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CODEX COMMITTEE ON FOOD ADDITIVES

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PROPOSED HORIZONTAL APPROACH FOR CONSIDERATION OF PROVISIONS IN TABLE 1 AND 2 OF FOOD ADDITIVES LISTED IN TABLE 3 WITH “ACIDITY REGULATORS AND “EMULSIFIER, STABILIZER AND THICKENER” FUNCTION

(Prepared by the United States of America with the assistance of Argentina, Australia, Austria, Brazil, Canada, Costa Rica, Denmark, Dominican Republic, Ecuador, European Union, France, Ghana, Iran, Japan, Malaysia, New Zealand, Norway, South Africa, Thailand, United Kingdom, AIDGUM, CCC, CEFIC, CIAA, EFEMA, ICBA, ICGA, ICGMA, IDF, IFAC, IFT, IFU, ISDI, MARINALG International, NATCOL, and OIV)

1. The 43rd Session of the Codex Committee on Food Additives (CCFA) agreed to establish an electronic Working Group (eWG) led by the United States of America (USA), and working in English only, to develop a horizontal approach for the consideration of provisions in Table 1 and 2 of the General Standard for Food Additives (GSFA) for those food additives in Table 3 with the function “acidity regulators” or “emulsifiers, stabilizers, thickeners.” This is an innovative way to make progress on reducing the backlog of provisions for inclusion in the GSFA. The horizontal approach developed by the eWG would be used by the physical Working Group (pWG), which would meet prior to the plenary session of the 44th CCFA, when recommending final adoption or discontinuation of the food additive provisions in Tables 1 and 2 of the GSFA for the additives in Table 3 with the function of “acidity regulators” or “emulsifiers, stabilizers, thickeners.”¹ A list of the additives to be considered was presented in Appendix X of REP11/FA.
2. The delegations of Argentina, Australia, Austria, Brazil, Canada, Costa Rica, Denmark, Dominican Republic, Ecuador, European Union, France, Ghana, Iran, Japan, Malaysia, New Zealand, Norway, South Africa, Thailand, United Kingdom, AIDGUM, CCC, CEFIC, EFEMA, CIAA, ICBA, ICGA, ICGMA, IDF, IFAC, IFT, IFU, ISDI, MARINALG International, NATCOL, and OIV expressed interest in participating in this eWG. The delegations of Canada, Costa Rica, European Union, Japan, CEFIC, EFEMA, CIAA, ICBA, ICGMA, IDF, IFAC, IFU, ISDI, MARINALG International and OIV actively participated in the preparation of this paper.
3. The USA, as chair of the working group, circulated for discussion within the eWG worksheets requesting comments on the technological need and justification for the use of the food additive functional classes “acidity regulators” and “emulsifiers, stabilizers, thickeners” in the food categories listed in the Annex to Table 3. These worksheets also listed the Codex commodity standards in the appropriate food categories. In its role as chair of the eWG, the USA took into account the responses received from the eWG, and circulated within the eWG for comment draft documents that summarized the comments received along with proposed draft recommendations based on the initial comments. These draft recommendations identified those food categories in the Annex to Table 3 of the GSFA in which the use of “acidity regulators” or “emulsifiers, stabilizers, thickeners” are technologically justified, and those in which they are not. The document also indicated where further information from the eWG was requested. Based on comments received by the eWG members, the USA prepared this final report with the eWG’s recommendations.
4. The eWG’s recommendations are provided in Annex 1 and Annex 2 for “acidity regulators” and for “emulsifiers, stabilizers, thickeners,” respectively. In each Annex, for each functional class, three categories of recommendations are provided regarding the food categories listed in the Annex to Table 3 of the GSFA:

¹ REP 11/FA, paras. 71-73.

- Recommendation 1: Food categories in which the use of the additive functional class is justified;
- Recommendation 2: Food categories in which the use of the additive functional class is not justified; and
- Recommendation 3: Food categories to be further discussed by the CCFA.

5. The recommendations presented do not necessarily reflect a unanimous opinion of the eWG members. Rather, the recommendations reflect an attempt to reach consensus to facilitate the Committee's discussion. The eWG considered comments on a "weight of evidence" approach; that is, comments containing justifications were given more weight than comments with no supporting justification. The 'Comments' column in the recommendations provides: (i) the rationale for the recommendation; and (ii) additional considerations for implementing the recommendation, based on the justifications considered by the eWG.

ANNEX 1 - ACIDITY REGULATORS

Recommendation 1 – The eWG recommends that use of acidity regulators in the following food categories in the Annex to Table 3 of the GSFA is <u>technologically justified</u>.		
GSFA Food Category No.	Food Category Title	Comments
1.1.1.1	Milk (plain)	Based on technological justification, with new Note "For use in UHT goat's milk only."
1.1.1.2	Buttermilk (plain)	Based on technological justification, with new Note: "For use in heat-treated buttermilk, only."
1.2.1.2	Fermented milks (plain), heat-treated after fermentation	For consistency with CODEX STAN 243-2003, and technological justification
1.4.1	Pasteurized cream (plain)	For consistency with CODEX STAN 288-1976, and technological justification
1.4.2	Sterilized and UHT creams, whipping or whipped creams, and reduced fat creams (plain)	For consistency with CODEX STAN 288-1976
1.6.6	Whey protein cheese	For consistency with CODEX STAN 284-1971
1.8.2	Dried whey and whey products, excluding whey cheese	For consistency with CODEX STAN 289-1995
2.1.1	Butter oil, anhydrous milkfat, ghee	For consistency with CODEX STAN 280-1973
2.2.1	Butter	For consistency with CODEX STAN 279-1971
4.1.1.3	Peeled or cut fresh fruit	Based on technological justification
4.2.1.1	Untreated fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes (including soybeans), and aloe vera), seaweeds and nuts and seeds	For edible fungi and fungi products, for consistency with CODEX STAN 038-1981
4.2.1.3	Peeled, cut or shredded fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds and nuts and seeds	Based on technological and regulatory justification
4.2.2.1	Frozen vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	For edible fungi and fungi products, for consistency with CODEX STAN 038-1981, quick frozen peas for consistency with CODEX STAN 41-1981, frozen broccoli for consistency with CODEX STAN 110-1981, quick frozen cauliflower for consistency with CODEX STAN 111-1981, quick frozen spinach for consistency with CODEX STAN 77-1981, quick frozen brussel sprouts for consistency with CODEX STAN 112-1981, quick frozen green beans and waxed beans for consistency with CODEX STAN 113-1981, , quick frozen French fried potatoes for consistency with CODEX STAN 114-1981, quick frozen whole kernel corn for consistency with CODEX STAN 133-1981, quick frozen corn on the cob for consistency with CODEX STAN 132-1981, quick frozen carrots for consistency with CODEX STAN 140-1983, quick frozen leek for consistency with CODEX STAN 104-1981

Recommendation 1 – The eWG recommends that use of acidity regulators in the following food categories in the Annex to Table 3 of the GSFA is <u>technologically justified</u>.		
GSFA Food Category No.	Food Category Title	Comments
4.2.2.7	Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	For consistency with CODEX STAN 223-2001, 038-1981, 151-1985, 294R-2009, 260-2007
6.4.1	Fresh pastas and noodles and like products	Based on technological and regulatory justifications
6.4.2	Dried pastas and noodles and like product	Based on technological and regulatory justifications
8.1	Fresh meat, poultry, and game	Based on technological justification
9.1.1	Fresh fish	Based on technological justification
9.2	Processed fish and fish products, including molluscs, crustaceans and echinoderms	Based on technological justification
10.2.1	Liquid egg products	Based on technological and regulatory justifications
10.2.2	Frozen egg products	Based on technological and regulatory justifications
11.4	Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	Based on technological and regulatory justifications
12.1.1	Salt	For consistency with CODEX STAN 150-1985, and based on technological justification
12.1.2	Salt substitutes	Based on technological and regulatory justifications
13.1	Infant formulae, follow-up formulae, and formulae for special medical purposes for infants	Based on technological and regulatory justifications
13.2	Complementary foods for infants and young children	Based on relevant CODEX STAN 73-1981, 74-1981, and based on technological and regulatory justifications
14.1.1.2	Table waters and soda waters	Based on technological and regulatory justifications
14.1.2	Fruit and vegetable juices	Based on technological justification
14.1.3	Fruit and vegetable nectars	Based on technological justification
14.1.5	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal beverages, excluding cocoa	Based on technological and regulatory justifications
14.2.3	Grape wines	Based on technological and regulatory justifications

Recommendation 2 – The eWG recommends that use of acidity regulators in the following food categories in the Annex to Table 3 of the GSFA is not technologically justified.

GSFA Food Category No.	Food Category Title	Comments
1.2.1.1	Fermented milks (plain), not heat-treated after fermentation	For consistency with CODEX STAN 243-2003 and based on technological justification
1.6.3	Whey Cheese	For consistency with CODEX STAN 284-1971
2.1	Fats and oils, essentially free from water	For consistency with CODEX STAN 019-1981
4.1.1	Fresh Fruit	
4.2.1.1	Untreated fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes (including soybeans), and aloe vera), seaweeds and nuts and seeds	For consistency with CODEX STAN 238-2003, 200-1995, 197-1995, 224-2001, 188-1993, 131-1981, 185-1993, 225-2001, 218-1999, 186-1993, 171-1989, 293-2008, 040-1981 for fresh vegetables except edible fungi and fungi products
6.1	Whole, broken or flaked grain, including rice	For consistency with CODEX STAN 202-1995, 169-1989, 201-1995, 172-1989, 153-1985, 199-1995, 198-1995
6.2	Flours and starches (including soybean powder)	
9.1	Fresh fish and fish products, including molluscs, crustaceans and echinoderms	

Recommendation 3 – The eWG recommends that pWG further discuss if the use of acidity regulators in the following food categories in the Annex to Table 3 is technologically justified.

GSFA Food Category No.	Food Category Title	Comments
1.1.1	Milk and buttermilk (plain) (EXCLUDING HEAT-TREATED BUTTERMILK)	No justification provided
1.2.1	Fermented milks (plain)	No justification provided
1.2.2	Renneted milk (plain)	No justification provided
4.1.1.1	Untreated fresh fruit	No justification provided for non-standardized untreated fresh fruits
4.2.1	Fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	No justification provided
10.1	Fresh eggs	No justification provided

Recommendation 3 – The eWG recommends that pWG further <u>discuss</u> if the use of acidity regulators in the following food categories in the Annex to Table 3 is technologically justified.		
GSFA Food Category No.	Food Category Title	Comments
11.1	Refined and raw sugars	No justification provided
11.1.1	White sugar, dextrose anhydrous, dextrose monohydrate, fructose	No justification provided
11.1.2	Powdered sugar, powdered dextrose	No justification provided
11.1.3	Soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar	No justification provided
11.1.3.1	Dried glucose syrup used to manufacture sugar confectionery	No justification provided
11.1.3.2	Glucose syrup used to manufacture sugar confectionery	No justification provided
11.1.4	Lactose	No justification provided
11.1.5	Plantation or mill white sugar	No justification provided
11.2	Brown sugar, excluding products of food category 11.1.3 (soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar)	No justification provided
11.3	Sugar solutions and syrups, also (partially) inverted, including treacle and molasses, excluding products of food category 11.1.3 (soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar)	No justification provided
11.5	Honey	No justification provided
12.1	Salt and salt substitutes	No justification provided
12.2.1	Herbs and spices (ONLY HERBS)	No justification provided
14.1.1	Waters	No justification provided
14.1.1.1	Natural mineral waters and source waters	No justification provided

ANNEX 2 - EMULSIFIERS, STABILIZERS, THICKENERS

Recommendation 1 – The eWG recommends that use of emulsifiers, stabilizers, thickeners in the following food categories in the Annex to Table 3 is <u>technologically justified</u>.		
GSFA Food Category No.	Food Category Title	Comments
1.1.1	Milk and buttermilk (plain) (EXCLUDING HEAT-TREATED BUTTERMILK)	Based on technological justification, with a new Note: "For use in certain recombined, reconstituted or UHT heat-treated milks, from certain species only, e.g. goat's milk."
1.2	Fermented and renneted milk products (plain) excluding food category 01.1.2 (dairy based drinks)	Codex Standard 243-2003 Fermented Milks plain has permissions for Thickeners (for both non-heat treated AND heat-treated), and Stabilizers (for both non-heat treated AND heat-treated), For fermented milk non-heat treated ONLY, however, use is restricted to reconstitution and recombination and if permitted by national legislation in the country of sale to the final consumer
1.4.1	Pasteurized cream (plain)	Based on CODEX STAN 288-1976, and technological and regulatory justifications
1.4.2	Sterilized and UHT creams, whipping or whipped creams, and reduced fat creams (plain)	Based on CODEX STAN 288-1976, and technological and regulatory justifications
1.8.2	Dried whey and whey products, excluding whey cheese	Based on CODEX STAN 289-1995
2.1	Fats and oils, essentially free from water	Based on technological justification with a new Note: For use as emulsifier only
4.1.1.2	Surface-treated fresh fruit	Based on technological justification with new Note: "For use as an emulsifier only."
4.1.1.3	Peeled or cut fresh fruit	Based on technological justification with Add new Note: "For use as a stabilizer only."
4.2.1.3	Peeled, cut or shredded fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds and nuts and seeds	Based on technological justification with new Note: "For use as a stabilizer only."
4.2.2.7	Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	Based on CODEX STAN 223-2001, 294R-2009, 38-1981 and technological justification
6.2	Flours and starches (including soybean powder)	Based on technological justification with new Note: "For use in soy flour only."
6.4.1	Fresh pastas and noodles and like products	Based on technological and regulatory justifications
6.4.2	Dried pastas and noodles and like product	Based on technological and regulatory justifications
8.1	Fresh meat, poultry, and game, whole pieces or cuts	Based on technological justification for thickeners and stabilizers

Recommendation 1 – The eWG recommends that use of emulsifiers, stabilizers, thickeners in the following food categories in the Annex to Table 3 <u>is technologically justified.</u>		
GSFA Food Category No.	Food Category Title	Comments
9.1.2	Fresh molluscs, crustaceans, and echinoderms	Based on technological justification. Texturizing agent is a functionality of thickeners. Add new Note: "For use as a texturing agent only."
9.2	Processed fish and fish products, including molluscs, crustaceans and echinoderms	Based on technical justification. Texturizing agent is a functionality of thickeners. Add new Note: "For use as a texturing agent only."
10.2.1	Liquid egg products	Based on technological and regulatory justifications for stabilizers and emulsifiers
10.2.2	Frozen egg products	Based on technological and regulatory justifications for emulsifiers and stabilizers
11.4	Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	Based on regulatory justification for use as a stabilizer and emulsifier
12.1.1	Salt	To be consistent with CODEX STAN 150-1985.
12.2.1	Herbs and spices (ONLY HERBS)	Based on regulatory justification with new Note: "Use in dry products, only."
13.1	Infant formulae, follow-up formulae, and formulae for special medical purposes for infants	Based on technological justification
13.2	Complementary foods for infants and young children	Based on CODEX STAN 074-1981, and technological and regulatory justification
14.1.2	Fruit and vegetable juices	Based on technological justification for stabilizers and thickeners
14.1.3.1	Fruit nectar	Based on CODEX STAN 247-2005, and technological justification for stabilizers and thickeners
14.1.3.2	Vegetable nectar	Based on regulatory and technological justifications
14.1.3.3	Concentrates for fruit nectar	Based on CODEX STAN 247-2005, and regulatory and technological justifications
14.1.3.4	Concentrates for vegetable nectar	Based on regulatory and technological justifications
14.1.5	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal beverages, excluding cocoa	Based on regulatory and technological justification for emulsifiers and stabilizers. Add new Note: "Excluding unflavored leaf tea."
14.2.3	Grape wines	Based on regulatory and technological justifications

Recommendation 2 – The eWG recommends that use of emulsifiers, stabilizers, thickeners in the following food categories in the Annex to Table 3 is <u>not technologically justified</u>.		
GSFA Food Category No.	Food Category Title	Comments
1.2.1	Fermented milks (plain)	To avoid conflict with CODEX STAN 243-2003 for plain fermented milks (heat treated a non-heat treated)
1.6.3	Whey Cheese	The use of emulsifiers, stabilizers, thickener is not permitted in CODEX STAN 284-1971 for whey cheeses.
1.6.6	Whey protein cheese	The use of emulsifiers, stabilizers, thickener is not permitted in CODEX STAN 284-1971 for whey cheeses.
2.1.1	Butter oil, anhydrous milkfat, ghee	For consistency with CODEX STAN 280-1973.
2.2.1	Butter	There is a one-to-one correspondence between CODEX STAN 279-1971 and this food category. The food additive provisions between these two standards have already been aligned. These food additives are not permitted in the commodity standard.
4.1.1	Fresh Fruit	
4.2.1	Fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	
4.2.2.1	Frozen vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	Based on technological need for stabilizers.
6.1	Whole, broken or flaked grain, including rice	
6.2.2	Starches	
8.1.1	Fresh meat, poultry and game, whole pieces or cuts	Based on regulatory and technical justifications. Water retention agent is not a functionality of stabilizer, thickeners or emulsifiers.
9.1	Fresh fish and fish products, including molluscs, crustaceans and echinoderms	Based on regulatory and technical justifications. Water retention agent is not a functionality of stabilizer, thickeners or emulsifiers.
11.1.1	White sugar, dextrose anhydrous, dextrose monohydrate, fructose	
11.1.2	Powdered sugar, powdered dextrose	CODEX STAN 212-1999 does not provide for any use of stabilizers, thickeners or emulsifiers.
14.1.1.2	Table waters and soda waters	Based on lack of any regulatory or technological justification, and the absence of any provision for stabilizers, thickeners or emulsifiers in CODEX STAN 227-2001.

Recommendation 3 – The eWG recommends that pWG further discuss if the use of emulsifiers, stabilizers, thickeners in the following food categories in the Annex to Table 3 is technologically justified.

GSFA Food Category No.	Food Category Title	Comments
10.1	Fresh eggs	No justification provided
11.1.3	Soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar	No justification provided
11.1.3.1	Dried glucose syrup used to manufacture sugar confectionery	No justification provided
11.1.3.2	Glucose syrup used to manufacture sugar confectionery	No justification provided
11.1.4	Lactose	No justification provided
11.1.5	Plantation or mill white sugar	No justification provided
11.2	Brown sugar, excluding products of food category 11.1.3 (soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar)	No justification provided
11.3	Sugar solutions and syrups, also (partially) inverted, including treacle and molasses, excluding products of food category 11.1.3 (soft white sugar, soft brown sugar, glucose syrup, dried glucose syrup, raw cane sugar)	No justification provided
11.5	Honey	No justification provided
12.1	Salt and salt substitutes	No justification provided
12.1.2	Salt substitutes	No justification provided
14.1.1	Waters	No justification provided
14.1.1.1	Natural mineral waters and source waters	No justification provided