powdered Form; and a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat (para. 39 and Appendices III-V);
- Draft revised Standards for Cheddar (C-1) and Danbo (C-3) (para. 64 and Appendices VI-VII);
- Draft revised Standard for Whey Cheeses (para. 71 and Appendix VIII).

The Committee recommended the following draft Standards for adoption at Step 5/8:

- Proposed draft revised Standards for Edam (C-4); Gouda (C-5); Havarti (C-6); Samso (C-7); Emmental (C-9); Tilsiter (C-11); Saint-Paulin (C-13); Provolone (C-15); Cottage Cheese (C-16); Coulommiers (C-18); Cream Cheese (C-31); Camembert (C-33); Brie (C-34); proposed draft Standard for Mozzarella (para. 84 and Appendices IX-XXII);
- Proposed draft Standard for Dairy Fat Spreads (para. 105 and Appendix XXIII);

The Committee recommended the following text for adoption at Step 5:

- Proposed draft Model Export Certificate for Milk and Milk Products (para. 142 and Appendix XXIV).

Matters for Consideration of the Commission:

The Committee:

- requested the Commission to amend the Standard for Whey Powders (CODEX STAN A-15-1995, Rev. 1-2003) to include the provision for benzoyl peroxide (para. 21);
- to request the Commission to amend the Codex *General Standard for Cheese* (CODEX STAN A-6-1978, Rev.1-1999) and other relevant texts as appropriate to specifically refer to the Codex *Code of Hygienic Practice for Milk and Milk Products* (CAC/RCP 57-2004) and to delete the provisions contained in Section 6.2 as already covered by the new Code (paras 36-37);
- agreed to forward a project document on amendment to the list of food additives included in the Codex *Standard for Creams and Prepared Creams* (CODEX STAN A-9-1976, Rev.1-2003) for approval as new work under the accelerated procedures (para. 158 and Appendix XXVII).

Matters of Interest to the Commission:

The Committee:

- reiterated its position that there is a need for a consistent application of the conversion factor used for the calculation of milk protein throughout Codex and continued to support the nitrogen conversion factor of 6.38 as scientifically justified. Given that CCNFSDU was discussing the applications of a different factor in the elaboration of a standard for infant formula, the Committee recommended that the issue of consistency be recognized by the Commission, with referral of the following question to CCMAS: what is the appropriate factor to be used when converting nitrogen content to protein content when analysing milk protein in the context of current methods of analysis? (paras 17-18);

- agreed that work on fermented milk drinks will be included in the *Codex Standard for Fermented Milks* and with the clear understanding that the scope of this work would be limited to the development of provisions for fermented milk drinks without re-opening any discussion on the provisions currently included in the Standard. It was further agreed to return the renamed proposed draft Amendment to the *Codex Standard for Fermented Milks* pertaining to Composite Fermented Milk Drinks to Step 2 for redrafting by an electronic Working Group led by Indonesia for circulation, comments at Step 3 and further consideration at the next Session (paras 89 and 96);
- agreed to return the proposed draft Standard for Processed Cheese to Step 2 for redrafting by a physical Working Group led by New Zealand for circulation, comments at Step 3 and further consideration at the next Session. (para. 119);
- agreed to establish a physical Working Group led by the European Community, to be held immediately prior to its next session, to consider the draft Model Export Certificate for Milk and Milk Products along with the comments submitted at Step 6 (para. 143);
- agreed that the United States would revise the food additive provisions of the *Codex Standard for Fermented Milks* related to flavoured fermented milks for circulation for comments and consideration by its next Session (para. 149);
- agreed to discontinue consideration of the issue related to the of naming non-standardised dairy products (para. 154);
- agreed to request information on methods of analysis and sampling required in standards for milk and milk products through a circular letter and to request the IDF/ISO Working Group on Method of Analysis and Sampling to prepare a list of methods required in the standards currently being elaborated by the Committee and to review the current methods of analysis and sampling for milk and milk products and provide recommendations on updates to the lists (para. 167);
- expressed its concern that the current lack of appropriate sampling plans for milk and milk products could lead to a variety of interpretations, which would create problems in ensuring consumer's protection and fair trade practices and it agreed to establish an electronic Working Group led by New Zealand that would prepare a discussion paper on sampling plans for milk products in the presence of significant measurement error for consideration by its next Session (para. 173).

Matters of Interest to the other Codex Committees and Task Forces:

Executive Committee

The Committee:

- agreed to forward a table compiling all the information regarding the timeframe for the completion of the ongoing work to the 58th Session of the Executive Committee (para 16 and Appendix XXVIII).

Codex Committee on Food Labelling (CCFL)

The Committee:

- expressed its concern about the implications of the establishment of a definition for trans fatty acids to its work and requested CCFL to take these concerns into account (para. 20);
- forwarded to CCFL the sections on labelling of the draft Standards for a Blend of Evaporated Skimmed Milk and Vegetable Fat; a Blend of Skimmed Milk and Vegetable Fat in Powdered Form; and a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat for endorsement (para. 39 and Appendices III-V);
- forwarded to CCFL the sections on labelling of the draft and proposed draft standards for individual cheese for endorsement along with the clarification regarding the mandatory country of origin labelling provisions (paras 57-60, 64, 85 and Appendices VI-VII, IX-XXII);
- forwarded to CCFL the section on labelling of the proposed draft Standard for Dairy Fat Spreads for endorsement (para. 105 and Appendix XXIII).

Codex Committee on Food Additives and Contaminants (CCFAC)

The Committee:

- requested CCFAC to revise the Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) to associate the food additives functional class “Stabilizer” to potassium chloride (INS 508), calcium chloride (INS 509), calcium citrates (INS 333), propylene glycol alginate (INS 405) and sodium dihydrogen citrate (INS 331i) and the food additive functional class “Acidity Regulator” to sodium lactate (INS 325) (para. 35);
- forwarded to CCFAC the sections on additives of the draft Standards for a Blend of Evaporated Skimmed Milk and Vegetable Fat; a Blend of Skimmed Milk and Vegetable Fat in Powdered Form; and a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat for endorsement and requested that CCFAC provide guidance on how to integrate the food additive provisions into the *Codex General Standard for Food Additives* (GSFA) (para. 39 and Appendices III-V);
- requested CCFAC to place paprika oleoresin (INS 160c) on its priority list for JECFA review and to identify the availability of information and data necessary for JECFA to evaluate the use of paprika oleoresin as a colour in food (para. 45);
- forwarded to CCFAC the sections on additives of the draft and proposed draft standards for individual cheese for endorsement (paras 64, 85 and Appendices VI-VII, IX-XXII);
- forwarded to CCFAC the section on additives of the proposed draft Standard for Dairy Fat Spreads for endorsement (para. 105 and Appendix XXIII);
- forwarded the lists of food additive provisions for use in plain and in heat-treated fermented milks of the Codex Standard for Fermented Milks to CCFAC for endorsement (para. 148 and Appendix XXV).

Codex Committee on Methods of Analysis and Sampling

The Committee:

- forwarded to CCMAS the list of methods of analysis and sampling for standards currently being elaborated and the updated list of methods of analysis and sampling for dairy products for endorsement (para. 168 and Appendix XXVI).

Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS)

The Committee:

- agreed to request CCFICS to comment on consistency of the proposed draft Model Export Certificate for Milk and Milk Products with the *Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38-2001, Rev.1-2005) (para. 144 and Appendix XXIV).

LIST OF ABBREVIATIONS USED IN THIS REPORT

ADI	Acceptable Daily Intake
AOAC	Association of Official Analytical Chemists
CAC/GL	Codex Alimentarius Commission / Guidelines
CAC/RCP	Codex Alimentarius Commission / Recommended International Code of Practice
CCEXEC	Executive Committee of the Codex Alimentarius Commission
CCFAC	Codex Committee on Food Additives and Contaminants
CCFICS	Codex Committee on Food Import and Export Inspection and Certification Systems
CCFL	Codex Committee on Food Labelling
CCMAS	Codex Committee on Methods of Analysis and Sampling
CCMMP	Codex Committee on Milk and Milk Products
CCNSFDU	Codex Committee on Nutrition and Food for Special Dietary Uses
CL	Circular Letter
CRD	Conference Room Document
EDA	European Dairy Association
EC	European Community
FAO	Food and Agriculture Organization of the United Nations
FDM	Fat in Dry Matter
GI	Geographical Indication
GMP	Good Manufacturing Practice
GSDT	Codex General Standard for the Use of Dairy Terms
GSFA	Codex General Standard for Food Additives
GSLPF	Codex General Standard for the Labelling of Prepackaged Foods
JECFA	Joint FAO/WHO Expert Committee on Food Additives
IDF	International Dairy Federation
INS	International Number System
ISO	International Organization for Standardization
OIE	World Organisation for Animal Health
PDO	Protected Designation of Origin
WHO	World Health Organization
USA	United States of America

INTRODUCTION

1. The seventh Session of the Codex Committee on Milk and Milk Products was held in Queenstown, New Zealand, from 27 March to 1 April 2006 at the kind invitation of the Government of New Zealand. The Session was chaired by Dr Steve Hathaway, Director of the Science Group, New Zealand Food Safety Authority. The Session was attended by delegates from 59 Member countries and one Member organization, and 4 international organizations. The List of Participants is attached at Appendix I.

OPENING OF THE SESSION

2. Dr Steve Hathaway opened the session and welcomed the participants on behalf of the Government of New Zealand.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

3. The Committee adopted the Provisional Agenda as proposed. It noted that item 5 should refer to the Codex *Standard for Fermented Milks* and not to Fermented Milk Products and agreed to discuss item 3 (g) before items 3 (e) and (f).

4. In order to expedite its work it agreed to establish *ad hoc* working groups on Food Additives² and on Dairy Spreads³.

5. The Committee agreed that the *ad hoc* Working Group on Food Additives would develop recommendations on food additive provisions related to items 3 b-d (blends), items 3 e-f and 4 a-n (individual cheese standards) and item 5 (fermented milks); take a horizontal approach and focus its work on identifying food additive functional classes that are technologically necessary; and develop recommendations that, to the extent possible, reference the Codex General Standard for Food Additives (GSFA).

6. The Delegation of the European Community presented CRD 1 on the division of competence between the European Community and its Member States according to paragraph 5, Rule II.5 of the Rules of Procedure of the Codex Alimentarius Commission.

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES (Agenda Item 2)⁴

7. The Committee noted Matters Referred by the 27th and 28th Session of the Codex Alimentarius Commission, the 57th Session of the Executive Committee and other Codex Committees regarding the proposed draft Standards adopted at Step 5 and advanced to Step 6 by the 27th Session of the Commission; the response of the Commission on the proposal for a new Standard on Parmesan Cheese; the clarification on the time-bound decision-making; the request by the 57th Session of the Executive Committee to be informed of the proposed timeframe for completion of all items approved as new work prior to 2004; the status of endorsements and the clarifications requested by the Codex Committee on Food Additives and Contaminants (CCFAC), Codex Committee on Food Labelling (CCFL) and Codex Committee on Methods of Analysis and Sampling (CCMAS); and the question of the nitrogen conversion factor currently proposed in the draft Standard on Infant Formula by the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU).

¹ CX/MMP 06/7/1.

² United States of America (chair), Australia (rapporteur), Canada, European Community, France, Japan, Malaysia, Mexico, Nepal, Netherlands, New Zealand, Switzerland, Thailand and IDF.

³ European Community (chair), Australia, Brazil, Canada, France, Malaysia, New Zealand, Spain, Thailand, United Kingdom and United States of America.

⁴ CX/MMP 06/7/2; CRD 10 (Comments by India and IDF).

8. In particular the Committee commented and/or made decisions on the following matters:

New Standard on Parmesan Cheese

9. Following the response of the Commission to questions forwarded by the 6th Session of the Committee, this matter was not discussed. However, statements were made by the Delegations of the United States of America and the European Community as follows:

10. The Delegation of the United States of America (USA) informed the Committee that in light of the opinion of the legal offices of FAO and WHO on the questions related to geographic indications and PDOs referred by this Committee at its 6th Session and the conclusion drawn by the Commission Chairperson at its 28th Session and so that the autonomy and integrity of the mandate of the Commission was not undermined by the prolonging of this debate and the ongoing work of this Committee was facilitated, the United States requested that the Committee adopt and follow the opinions provided by the legal offices of the FAO and WHO.

11. These legal opinions stated that "...the Statutes of the Codex Alimentarius Commission, the provisions on the elaboration of Codex Standards and related texts and the Criteria for the Establishment of Work Priorities do not contain any clauses whereby, in deciding whether a standard should be prepared, under the above reference framework, the Commission and its subsidiary bodies should be restricted by any national or related legislation regarding the protection of geographical indications adopted by its Members" and furthermore stated that "Accordingly, the fact that Parmigano-Reggiano is registered as a Protected Designation of Origin would not preclude a majority of the Members of the Codex Alimentarius Commission from deciding to elaborate a Codex standard on parmesan cheese, if applicable criteria for acceptance of new work have been met and that "there are no requirements to the effect that aspects of intellectual property protection, e.g., trademarks, certification marks, geographical indications (GIs) or PDO's be considered as criteria to be taken into consideration by Codex when deciding on acceptance of new work or adopting standards".

12. The United States further recommended that the Committee expressly acknowledged and accepted the summary conclusions provided by the Commission Chairperson when deliberating upon work in this Committee.

13. The Delegation of the European Community (EC) stated that it had expressed its reservation during the 28th Session of the Commission on the opinion of the legal offices of FAO and WHO stating that it was not complete (ALINORM 05/28/41, paragraph 172). The opinion expressed by the legal services of FAO and WHO had not been adopted by the Commission, and the EC therefore considered that it could not be interpreted as the opinion expressed by the Commission as such. It was only one of the elements of the debate that took place in the Commission, and it should not be considered in isolation. The result of the debate had been the decision to hold the issue in abeyance, essentially due to the divergent opinions of the members on the issue (ALINORM 05/28/41, paragraph 174).

14. Further, it was the view of the EC that the opinion of the legal services only stated a "strictly legal point of view" and that this view was limited, as wider considerations including property rights of third parties, had to be taken into account. In addition, the opinion of the legal services was stated to be, at paragraph 20, "without prejudice to the fulfilment of all relevant criteria and procedural requirements for the elaboration of standards, including the need for a document on the basis of which the Commission would take its decision". From a legal and policy point of view, the EC believed that the opinion of the legal services should not undermine intellectual property rights such as trademarks, patents or geographical indications.

15. The statements by the United States and the European Community were noted but no conclusion was drawn by the Committee.

Proposed timeframe for completion of all items approved as new work prior to 2004

16. The Committee agreed to discuss the timeframe for the completion of work under each relevant item and to send to the 58th Session of the Executive Committee a table compiling all the information (see Appendices XXVIII).

Nitrogen Conversion Factor

17. The Committee had already established the use of 6.38 as the nitrogen conversion factor in all milk product standards adopted by the Commission addressing protein content and this had support in the scientific literature. The Committee reiterated its position that there is a need for a consistent application of the conversion factor used for the calculation of milk protein throughout Codex and the Committee continues to support the nitrogen conversion factor of 6.38 as scientifically justified.

18. Given that CCNFSDU was discussing the applications of a different factor in the elaboration of a standard for infant formula, the Committee recommended that the issue of consistency be recognized by the Commission, with referral of the following question to CCMAS: what is the appropriate factor to be used when converting nitrogen content to protein content when analysing milk protein in the context of current methods of analysis?

Others

Definition of trans fatty acids

19. The Delegation of Switzerland drew the attention of the Committee to the definition of trans fatty acids the inclusion of which in Codex texts is to be discussed at the 34th Session of CCFL (1-5 May 2006). The Observer of the European Dairy Association (EDA) stated that this definition did not take into account the physiological differences between the various trans fatty acids. New scientific research on this was underway, particularly on trans fatty acids occurring naturally in milk. EDA is of the opinion that the CCFL meeting should postpone the inclusion of this definition pending the findings of this research.

20. The Committee expressed its concern about the implications of the establishment of a definition for trans fatty acids to its work and requested CCFL to take these concerns into account.

Benzoyl Peroxide

21. The Committee noted that following the positive safety evaluation of benzoyl peroxide by JECFA, the 37th Session of CCFAC forwarded the provision for benzoyl peroxide to the 28th Session of the Commission for inclusion in the GSFA in food category 01.8.2 (dried whey and whey products, excluding whey cheeses) at an ML of 100mg/kg. In view of the above, the Committee requested the 29th Session of the Commission to amend the Standard for Whey Powders (CODEX STAN A-15-1995, Rev. 1 – 2003) to include the provision for benzoyl peroxide.

CONSIDERATION OF DRAFT CODEX STANDARDS AND RELATED TEXTS AT STEP 7 (Agenda Item 3)

DRAFT AMENDMENT TO SECTION 2 “DESCRIPTION” OF THE CODEX GENERAL STANDARD FOR CHEESE (Agenda Item 3a)⁵

22. The Committee recalled that at its 6th session it had agreed to retain the draft Amendment to Section 2 “Description” of the Codex *General Standard for Cheese* at Step 7 and to request comments on values for minimum protein content in cheese, justification for these values and the means of their expression (e.g. as on a dry matter basis or mass by mass basis) with the understanding that this information would facilitate discussion at the next Session⁶.

23. The Committee noted: that the establishment of a minimum protein level for cheese had been widely discussed without reaching agreement on a numerical value for minimum protein content; that a numerical value for minimum protein content was not specified in other standards for cheeses; and that, since it was possible to make cheese with a very low protein level, there was a risk that a numerical value for minimum protein content would exclude some types of cheeses currently in international trade.

⁵ ALINORM 04/27/11, Appendix II; CL 2005/14-MMP, Part B; CX/MMP 06/7/3 (Comments in response to CL 2004/15-MMP by Argentina, Brazil, New Zealand, Uruguay and Venezuela); CRD 2 (Comments by Philippines); CRD 11 (Comments by European Community).

⁶ ALINORM 04/27/11, para. 22.

24. Therefore, the Committee supported the proposed approach that protein content of cheese should not be subject to a quantitative limit but should be distinctly higher than the protein level of the blend of the milk materials, listed in Section 2.1 (a) “Description” of the Codex *General Standard for Cheese*, from which the cheeses are made.

Status of the Draft Amendment to Section 2 (Description) of the Codex General Standard for Cheese

25. The Committee agreed to forward the draft Amendment to the 29th Session of the Commission for adoption at Step 8 (see Appendix II).

DRAFT STANDARDS FOR A BLEND OF EVAPORATED SKIMMED MILK AND VEGETABLE FAT; FOR A BLEND OF SKIMMED MILK AND VEGETABLE FAT IN POWDERED FORM; AND FOR A BLEND OF SWEETENED CONDENSED SKIMMED MILK AND VEGETABLE FAT (Agenda Item 3 b-d)⁷

26. The Committee recalled that the 27th Session of the Commission adopted the texts at Step 5 and advanced them to Step 6⁸; that the 33rd Session of CCFL endorsed the labelling provisions as proposed in the three draft standards and asked the Committee to consider whether the second paragraph of section 7.2 “Declaration of total fat content” required further clarification or amendment, with the understanding that any amendment would be referred back to the CCFL for endorsement⁹; and that the 37th Session of CCFAC endorsed some of the food additives provisions in the three draft standards and returned others to the Committee.¹⁰

General Comments

27. The Committee considered the referral of the 33rd Session of CCFL and agreed to amend the paragraph in the three draft standards according to a proposal of the Delegation of Canada that had been agreed by its 6th Session but had not been recorded in the report of that session. The proposal aimed at clarifying that “When required by the country of retail sale, the common name of the vegetable from which the fat or oil is derived shall be included in the name of the food or as a separate statement”. The Delegation of Malaysia expressed its reservation to this decision as it was of the opinion that it would be more appropriate to refer to “the common name of vegetable fat and vegetable oil”.

28. In addition to some minor editorial amendments, the Committee agreed to the following changes to the three draft Standards:

Section 1 “Scope”

29. The Committee agreed to expand the scope of the standard to include products intended for further processing so as not to limit the technological usage of the products and for consistency with the scope of other standards.

Section 3 “Essential Composition and Quality Factors”

30. The Committee deleted milkfat products from the list of raw materials (Section 3.1) in recognizing that the scope of the standard was to cover blends of evaporated skimmed milk and vegetable fat only and that the addition of milkfat was not allowed in the products covered by the Standard.

31. In noting that the 37th Session of CCFAC did not endorse the use of potassium chloride because salt substitutes was not an additive functional class, the Committee added potassium chloride to the list of permitted ingredients (Section 3.2) as a salt substitute.

⁷ ALINORM 04/27/11, Appendices III, IV, V; CL 2004/28-MMP; CX/MMP 07/7/4 (Comments at Step 6 by Argentina, Australia, Canada, European Community, France, United States of America and Venezuela); CX/MMP 06/7/4 Add.1 (Comments at Step 6 submitted by European Community and India); CRD 2 (Comments by Cuba, India, Indonesia, Malaysia, Philippines and IDF); CRD 14 Revised (Recommendations of the *ad hoc* Working Group on Food Additives).

⁸ ALINORM 04/27/41, paras 75-76 and Appendix IV.

⁹ ALINORM 05/28/22, paras 14-19.

¹⁰ ALINORM 05/28/11, para. 44 and Appendix V.

32. In Section 3.4 “Composition” the name of category “Blend of Evaporated Partly Skimmed Milk and Vegetable Fat” was changed to “Reduced Fat Blend of Evaporated Skimmed Milk and Vegetable Fat” for clarity and consistency with the scope of the Standard. For consistency, the same amendment was made in Section 7.1 “Name of the Food” The other two standards were amended accordingly.

33. In Section 3.4 of the proposed draft Standard for Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat, the Committee agreed to a minimum total fat content of 8% for category “Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat” and removed the square brackets around this figure.

Section 4 “Food Additive”

34. The Committee agreed to include the lists of food additives recommended by the *ad hoc* Working Group on Food Additives (see para. 5) as contained in CRD 14. It agreed that INS 332 Potassium Citrate should be listed as individual food additives (i.e. INS 332i-ii).

35. The Committee endorsed the recommendation of the *ad hoc* Working Group to request the CCFAC to revise the Codex *Class Names and International Numbering System for Food Additives* (CAC/GL 36-1989) (INS System) to associate the food additives functional class “Stabilizer” to potassium chloride (INS 508), calcium chloride (INS 509), calcium citrates (INS 333), propylene glycol alginate (INS 405) and sodium dihydrogen citrate (INS 331i) and the food additive functional class “Acidity Regulator” to sodium lactate (INS 325).

Section 6 “Hygiene”

36. In view of the adoption of the Codex *Code of Hygienic Practice for Milk and Milk Products* (CAC/RCP 57-2004) by the 27th Session of the Commission, the Committee agreed to revise this section to specifically refer to the Code and to delete the provisions contained in Section 6.2 as already covered by the new Code.

37. In taking this decision the Committee agreed to amend all the other texts related to milk products accordingly and to request the Commission to amend the Codex General Standard for Cheese (CODEX STAN A-6-1978, Rev.1-1999) and other relevant texts as appropriate.

Section 7 “Labelling”

38. The Delegation of Malaysia proposed to reinsert the reference to the examples of other names of products in Section 7.1 “Name of the food” in order to prevent any misconception about products already in the market place and to avoid confusion among regulators and consumers as to these names (e.g. filled milk) which had a long history of use in some Member Countries. The Committee recalled the discussion at its 6th Session that led to the decision to delete the examples and did not support the reinsertion. The Delegation of Malaysia expressed its reservation to this decision.

Status of the Draft Standards for a Blend of Evaporated Skimmed Milk and Vegetable Fat; a Blend of Skimmed Milk and Vegetable Fat in Powdered Form; and a Blend of Sweetened Condensed Skimmed Milk and Vegetable Fat

39. The Committee agreed to forward the draft standards to the 29th Session of the Commission for adoption at Step 8 (see Appendices III, IV and V). It also agreed to forward the revised sections on Additives and Labelling to the relevant Committees for their endorsement. The Committee agreed to request that CCFAC provide guidance on how to integrate the food additive provisions into the Codex *General Standard for Food Additives* (GSFA).

DRAFT REVISED STANDARDS FOR CHEDDAR (C-1) AND DANBO (C-3) (Agenda Item 3 e-f)¹¹

40. The Committee recalled that the 27th Session of the Commission adopted the two texts at Step 5 and advanced them to Step 6¹²; the 33rd Session of CCFL asked the Committee to reconsider section 7.2 and in particular to clarify the mandatory country of origin labelling provisions and endorsed all other labelling provisions in both standards¹³; the 37th Session of CCFAC endorsed some of the food additives provisions in the two draft standards and returned others to the Committee for further consideration and clarification.¹⁴

General Comments on All Individual Cheese Standards

41. There was general agreement in the Committee that the for all cheese standards should, as far as possible, be finalized together, but in accordance with the review carried out by the 55th Session of the Executive Committee, that this decision should in no way delay the finalisation of any of the standards if there was no consensus on some of them.

42. With regard to the food additives (Section 4), the Committee considered the recommendations of the *ad hoc* Working Group on Food Additives (see para. 5) as proposed in CRD 15.

43. The Delegation of the European Community, supported by several other delegations, made the following proposals to amend the lists of food additives proposed by the *ad hoc* Working Group:

- For Unripened Cheese: (*EC amendments to be added*)

INS 235: maximum level of pimaricin of 1 mg/dm²; INS 280-283: GMP for use for surface treatment only; INS 350-352, INS 577-578, INS 338, and INS 331i, 332i and 333i: not permitted in mozzarella.

Stabilizers - INS 338, 339, 340, 341, 342, 343 and 450-452: 2000 mg/kg singly or in combination, expressed as P₂ O₅ for cottage cheese and cream cheese, but not permitted for mozzarella; INS 413, 417 and 466: not permitted in mozzarella.

Emulsifiers – INS 405: not permitted.

Colours – No colours permitted in unflavoured unripened cheese, including INS 140, 141i and 141ii.

Anticaking agents: INS 551-560: not permitted in mozzarella.

- For Ripened Cheese:

Colours – INS 171 no allowed.

Preservatives – INS 200-203: only permitted for prepacked/sliced cheeses; INS 235: permitted at 1mg/dm² only.

Anticaking agents – INS 551-559: only permitted for sliced or grated cheeses.

¹¹ ALINORM 04/27/11, Appendices Vi and VII; CL 2004/28-MMP; CX/MMP 07/7/4 (Comments at Step 6 by Argentina, Australia, Canada, European Community, France, United States of America and Venezuela); CX/MMP 06/7/4 Add.1 (Comments at Step 6 submitted by European Community and India); CRD 2 (Comments by Cuba, India, Indonesia, Malaysia, Philippines and IDF); CRD 3 (Comments by IDF); CRD 10 (Comments by IDF); CRD 11 (Comments by European Community); CRD 15 (Recommendations of the *ad hoc* Working Group on Food Additives).

¹² ALINORM 04/27/41, paras 75-76 and Appendix IV.

¹³ ALINORM 05/28/22, paras 20-21.

¹⁴ ALINORM 05/28/11, paras 44-45 and Appendix V.

44. The Committee agreed to replace the current list of food additives with those proposed by the *ad hoc* Working Group. The Committee agreed to delete paprika oleoresin from lists of food additives of the individual cheese Standards and to reconsider its inclusion once evaluated by JECFA as a colour. The Delegation of Austria, speaking on behalf of the 15 European Community Member States present at the Session, supported the view expressed by the Delegation of European Community, and, in the interest of making progress on this text, expressed its general reservation with regard to the decision on the additives section taken by the Committee. This was supported by the Delegation of Switzerland.

45. The Committee requested CCFAC to place paprika oleoresin (INS 160c) on its priority list for JECFA review and to identify the availability of information and data necessary for JECFA to evaluate the use of paprika oleoresin as a colour in food.

Draft revised Standard for Cheddar (C-1)

46. The Committee considered the document section by section and in addition to some minor editorial amendments and amendments to the Spanish and French version, agreed to the following changes

Section 2 “Description”

47. The Committee agreed to amend footnote 1 to clarify that the rind in “cheese without rind” had not been removed prior to sale. In the second paragraph, after a long debate, on the need to use ripening enhancing enzymes and in order to recognise future technological developments, it was agreed to retain the text “including the addition of ripening enhancing enzymes” and to remove the square brackets. The Committee agreed that this amendment applied to all individual standards for ripened cheese varieties. The Delegations of Switzerland and Germany expressed their reservations with this decision. The delegation of France expressed reservations with this decision as it was of the view that the use of ripening enhancing enzymes should be considered on a standard by standard basis.

48. The last sentence was amended to clarify that Cheddar intended for further processing needed not exhibit the same extent of ripening when justified through technical and/or trade needs. The Committee agreed that these changes would apply horizontally to all other individual cheese standards where these provisions occurred.

Section 3.2 “Permitted Ingredients”

49. The Committee noted that potassium chloride had been removed from the list of food additives because there was not a functional class for salt substitutes. Therefore, it agreed to include potassium chloride in Section 3.2 “Permitted ingredients” as a salt substitute along with sodium chloride.

50. The inclusion of calcium chloride was proposed, as a processing aid, in the list. In recognising that the use of processing aids in the manufacture of cheese was not limited to calcium chloride, the Committee agreed to add “safe and suitable processing aids” to the list of permitted ingredients.

51. The Committee agreed that these changes would apply horizontally to all other individual cheese standards.

Section 3.3 “Composition”

52. The Committee removed the square brackets and agreed on a reference level for milkfat in dry matter of 48% - 60%.

Section 4. Food Additives

53. The Committee agreed to amend the introductory statement to indicate that only those additive classes that were listed as technologically justified in the table of this section may be used. In accordance with its decision to include salt substitutes as permitted ingredients (see para. 31), it deleted salt substitutes from the table. The Committee agreed that these changes would apply horizontally to all other individual cheese standards.

Section 6 “Hygiene”

54. The Committee revised the section in accordance with its previous decision (see paras. 36-37).

Section 7.1 “Name of Food”

55. At the end of the third paragraph, the Committee agreed to amend the text regarding the expression of fat level by the inclusion of “*whichever is acceptable in the country of retail sale...*” to allow flexibility and to apply this amendment horizontally to all individual cheese standards. It agreed to remove the square brackets from footnote 3, in accordance to its decision on the reference level for milk constituent (see para. 52).

Section 7.2 “Country of Origin”

56. With regard to the request of the 33rd Session of CCFL to reconsider Section 7.2 “Country of Origin” and to clarify the mandatory country of origin labelling provisions, some countries were of the view that the provisions were not supportable for food safety reasons, increased compliance costs and did not provide benefits to consumers, and proposed to delete the provision. The Committee however agreed to retain the current wording of the Section in all individual cheese standards and to provide the following explanation for this decision to CCFL.

57. The C-Standards which were developed in the early 1960’s prior to the adoption of the Codex General Standard for the Labelling of Prepackaged Food¹⁵ (GSLPF) used the term “country of origin” as meaning the country in which the name first originated. The former approach used also included the principle that the “country of manufacture” (i.e. country of origin as described in the GSLPF) was to be declared in the case that the varietal cheese was manufactured in a country other than the country in which the name historically originated. Continuation of such usage now would be in conflict with the GSLPF, where “country of origin” means the country in which the product has been manufactured.

58. On the other hand, the individual standards currently under revision concern cheese varieties that are manufactured all over the world under the generic names specified by the respective standards (resulting from the evaluation of the 3rd CCMMP with regard to significance in trade). Section 4.5.1 of the GSLPF will not resolve disputes if the generic nature of these cheeses is disputed. Thus the CCMMP has proposed mandatory Country of Origin labelling independent of the geographical origin of the cheese varieties.

59. This was agreed upon in order to:

- ensure that henceforth the understanding of the term “country of origin” (i.e. country of manufacture) is consistent with the use in Section 4.5 of the GSLPF,
- ensure that henceforth the same labelling provisions apply to all manufacturers worldwide by abandoning the earlier approach which differentiated between countries in which the name was considered to have historically originated and any other country, and
- ensure that the maximum amount of information is provided since omission of country of origin information, in the case of these specific C-Standards, would mislead or deceive the consumer.

60. To conform with Section 8.1.2 of the GSLPF it is sufficient that the country of origin (i.e. country of manufacture) information is presented somewhere in the labelling and not necessarily in close proximity to the name of the food. As an example, a cheese could be described as being “produced in country X” or simply by mention of the name of the manufacturer, provided that any such mention of manufacturer also includes mention of the country of origin (i.e. country of manufacture).

61. The Delegation of New Zealand was of the opinion that this provision should not be applied horizontally to all individual cheese standards, but should be decided on a standard by standard basis. The Delegations of New Zealand and Australia expressed their reservations with the decision to retain mandatory country of origin labelling.

Section 7.3 “Declaration of milkfat content”

62. The Committee agreed to amend this section to be consistent with the wording of other adopted milk and milk product standards and to apply this amendment horizontally to all individual cheese Standards.

¹⁵ CODEX STAN 1-1985 (Rev.1 – 1991).

Draft revised Standard for Danbo (C-3)

63. The Committee considered the Standard section by section and only applied the horizontal changes previously agreed to.

Status of the Draft Revised Standards for Draft Cheddar (C-1) and Danbo (C-3)

64. The Committee agreed to advance the two draft Standards to Step 8 for adoption by the 29th Session of the Commission (see Appendices VI and VII). It also agreed to forward the sections on additives and labelling to the relevant Committees for their endorsement.

DRAFT REVISED STANDARD FOR WHEY CHEESE (Agenda Item 3g)¹⁶

65. The Committee noted that the 27th Session of the Commission had adopted the text at Step 5 and advanced it to Step 6¹⁷ and that the 33rd Session of CCFL and the 37th Session of CCFAC had endorsed respectively the labelling provisions and all the food additives provisions as proposed by the Committee.¹⁸

66. The Committee considered the document section by section and, in addition to minor editorial changes, agreed to the following changes:

Section 2 “Description”

67. In section 2.1, the Committee agreed to remove the square brackets from the sentence related to the ratio of whey protein to casein in products obtained through the coagulation of whey and to amend the sentence to state that the ratio should be “distinctly higher than that of milk” to recognise that the products covered by the standard were characterised by an enrichment of whey protein. It was also noted that the sentence was consistent with the language of the Codex *General Standard for Cheese* (Codex STAN A-6-1978, Rev.1-1999). The Delegation of Japan agreed with this proposal with the understanding that membrane techniques are included in the process of whey concentration as in Section 2 of this standard.

Section 3 “Essential Composition and Quality Factors”

68. The Committee included under section 3.2 “Permitted Ingredients” a new paragraph to indicate that sugars (limited by GMP) was a permitted ingredient only in products obtained through the concentration of whey by heat treatment.

69. It also agreed to include a new section 3.3 “Permitted Nutrients” to allow for the use of minerals and other nutrients in these products. The language of the new section was aligned with the text used in draft Standard for a Blend of Evaporated Skimmed Milk and Vegetable Fat (see Agenda Item 3b).

Section 6 “Hygiene”

70. The Committee revised the section in accordance with its previous decision (see paras 36-37).

Status of the proposed draft revised Standard for Whey Cheese

71. The Committee agreed to forward the draft revised Standard to the 29th Session of the Commission for adoption at Step 8 (see Appendix VIII).

¹⁶ ALINORM 04/27/11, Appendix XXII; CL 2004/28-MMP; CX/MMP 07/7/4 (Comments at Step 6 by Argentina, Australia, Canada, European Community, France, United States of America and Venezuela); CX/MMP 06/7/4 Add.1 (Comments at Step 6 by European Community and India); CRD 2 (Comments by IDF); CRD 11 (Comments by European Community).

¹⁷ ALINORM 04/27/41, paras 75-76 and Appendix IV.

¹⁸ ALINORM 05/28/22, para 22; ALINORM 05/28/11, paras 44-45 and Appendix V.

CONSIDERATION OF PROPOSED DRAFT CODEX STANDARDS AND RELATED TEXTS AT STEP 4 (Agenda Item 4)

PROPOSED DRAFT REVISED STANDARDS FOR EDAM (C-4); GOUDA (C-5); HAVARTI (C-6); SAMSO (C-7); EMMENTAL (C-9); TILSITER (C-11); SAINT-PAULIN (C-13); PROVOLONE (C-15); COTTAGE CHEESE (C-16); COULOMMIERS (C-18); CREAM CHEESE (C-31); CAMEMBERT (C-33); BRIE (C-34); PROPOSED DRAFT STANDARD FOR MOZZARELLA (Agenda Item 4a-n)¹⁹;

72. The Committee recalled that at its 6th Session the discussion on the Standard for Edam was discontinued due to time constraints and therefore all proposed draft revised Standards for individual cheeses were retained at Step 4 for further consideration at this Session.²⁰

73. The Committee was further reminded that horizontal changes agreed by the 6th Session also applied to the individual cheese Standards under this item²¹, namely:

- i) the deletion of the preamble;
- ii) the clarification of the last sentence by including reference to “manufacture” as well as “sold”; and the amendment of the footnote to make reference to the Annex to the Codex General Standard for Cheese and to replace “degree” with “extent” in Section 2. “Description”; and
- iii) the deletion of the second sentence of the Appendix.

74. In addition to the above changes and the horizontal changes agreed upon at this Session (see item 3e, f), the inclusion of the lists of food additives proposed by the *ad hoc* Working Group on Food Additives (see para. 5) and some minor editorial amendments, the Committee agreed to the following changes:

Draft revised Standard for Gouda (C-5)

Section 3.3 Composition

75. In order clarify the use of the term “baby” gouda, it was agreed to specify a weight of less than 2.5 kg.

Draft revised Standard for Emmental (C-9)

76. The Delegation of Switzerland expressed its reservations with regard to the development of this Standard as it did not consider the denomination “Emmental” a generic name.

77. In noting the reservation expressed by the Delegation of Switzerland, the Delegation of the United States, supported by the Delegations of the Australia, Canada, Malaysia and New Zealand, expressed the view that “Emmental” was a generic name and that it has been considered as such for some time. These delegations further raised their concern that Protected Denomination of Origin (PDOs) and geographical indications continue to be raised in the Committee on standards for cheeses universally considered to be generic. The Observer of EDA stated that the name “Emmental” without any other qualifying term has to be considered as generic.

Section 2. “Description”

78. After a lengthy discussion on the permitted minimum weight and considering that several countries were producing Emmental of lower minimum weight (below 9 kg), the Committee agreed to amend this Section to indicate that countries in their territory could produce cheese of other weights provided it still maintains its physical, sensory and biochemical characteristics. The Delegation of France expressed its reservation with the decision to include ripening enhancing enzymes in the Standard for Emmental because it was of the view that their use should not be permitted in this product.

Draft revised Standard for Saint-Paulin (C-13)

79. In Section 2 “Description”, the Committee agreed to amend the footnote 1 to indicate that ripening film might be used in the manufacture of rindless cheese.

¹⁹ ALINORM 04/27/11, Appendices VIII-XXI.

²⁰ ALINORM 04/27/11, para. 79.

²¹ ALINORM 04/27/11, paras 58, 60, 61 and 73.

Draft revised Standard for Provolone (C-15)**Section 2 “Description”**

80. It was agreed to amend the temperatures for ripening from 12°C-20°C to 10°C-20°C in order to avoid the unnecessary use of additives. In addition, the last paragraph of this section was amended to indicate that the curd should be of a suitable pH for kneading and stretching. The Committee agreed to also apply this amendment to the Standard on Mozzarella.

Draft revised Standard for Cottage Cheese (C-16)**Section 7.1 “Name of the Food”**

81. The last sentence of the first paragraph was modified to more clearly illustrate that it was the consumer in the country of retail sale that should not be misled by the name of the product. It was agreed to also apply this amendment to the Standard on Cream Cheese.

82. It was agreed to delete “*dry curd cottage cheese*” from the first paragraph of this section and to amend the last paragraph, in order to indicate that “*dry curd*” or “*creamed*” referred to a style or nature of the food in order to permit the use of qualifiers which would allow for greater descriptive flexibility.

Draft revised Standard for Coulommiers (C-18)

83. It was agreed to add *Penicillium candidum* as another mould responsible for rind formation and maturation in Section 3.5 “Essential Ripening Procedure” and to apply this amendment to the other white-moulded cheeses, i.e. Brie and Camembert.

Draft revised Standard for Cream Cheese (C-16)

84. It was agreed that in the French and Spanish versions reference could be made to “*cream cheese*” in addition to the terms “*fromage à la crème*” and “*queso de nata*” and “*queso crema*”. It agreed to amend the title and section 7.1 “name of food” of the Standard to reflect this decision.

Status of the Proposed Draft revised Standards for Edam (C-4); Gouda (C-5); Havarti (C-6); Samsó (C-7); Emmental (C-9); Tilsiter (C-11); Saint-Paulin (C-13); Provolone (C-15); Cottage Cheese (C-16); Coulommiers (C-18); Cream Cheese (C-31); Camembert (C-33); Brie (C-34); Proposed Draft Standard for Mozzarella

85. The Committee agreed to advance the proposed draft Standards for individual cheeses to Step 5/8 for adoption by the 29th Session of the Commission (see Appendices IX-XXII) and to forward the proposed sections on additives and labelling to the relevant Committees for their endorsement.

PROPOSED DRAFT TEMPLATE FOR FERMENTED MILK DRINK PROVISIONS (Agenda Item 4o)²²

86. The Committee recalled that at its 6th Session it had agreed to circulate a template for Fermented Milk Drinks Provisions for comments at Step 3 and further consideration at its next session and to establish a Working Group, led by Indonesia, to consider how to proceed with the development of new work on Fermented Milk Drinks and prepare a proposal for the consideration at the next Session.²³

87. The Delegation of Indonesia presented the report of the Working Group (CX/MMP 07/6/6) which recommended that:

- the category of Fermented Milk Drinks be inserted into the Codex *Standard for Fermented Milks*;

²² ALINORM 04/27/11, Appendix XXIV; CL 2004/15-MMP, Part B; CX/MMP 06/7/5 (Comments at Step 3 by Argentina, Australia, Brazil, Iran, Japan, Mexico and Paraguay); CX/MMP 06/7/5, Add.1 (Comments at Step 3 by Kenya and Thailand); CX/MMP 06/7/6 (Discussion Paper on the Development of New Work on Fermented Milk Drinks); CRD 4 (Comments by Cuba, India, Indonesia, Mexico and Philippines); CRD 11 (Comments by European Community).

²³ ALINORM 04/27/11, para. 146.

- a new sub-category (sub-section 2.4) be created in the Standard for Fermented Milks in order to accommodate Fermented Milk Drinks;
- the accommodation of Fermented Milk Drinks within the Standard for Fermented Milks must in no way lead to re-opening of issues agreed. The only amendments to the Standard for Fermented Milks would be those required to accommodate the category of Fermented Milk Drinks;
- the provisions for Fermented Milk Drinks under discussion in the Committee should be integrated into the Standard for Fermented Milks only once they have been finalized by the Committee;
- when addressing the issue of Fermented Milk Drinks in the Committee the following title should be used: Provisions for Fermented Milk Drinks: Standard for Fermented Milks.

88. The majority of delegations supported the recommendation of the Working Group to develop provisions for Fermented Milk Drinks for inclusion in the Codex *Standard for Fermented Milks* (CODEX STAN 243-2003). Some delegations did not support this recommendation because the inclusion of the provisions for fermented milk drinks in the Standard would create confusion among consumers as to the nature of these products and could lead to substantial modifications of the Standard. Some other delegations were of the view that a decision on the inclusion of provisions for Fermented Milk Drinks in the Standard or the development of a separate standard should be considered only once the provisions for these products be finalized by the Committee.

89. In view of opinion of the majority of delegations, the Committee agreed to proceed with this work as proposed by the Working Group and with the clear understanding that the scope of this work would be limited to the development of provisions for fermented milk drinks for inclusion in the Codex *Standard for Fermented Milks* without re-opening any discussion on the provisions currently included in the Standard.

90. In considering the various sections of the proposed draft Template for Fermented Milk Drinks, the Committee made the following comments:

Title

91. The Committee agreed to change the title to: Proposed draft Amendment to the Codex Standard for Fermented Milks pertaining to Composite Fermented Milk Drinks.

Section 2 “Description”

92. The Committee debated on the minimum percentage of dairy ingredients. Some delegations expressed the view that products with the proposed dairy ingredient content of 40% would be misleading to consumers. It was reminded of the mandate of the 26th Session of the Commission to consider new work on fermented milk drinks²⁴. It was also noted that not all products with 50% or more dairy ingredients were covered by the Codex *Standard for Fermented Milks*.

93. The Committee noted that in the market there were fermented milk drinks, that were not covered by the Standard. In order to better understand the types of products to be covered by this new work, the Committee requested the International Dairy Federation (IDF) to conduct a review of the nature of drinkable fermented milk products that exist in the market and which were not covered by the Codex *Standard for Fermented Milks*.

94. It was noted that the provisions (e.g. raw materials; permitted ingredients) needed to be revised as to their content, language and presentation and to be presented in such a way to clearly separate them from the provisions currently contained in the Standard.

Section 7.1 “Name of the Food”

95. Some delegations were of the view that the Section needed to be entirely revised. It was observed that different names were used for these products, often coined/fanciful names; and that it would be preferable to not associate the term milk with the names of these products to avoid misleading the consumers.

²⁴ ALINORM 03/41, para.98.

Status of the proposed draft Template for Fermented Milk Drinks Provisions

96. The Committee agreed to return the renamed proposed draft Amendment to the Codex *Standard for Fermented Milks* pertaining to composite fermented milk drinks to Step 2 for redrafting by an electronic Working Group led by Indonesia²⁵. It agreed that the Working Group in redrafting the document would take into consideration the above discussion and the information provided by IDF (see para. 93). The revised document would be circulated for comments at Step 3 and consideration by the next Session of the Committee. It was agreed that the electronic Working Group would work in English only and would submit the document well in advance of the next Session to allow for adequate time for circulation for comments at Step 3.

97. The Committee indicated that this work would be completed by 2010 (by its 9th Session).

PROPOSED DRAFT STANDARD FOR DAIRY SPREADS (Agenda Item 4p)²⁶

98. The Committee recalled that at its 6th Session it had returned the proposed draft Standard for Dairy Spreads to Step 2 for redrafting by a Working Group led by the European Community on the basis of the discussion and written comments submitted at that Session, for circulation for comments at Step 3 and consideration at its current Session.²⁷

99. The Delegation of the European Community, leader of the *ad hoc* Working Group on Dairy Spreads (see para. 5) introduced the revised Standard for Dairy Fat Spreads as presented in CRD 13. It was noted that the work was based on a proposal contain in CRD 12, which had into taken account the written comments submitted.

100. The Committee discussed the draft revised Standard section by section and in addition to some minor editorial amendments agreed to the following changes:

Title of the Standard

101. The Committee agreed to the proposal of the Working Group to change the name of the Standard to “*Standard for Dairy Fat Spreads*”.

Section 4 “Food Additives”

102. Due to the concerns expressed on the list of food additives in Section 4, the Committee agreed to request the *ad hoc* Working Group on Food Additives (see para. 5) to develop recommendations for dairy fat spreads.

103. The Committee agreed with the list of food additives proposed by the Working Group in CRD16. It added to the list trisodium citrate (INS 331iii) limited by GMP.

Section 7.1 “Name of Food”

104. The Committee agreed to the deletion of “dairy spread” in Section 7.1.1 so that the name of the food would be “dairy fat spread” for consistency with the title and scope of the Standard.

Section 8 “Methods of Analysis”

105. The Committee removed the listed method from this Section as it was already included in the list of methods to be discussed under Agenda Item 8(a).

²⁵ With the assistance of Argentina, Austria, Belgium, Brazil, France, Germany, India, Italy, Japan, Kenya, Lithuania, Malaysia, Mexico, Nepal, Netherlands, New Zealand, Philippines, Thailand, United States of America, Vietnam, and IDF.

²⁶ CX/MMP 06/7/7; CX/MMP 06/7/7, Add.1 (Comments at Step 3 by Argentina, Australia, Canada, New Zealand and Venezuela); CX/MMP 06/7/7, Add.2 (Comments at Step 3 by Colombia, India, Kenya Thailand United States of America and IDF); CRD 5 (Comments by India, Malaysia and New Zealand); CRD 11 (Comments by European Community); CRD 12 (Proposed Draft Revised Standard for Dairy Fat Spreads prepared by the *ad hoc* Working Group on Dairy Spreads); CRD 13 (Proposed Draft Revised Standard for Dairy Fat Spread prepared by the *ad hoc* Working Group on Dairy Spreads); CRD 16 (Recommendations on food additives for dairy fat spreads prepared by the *ad hoc* Working Group on Food Additions).

Status of the proposed draft Standard for Dairy Spreads

106. The Committee agreed to advance the renamed proposed draft Standard for Dairy Fat Spreads to Step 5/8 for adoption by the 29th Session of the Commission (see Appendix XXIII) and to forward the proposed sections on food additives and labelling to the relevant Committees for their endorsement.

PROPOSED DRAFT STANDARD FOR PROCESSED CHEESE (Agenda Item 4q)²⁸

107. The Committee recalled that at its 6th Session it had returned the proposed draft Standard to Step 2 for redrafting on the basis of the discussion and written comments, for circulation, comments at Step 3 and consideration at its next Session²⁹.

108. The Representative of IDF introduced the document and highlighted the constructive work of the Working Group which demonstrated ability to make important compromises on a very contentious issue. The Working Group recognised that currently there was no problem in international trade with regard to Processed Cheese, despite the inherent weaknesses in the existing Standards A-8(a), A-8(b) and A-8(c) and different ways these have been implemented in national legislation. The Working Group concentrated on developing a Standard for processed cheese in general, which was aimed at replacing the existing Standards A-8(a) and A-8(b).

109. The main objectives of the documents were to:

- i) distinguish processed cheese from processed cheese preparations;
- ii) further develop the general approach in a way that would not exclude significant quantities of products currently designated as Processed Cheese;
- iii) develop a more contemporary approach to named variety processed cheese.

110. The Committee noted that due to the complex nature of the products, the proposed draft standard included some provisions which differed from other milk product standards and that recommendations on dry matter figures and additive provisions had been provided by IDF in CX/MMP 06/7/8, Add.2.

111. Many delegations expressed support for the development of the document, although it was recognized that additional work was still needed and that the large quantity of products traded internationally and potential challenges to international trade in the future because of differences in national legislation justified work by the Committee

112. Other delegations were in favour of discontinuing work because currently there was no problem for these products in international trade; the risk of not defining a minimum quantity of cheese content; and the difficulty to clearly identify the products covered by the Standard.

113. In view of the majority of the delegations which favoured further development of the document, and in recognizing it needed further elaboration, the Committee considered the document section by section with a view to collecting comments for further elaboration of the document. In addition to the written comments, the following observations were made:

²⁸ CX/MMP 06/7/8; CX/MMP 06/7/8, Add.1 (Comments at Step 3 by Argentina, Australia, Japan, New Zealand and Venezuela); CX/MMP 06/7/8, Add.2 (Comments by IDF); CX/MMP 06/7/8, Add.3 (Comments at Step 3 submitted by France, Canada, India, Thailand and United States of America); CRD 5 (Comments by India and New Zealand); CRD 11 (Comments by European Community).

²⁹ ALINORM 04/27/11, para. 90.

Essential Composition

114. Several delegations expressed support for the approach to express the relation between the various components of processed cheese, instead of expressing percentage and/or minimum value, as this approach allowed for more flexibility to standardize these types of products. It was indicated that the presentation of the section needed to be improved for clarity purpose and that values for minimum dry matter content needed further discussion; that provisions that trigger the qualifier “spreadable” needed further elaboration; and that the content of the section should be consistent and not repeat concepts related to the labelling of these products, e.g. Section 7.1 “Name of the food”.

115. Some delegations were of the view that cheese should represent the largest category of ingredients and be at least 50%; that allowing low cheese content for these products might be inconsistent with the use of the term cheese in the *Codex Standard for the Use of Dairy Terms*; that in processed cheese named varieties, the percentage of the named cheese needed to be further discussed and that cheese content should be calculated not only on products basis but also on dry matter basis; and that a maximum value for milkfat in dry matter (i.e. 75%) might exclude certain processed cheese already available in the market.

116. The inclusion of gelatine and starches among the permitted ingredients was considered and it was noted that their inclusion would depend on the discussion on the technological justification for the use of stabilizers and thickeners in the products.

Food Additives

117. Several delegations were of the view that the section needed further elaboration and discussion with regard to the use of functional classes of additives in various types of processed cheeses. It was also noted that, in preparing the list of additives consideration, should be given to the carry over from the raw materials.

Labelling

118. It was noted that the section needed further elaboration to improve its clarity to not mislead consumers as to the nature of these products; that the Section should be consistent with the provisions of Section 3 and should contain only provisions related to labelling and not to essential quality (e.g. texture of spreadable processed cheese); that further discussion was needed on the provisions concerning the naming and the texture of spreadable processed cheese; that the provisions of various subsections (e.g. 7.1.3 and 7.1.5) needed to better differentiate the products they were related to and that consideration be given to label declaration of non milk ingredients/additives of animal origin used in the products.

Status of the Proposed Draft Standard for Processed Cheese

119. The Committee agreed to return the proposed draft Standard to Step 2 for redrafting by a physical Working Group led by New Zealand³⁰ based on the above discussion and the written comments submitted at the present Session, for circulation, comments at Step 3 and further consideration at the next Session. It was agreed that the physical Working Group will meet in March 2007 in Brussels and will work in English only.

120. The Committee indicated that this work would be completed by 2010 (by its 9th Session).

PROPOSED DRAFT MODEL EXPORT CERTIFICATE FOR MILK AND MILK PRODUCTS (Agenda Item 4r)³¹

121. The Committee recalled that at its 6th Session it had returned the proposed draft Model Export Certificate to Step 2 for redrafting by a Working Group led by Switzerland on the basis of the discussion and written comments submitted at the Session.³²

³⁰ With the assistance of Argentina, Australia, Austria, Brazil, Canada, France, Germany, India, Ireland, Italy, Japan, New Zealand, Sweden, Thailand, United States of America and IDF.

³¹ CX/MMP 06/7/9; CX/MMP 06/7/9, Add.1 (Comments at Step 3 by Argentina, Australia, India, New Zealand, Thailand, IDF and OIE); CRD 5 (Comments by India, Malaysia and New Zealand); CRD 11 (Comments by European Community).

³² ALINORM 04/27/11, para. 108.

122. The Committee expressed general support for the document prepared by the Working Group which had significantly improved from the previous versions.

123. The Committee considered the document section by section and, in addition to minor editorial amendments, agreed to the following changes:

Introduction

124. The Committee added at the end of the last sentence of paragraph 1 “which should be considered when developing an official or officially recognised certificate for milk and milk products” to harmonise with the approach with the Model Export Certificate for Fish and Fishery Products.

125. The second paragraph was redrafted to clarify that the certificate was not dealing with matters of animal and plant health unless they were directly related to food safety and to recognize that a single certificate might contain other information. A sentence was added to specify that attestation on animal health matters should refer to the OIE Terrestrial Animal Health Code.

Objectives

126. The wording of paragraph 5 was amended to more accurately reflect the mandate of Codex of protecting the health of the consumers and ensuring fair practices in the food trade.

Scope

127. In paragraph 9, the Committee agreed to expand the scope of the certificate to include composite milk products, for completeness.

Definitions

128. The definitions for “inspection” and “requirements” were aligned with those contained in the Codex *Principles for Food Import and Export Inspection and Certification* (CAC/GL 20-1995).

Use of Model Export Certificate for Milk and Milk Products

129. This Section was amended to better describe the model certificate’s form and its use. Namely, the Committee agreed to add to paragraph 13 two sentences specifying that the model certificate consisted of a series of fields and that it was necessary to fill all fields necessary to support the validity of the certificate. A new paragraph was added to refer to the Codex *Guidelines for Generic Official Certificate Format and the Production and Issuance of Certificates* for the format and method of transmission of the certificate.

130. The Committee discussed the modality for the issuance of “replacement” certificate and of “addendum” and amended the text to specify that these certificates must be signed by a certifying officer but not necessarily by the same certifying officer.

I. Details Identifying Milk and Milk Products

131. The Committee discussed on the need to retain “Nature of food”; some delegations were of the opinion that the name of product in combination with the title of the certificate was in itself sufficient to identify the food; however, in recognizing that in some cases this information could be useful to identify the characteristics of the product, the Committee deleted the square brackets, while retaining the text. It was also specified that the nature of the products should be described according to Sections 2.1 (milk), 2.2 (milk product) and 2.3 (composite milk product) of the Codex General Standard for the Use of Dairy Terms.

132. The description of “Name of product” was amended to make clear that the information appearing in the Section should replicate what was presented on the label and be sufficient to identify food. The Committee also agreed to add the following text concerning certificates for food samples “Where a certificate for trade samples is required a consignment consisting of a food sample intended for evaluation in the importing country may be described using a term such as “trade samples”. It should be clearly indicated on the certificate or the package that the sample is not intended for retail sale and has no commercial value”.

133. The Committee had a long discussion on the need to provide information on date of manufacture, date of minimum durability or expiry date. It was noted that officers were not in a position to certify the minimum durability of a product and that this information was provided by the producers. It was also noted that information on minimum durability was very important for some importing countries which had often to make decisions on the entry of products in a country, particularly dairy products, based on the information contained in the certificate. The Committee in recognizing that the issue needed further discussion agreed to put in square brackets the definition of Lot(s) identification/ Date(s) Code, along with the corresponding section of the Annex, for further consideration at its next Session.

II. Provenance of Milk and Milk Products

134. The description of “Means of transport” was amended by replacing the second sentence with the provisions for the entry of the shipping containers and seal number as appropriate to recognize that a significant amount of dairy products are transported by shipping container.

135. The description of “Exporter or Consigner [Export License N^o]” was deleted in its entirety as the field was self-explanatory.

III. Attestation

136. The Committee amended the description of “public health attestation” to specify that the products should originate from an establishment in good regulatory standing. It deleted the qualifier “competent” to HACCP system as inappropriate and added some flexibility to the requirement related to HACCP system, by adding “where appropriate”.

137. The Committee amended the last sentence to allow for compliance of the product with either or both hygiene requirements of the exporting country and of the Codex Code of Hygienic Practice for Milk and Milk Products. In recognising that further discussion was needed on the acceptance of dairy products only on the basis of their compliance with the requirements of the exporting country or the Code of Hygienic Practice for Milk and Milk Products”, the Committee put the entire section and the corresponding field of the Annex in square brackets for further discussion at its next session.

Annex (Model Export Certificate for Milk and Milk Product’s Form)

138. The Committee removed the square brackets around “Nature of Food” in consistency with its previous decision (see para. 131).

139. The field “Lot(s) identification” was maintained as a separate field. The Committee changed “Date Code” with “Date(s) of manufacture” and added a new field “Date(s) of minimum durability, when required, if, and as provided on label” as a consequence to its discussion (see para. 133). The two fields were put in square brackets for further consideration at its next meeting.

140. The Committee noted that the information on Manufacturing Establishment or Factory Approval or Identity No often was not sufficient to allow for the easy and quick identification of the producers. It therefore agreed to request information on name and address of manufacturer and modified the field accordingly. The Delegation of the Netherlands expressed its reservation to this decision.

141. The Committee noted that information on Export License number was not always sufficient to easily identify and contact the exporter or consignor. Therefore, it added a new field for “Export License Number, if required”.

142. In the first tick box of the field “Attestation” the Committee agreed to delete “From the point of raw material production to the point of the export” and put the entire field in square brackets according to its previous decision (see para. 137).

Status of the Proposed Draft Model Export Certificate for Milk and Milk Products

143. The Committee agreed to forward the proposed draft Model Certificate to the 29th Session of the Commission for adoption at Step 5 (see Appendix XXIV). It agreed that at its next Session it would concentrate its discussion on those sections put in square brackets. In order to facilitate its discussion, the Committee agreed to establish a physical Working Group, to be led by European Community to consider the document along with the comments submitted at Step 6. It was agreed that the physical Working Group would be held immediately prior to the next Session of the Committee and would work in English only.

144. The Committee agreed to request the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) to comment on consistency of the text with the Codex *Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38-2001, Rev.1-2005).

145. The Committee indicated that this work would be completed by 2008 (by its 8th Session).

SPECIFIC FOOD ADDITIVES LISTING FOR THE CODEX STANDARD FOR FERMENTED MILKS (Agenda Item 5)³³

146. The Committee recalled that at its 6th Session it had agreed to circulate the specific food additive listing for the Codex *Standard for Fermented Milks* for comments and that a Working Group, led by the United States, would revise the list on the basis of the comments received for circulation, comments and consideration at its next session.³⁴

147. The Committee considered the recommendations of the *ad hoc* Working Group on Food Additives (see para. 5) as proposed in CRD 15 and agreed to the following:

- i) to endorse the list of food additive provisions for use in plain fermented milks and to include this information into the Codex *Standard for Fermented Milks* (see Appendix XXV, Part 1);
- ii) to endorse the list of food additive provisions for use in heat-treated fermented milks (plain) and to include this information into the Codex *Standard for Fermented Milks* (see Appendix XXV, Part 2).

148. The Committee agreed to forward the above two list to CCFAC for endorsement.

149. With regard to the food additive provisions in the flavoured fermented milks, the Committee agreed that the United States would revise the food additive provisions as contained in CX/MMP 06/7/10 on the basis of the written comments, for circulation for comments and consideration by the next Session of the Committee. It further agreed that the revised list of food additive provisions should explicitly list each food additive within a food additive functional class (i.e. stabilizer, thickener); should be consistent with the food additive provisions in the plain fermented milk categories; and should clearly identify the food additives that are currently adopted in Table 3 of the Codex *General Standard for Food Additives* (GSFA).

150. The Committee agreed that the document prepared by the United States would be submitted well in advance of the next Session to allow for adequate time for circulation for comments.

DISCUSSION PAPER ON NAMING NON-STANDARDISED DAIRY PRODUCTS (Agenda Item 6)³⁵

151. The Committee recalled that at its 6th Session it was agreed that a Working Group led by France would prepare a paper to address the issue of naming non-standardised dairy products for consideration by this Session with a view to forward it to the CCFL.³⁶

³³ CX/MMP 06/7/10; CL 2004/15-MMP, Part B; CX/MMP 06/7/10, Add.1 (Comments by Argentina, Australia, Japan, Lithuania, New Zealand and IDF); CX/MMP 06/7/8, Add.2 (Comments by Colombia, European Community, Kenya, India, Thailand and United States of America); CRD 6 (Comments submitted by Kenya and India); CRD 11 (Comments by European Community); CRD 14 (Recommendations of the *ad hoc* Working Group on Food Additives).

³⁴ ALINORM 04/27/11, paras 111-112.

³⁵ CX/MMP 06/7/11; CX/MMP 06/7/11 Add.1 (Comments by India, Kenya, Thailand); CRD 7 (Comments by Colombia, Kenya and India); CRD 11 (Comments by European Community).

152. The Delegation of France introduced the document CX/MMP 06/7/11 and recalled that the mandate of the Working Group was to address the issue of naming non-standardized dairy products, thus its work was restricted to dairy products only.

153. It was explained that a questionnaire had been sent out with the objective of identifying examples of descriptive designations on non-standardized dairy products including references to the name of dairy products covered by Codex standards and to better understand the criteria for differences with standardized dairy products.

154. It was reported that it would be difficult to reach harmonized rules more specific than the general rules on labelling and the Codex *General Standard on Use of Dairy Terms*. In view of these difficulties, it was proposed to discontinue this work.

155. The Committee agreed to the proposal of the Working Group to discontinue this work.

DISCUSSION PAPER ON AMENDMENT TO THE LIST OF ADDITIVES INCLUDED IN THE CODEX STANDARD FOR CREAMS AND PREPARED CREAMS (Agenda Item 7)³⁷

156. It was recalled that at the 6th Session of the Committee, the IDF was requested to prepare a project proposal for new work on the amendment to the list of additives included in the Codex Standard for Creams and Prepared Creams for consideration at this Session.³⁸

157. The Observer from IDF introduced document CX/MMP 06/7/12 and explained that, as a consequence of a review of the list of additives included in Section 4 of the Standard, it was proposed to amend the current list.

158. The Committee agreed to this proposal and reviewed the project document attached to the CX/MMP 06/7/12. It agreed that the review would encompass all the list of food additives.

159. The Committee agreed to forward the Project Document (see Appendix XXVII) to the 29th Session of the Commission for approval as new work under the Accelerated Procedure. Pending approval, a revised list would be circulated for comments at Step 3 and discussion by the 8th Session of the Committee.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 8)

METHODS OF ANALYSIS AND SAMPLING FOR MILK AND MILK PRODUCTS (Agenda Item 8a)³⁹

160. The Committee recalled that at its 6th Session it had agreed to request information on new methods of analysis and sampling required in the standards for milk and milk products through a circular letter. It agreed to request the IDF/ISO/AOAC Working Group on Methods of Analysis and Sampling to: i) prepare a list of methods required in the standards currently being elaborated by the Committee on the basis of the information received; ii) to review the current methods of analysis and sampling for milk and milk products and provide recommendations on updates to the list of methods; and, iii) to prepare recommendations for sampling plans for milk products on the basis of the General Guidelines on Sampling, recently finalised by the CCMAS.⁴⁰

161. Before introducing the report, the Representative of IDF, speaking also on behalf of ISO, explained to the Committee that the tripartite collaboration on methods of analysis and sampling between IDF, ISO and AOAC International no longer exists. Regrettably, AOAC International was no longer in a position to actively contribute to this work area and the report on methods of analysis and sampling had been prepared by the IDF in collaboration with ISO.

³⁶ ALINORM 04/27/11, para. 132.

³⁷ CX/MMP 06/7/12; CX/MMP 06/7/12 Add.1 (Comments submitted by India and Thailand); CRD 8 (Comments by Kenya); CRD 11 (Comments by the European Community).

³⁸ ALINORM 04/27/11, para. 149.

³⁹ CX/MMP 06/7/13 (Report of the IDF/ISO Working Group on Methods of Analysis and Sampling for Milk Products); CL 2005/12-MMP, Part B; CX/MMP 06/7/13, Add. 1 (Comments by Colombia and Thailand); CRD 9 (Comments by IDF).

⁴⁰ ALINORM 04/27/11, paras 134-136.

Methods required in the standards currently being elaborated by the Committee

162. At the request of the 6th Session of the Committee, IDF and ISO had prepared a list of methods (CX/MMP 06/7/13 Part II) required in the standards currently being elaborated by the Committee.

163. The Representative of IDF informed the Committee that some changes to the Table had been made and that an updated version of the Table had been presented in CRD 9. He also drew the attention of the Committee to the fact that for some provisions the scope of the recommended method did not explicitly include the particular commodity. However, IDF/ISO believed these methods to be suitable as they had been endorsed for very similar types of commodities as shown in the column headed "Status".

164. With regard to the referral from the 27th Session of CCMAS (see para. 15 of CX/MMP 06/7/2), the Committee endorsed the recommendation of IDF to confirm to CCMAS the suitability of IDF 4A:2004 and ISO 5534:2004 for dry matter in individual cheeses.

Review of the current methods of analysis and sampling for milk and milk products

165. At the request of the 6th Session of the Committee, the IDF/ISO Working Group had reviewed the provisions relating to current IDF and ISO methods of analysis and sampling for milk and milk products as listed in the *Codex Recommended Methods of Analysis and Sampling* (CODEX STAN 234). IDF and ISO advised the Committee that, as from 2001, IDF and ISO have agreed to jointly publish standard methods of analysis and sampling for milk and milk products. This means that for a particular provision only one joint standard is published which has both an IDF method number and an ISO method number. Furthermore, IDF and ISO had embarked on an extensive ongoing revision programme of its portfolio of methods of analysis and sampling and this had resulted in the need to make changes to many dairy-related methods in CODEX STAN 234.

166. The proposed changes were listed in the table of CX/MMP 06/7/13 Part I. For reasons outlined earlier, the IDF/ISO working group was no longer in a position to comment on AOAC methods, so these were not included in the report. The Committee noted that an error in this list regarding dry matter in whey cheese (the Type of method should be Type I instead of Type IV) had been corrected.

167. The Committee agreed to request information on methods of analysis and sampling required in standards for milk and milk products through a circular letter. It also agreed to request the IDF/ISO Working Group on Method of Analysis and Sampling:

- i) To prepare a list of methods required in the standards currently being elaborated by the Committee;
- ii) To review the current methods of analysis and sampling for milk and milk products and provide recommendations on updates to the lists.

Status of the Methods of Analysis and Sampling for Milk and Milk Products

168. The Committee agreed to forward the list of methods of analysis and sampling for standards currently being elaborated (see Appendix XXVI, Part A) and the updated list of methods of analysis and sampling for dairy products (see Appendix XXVI, Part B) to CCMAS for endorsement.

Sampling plans for milk products on the basis of the General Guidelines on Sampling

169. At the request of the 6th Session of CCMMP the IDF/ISO Working Group on Methods of Analysis and Sampling had examined the issues concerning the implementation of sampling plans on the basis of the *Codex General Guidelines on Sampling* (CAC/GL 50-2004). The findings had been documented in CX/MMP 06/7/13 Part III.

170. IDF/ISO had come to the conclusion that there were several reasons why these General Guidelines on Sampling could not immediately be applied to the assessment of conformance in milk products. These reasons included:

- i) The presence of significant measurement error associated with the testing of many provisions in milk products. This appeared to be the principal reason;

- ii) A lack of definition of the required stringency for sampling plans;
- iii) The application of sampling plans for lots of discrete items to product which is a bulk material.

171. IDF/ISO had then proceeded to explore other options for sampling plans (Appendix of CX/MMP 06/7/13, Part III), but found that all these options suffered from deficiencies, which affected the validity or stringency of the sampling plans.

172. Hence, the IDF/ISO Working Group concluded that it had not been able to provide specific recommendations for sampling plans for milk products on the basis of the Codex *General Guidelines on Sampling*.

173. The Committee expressed its concern that the current lack of appropriate sampling plans could lead to a variety of interpretations, which would create problems in ensuring consumer's protection and fair trade practices. Therefore, it agreed to establish an electronic Working Group led by New Zealand⁴¹ that would prepare a discussion paper on sampling plans for milk products in the presence of significant measurement error for consideration by its next Session. It was agreed that the electronic Working Group would work in English only.

DATA AND PLACE OF NEXT SESSION (Agenda Item 9)

174. The Committee was informed that its 8th Session was tentatively scheduled to be held in New Zealand in approximately two years time, subject to discussions between the Codex and New Zealand Secretariats.

⁴¹ With the assistance from Australia, France, Ireland, South Africa, United Kingdom, United States of America and IDF.

Subject Matter	Step	Action by:	Document Reference (ALINORM 06/29/11)
Methods of Analysis and Sampling for Milk and Milk Products Standards	-	Comments IDF/ISO 9 th CCMMP	Para. 167
Discussion Paper on sampling plans for milk products in presence of significant measurement error	-	Electronic Working Group 9 th CCMMP	Para. 173
Discussion Paper on the Issue of Naming Non-standardized Dairy Products	Discon tinued		