

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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Agenda Item 4

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON MILK AND MILK PRODUCTS
Fourth Session
Wellington, New Zealand, 28th February – 3rd March 2000

PROPOSED DRAFT AND PROPOSED DRAFT REVISED STANDARDS AT STEP 4

**SUMMARY AND CONCLUSIONS OF THE WORKING GROUP ON
CREAMS, DAIRY SPREADS AND FERMENTED MILKS**

(Prepared by Argentina and Belgium)

INTRODUCTION

At the third session of the Codex Committee on Milk and Milk Products (CCMMP) it was agreed that to make progress on various standards working groups should be set up. One of the Working Groups would be responsible for reaching conclusions on various issues related to standards for Cream, Dairy Spreads and Fermented Milks.

CCMMP asked Argentina to chair the working group on Creams, Dairy Spreads and Fermented Milks and Belgium to act as rapporteur. The working group was asked to seek solutions based on the Commission's mandate and make recommendations that would assist IDF to prepare draft standards by providing solutions to the issues listed below:

Dairy Spreads

The need to for a specific standard;

Harmonisation and alignment with the relevant provisions of the Draft Standard for Butter and Proposed Draft Standard for Fat Spreads and Blended Fat Spreads.

Cream

Determination of lowest and reference fat levels;

The consideration of the elaboration of standards for fermented creams, including their possible inclusion into the Cream or Fermented Milk Standards;

The consideration of including whipped creams in the Standard for Cream.

Fermented Milks

The consideration of the potential elaboration of a standard and guidelines for products heat treated after fermentation, including labelling provisions;

The consideration of including "mild yoghurt" in the standard;

The consideration of guidelines to differentiate between heat treated and other products;

The consideration of composite products, including possible provisions or restrictions on the addition of flavourings.

A questionnaire was distributed to get members views (annex 1). Following is the summary of views and recommendations from the Working Group.

CONCLUSIONS

A) GENERAL

A high participation of the countries that regularly assist to the Codex Committee on Milk and Milk Products was noted. All these Countries had participated in the last Committee meeting. A total of 32 answers were received and 29 accepted and summarised. This result, 29 accepted answers over 40 participants countries to the last Committee means a very high contribution of the Committee Member . We have not summarised the answers from Marrakech, Russia and Mexico because they were not sent from the Codex Contact Point.

In general the experience with the mailbox system has been positive. Due to the lack of experience with the system it was necessary, however, to extend the deadline for the answers to the questionnaire and to accept replies by fax or letter from those countries for which access to the mail box system had proven to be impossible. Several of the answers registered were received after the deadline of end of November 1998 indicating that for such an exercise a longer reply time has to be foreseen in future. We recommend to evaluate the mail box system at the next Codex Commission meeting based on a specific report from the CCMMP Working Groups.

Summaries of the replies are added to this note in a table form (annex 2, 3 and 4).

Many Countries have added to their responses detailed comments to the questions or offered comments on related issues that were also included as a big note. The specific answers have been grouped in the summary table and it is proposed to take account of the specific observations when the draft with the proposal for discussion at the next Committee meeting is prepared.

B) SPECIFIC CONCLUSIONS

B.1) Creams

The majority of Countries considers that a Standard for Creams should include a lowest and a reference fat level. The lowest level should be set at 10%. It is impossible to conclude on what level should be retained the Reference Level.

The Standard for Creams should include provisions for Whipped Cream.

Provisions for Fermented Creams should be developed. A majority of countries request inclusion of such provisions in the Cream standard although a significant minority would like to see these included in the Standard for Fermented Milks.

We propose the development of a Standard with the provisions just detailed. We think that it is also important for us recommending to establish what reference fat level for creams means in order to clarify the subject because we think this point might be the origin of the wide values range given for this question. This should be specifically debated at the next CCMMP.

B.2) Dairy Spreads

A large majority of Countries consider that the development of a Standard for Dairy Spreads is necessary. Such a Standard should be in line with both the Standard on Fat Spreads and that on Butter.

So we propose to write the Standard for Dairy Spreads with the provisions settled just before.

B.3) Fermented Milks

- a) The analysis of the answers sent by the twenty-nine countries summarised in the attached table (annex 4), let us conclude that it is accepted the inclusion of composite products in the proposed Standard. There is a majority of Countries proposing to limit the presence of non-dairy product to 30%.
- b) The replies to the question about a definition for “Mild Yoghurt” and the evaluation of the answers given to item 3.5.1 are less conclusive. There is no doubt we cannot propose to write a draft with a specific or particular definition of "mild yoghurt" because fourteen countries (with or without conditions) have already agreed to the definition proposed by the Codex Working Group, twelve have not accepted it, two of them have given an alternative definition (Canada and Slovakia) and one (Uruguay) has not given answer yet.

The Chairman’s analysis of the above information is the following:

Seven countries have agreed with the mild yoghurt's definition proposed by the Codex Working Group. They have agreed, obviously, with the milder taste. The mentioned countries are Germany, Argentina, Belgium, UK, Thailand, Norway and Portugal. Other seven countries have agreed to the milder yoghurt, complying with table 3.3. They are agreeing in this way, with the existence of a yoghurt with a milder taste. (Brazil, Croatia, Spain, Greece, France, Israel and South Africa). Over the eleven countries that have not agreed to include a particular definition (Cuba, Denmark, USA, Finland, Italy, Japan, New Zealand, Swiss, Sweden, Australia and Netherlands) four of them (Cuba, Denmark, Netherlands and Sweden) would accept the mild yoghurt as a yoghurt with a milder taste.

With reference to item a), b) and c) we can see that over 26 computable answers, 18 admit, directly or indirectly, the milder taste as a characteristic property of the mild yoghurt. As a consequence of this analysis the Chairman proposes: to study the possibility of including a product containing the same specific micro-organisms needed for yoghurt, but with a milder taste, as "mild yoghurt" complying with the provisions of table 3.3 of the proposed standard, covering this situation by an adequate labelling provision in the item that deals with this subject (labelling).

In the Chairman's opinion, this might be an adequate position to lead an agreement on the next CCMMP' Meeting.

- c) With relation to the labelling of fermented milks, a large majority wants to replace “Products obtained from Fermented Milks Heat Treated After Fermentation shall be named in accordance with the legislation of the country of sale” by “Products obtained from Fermented Milks Heat Treated After Fermentation shall be named “Heat-Treated Fermented Milk” The current Section 7 needs to be brought in line with the proposed Standard on the use of Dairy Terms.

The Chairman proposes the denomination of "Heat treated fermented milk" for fermented milks heat-treated after fermentation.

- d) It should also be taken into account that the compromise as a whole has not been accepted.
- e) The point about the statement of one or two standards for “Fermented milks” and “Fermented milks heat treated after fermentation” resulted in an equal proportion of countries asking for each option.

As a result of the analysis of the opinions provided, referred to the former subject and the results of the latter , the Chairman suggests that it should be gone on with one standard including the provisions for the two types of products.

QUESTIONNAIRE ON FERMENTED MILKS, CREAMS AND DAIRY SPREADS

The Chair and the Rapporteur of the Working Group on Fermented Milks, Creams and Dairy Spreads invite comments and positions from the national Codex Contact Points and international organizations on the issues raised. The answers should be given through to this e-mail address specifying the name of this working group in a way that will enable us to summarize replies in a conclusive manner.

Progress was made during the 3rd Session of the CCMMP on the Draft General Standard for the use of Dairy Terms. This Draft Standard will be presented for adoption at the 23rd session of the Codex Alimentarius Commission in 1999. The adoption of the Standard will lead to the inclusion of consequential amendments and/or cross-references in the labelling part of the Milk Product Standards. Replies to the questions must take the new labelling provisions into account. Although not normally dealt with by Codex Alimentarius, it is understood that provisions intended to prevent consumers from being misled must also be respected in advertising and marketing.

QUESTIONNAIRE

1. Cream

- 1.1 Should a Standard for Cream provide for a lowest and a reference fat level ?
if yes what should be:
 - the lowest level?
 - the reference level?
- 1.2. Should provisions be included for "Whipped Cream" ?
- 1.3. Should provisions for Fermented Cream be developed ?
if yes should these be included in;
 - a Cream Standard?
 - the Standard for Fermented Milks?

2. Dairy Spreads

- 2.1 Is there a need for a specific Standard for Dairy Spreads ?
If yes, should provisions be aligned with the relevant provisions of the Draft Standards for Butter and the Proposed Draft Standard for Fat Spreads and Blended Fat Spreads?

3. Fermented Milks

- 3.1 Should there be different Standards for Fermented Milks and for Fermented Milks heat-treated after fermentation ?
- 3.2 What would be the denomination for heat-treated fermented milks?
- 3.3. Should "Mild Yoghurt" be included under the definitions in the Standard for Fermented Milks ?
if yes, what should be its definition ?
- 3.4. Should composite fermented milks be included in the standard(s)?
if yes, should there be provisions or restrictions for the addition of flavorings and what would be the level ?
- 3.5. In addition to the replies given on 3.1, 3.2, 3.3, and 3.4 we would like to request your opinion on the following alternative approach:
 - 3.5.1 Do you agree with combined provisions in the Standard(s) that foresee yoghurt heat-treated after fermentation to be named "heat-treated fermented milk", with reference to yoghurt in the list of ingredients and, - the possibility to use the name "Mild Yoghurt" for products containing *Streptococcus thermophilus* and non-pathogenic *Lactobacillus* sp.
 - 3.5.2. If yes, should these provisions be linked to a maximum amount of non-dairy products in yoghurt fixed at 30%?

In order to progress work and leave sufficient time to follow-up within the time scale put upon the Working Group (end of December 1998), replies are invited by end of October 1998.

SUMMARY TABLE: CREAMS

Number	Country	Standard	Levels (1,1)	Lowest	Reference	Whipped (1,2)	Fermented (1,3)
1	Argentina		yes	20 % (modified 10 %)	27 % nutritional reasons	yes	no
2	Australia			12%	none	no	yes, in cream standard
3	Belgium	helpful for labelling	yes	4 %- diluted cream	between 20 and 40 %	yes, above 40 %	no
4	Brazil		yes	10 % Mercosur		no objection	yes, in cream standard
5	Canada		no	no	if 10 %	yes, 30 %	no
6	Croatia			10%			cream
7	Cuba		yes			yes	yes
8	Denmark		yes	no less than 8 %	18 % cfr IDF	no	no, if yes, fermented milk
9	Finland		yes - difference milk	10%	if needed 30 %	yes	in fermented milk
10	France		yes	10% Current Codex Level	30%	yes, >30 %, <45 %	yes, in cream standard
11	Germany	yes	yes	10%	no needed	no	no
12	Greece	no answer cream					
13	Israel	no answer cream					
14	Italy	no answer cream					
15	Japan		yes	18%		yes	yes, cream
16	Netherlands	no	no	10%	no, but if 30-35 %	no	no, if in cream
17	New Zealand		no	no	no	yes	if yes, cream
18	Norway	if needed	yes	10%	20%	no, just descriptors	trade data, cream
19	Portugal		yes	yes		yes	yes, cream
20	Romania		yes	10%	30%	yes	yes, cream
21	Slovak Republic		yes	yes	no	yes	yes, fermented milk
22	South Africa		yes	10%	30-35 %	no	no
23	Spain		yes	10%	30%	yes	yes, cream
24	Sweden	no except definition	yes, fat declared	10 % coffee cream	18%	no	if yes, prefer fermented milk
25	Switzerland	yes	yes	15%	35% cream, no specification	35 %, <25 % addit	no
26	Thailand		yes				
27	United Kingdom	no-trade	no	if, 12 %	if 18 - 21 %	no	no
28	United States		yes and no	no min level	30% without comparative claims	yes	trade data (fermented milk)
29	Uruguay		yes	10 % Mercosur	yes	yes	yes, in cream standard
						yes	yes, in cream standard

SUMMARY TABLE: DAIRY SPREADS

Number	Country	Need	Alignment
1	Argentina	yes	
2	Australia	no	fat spreads and blended fat spreads
3	Belgium	no	no, but if, fat align fat spreads
4	Brazil	yes	yes, both
5	Canada	yes	yes, with butter
6	Croatia	yes	
7	Cuba	yes	
8	Denmark	yes	EU Legislation
9	Finland	yes	yes, both
10	France	yes	yes, both
11	Germany	yes	yes, both
12	Greece		
13	Israel		
14	Italy		
15	Japan	yes	yes both
16	Netherlands	no, trade data needed	
17	New Zealand	yes, but not compelling need	no, but if, align both
18	Norway	yes	yes, both
19	Portugal	yes	yes
20	Romania	yes	yes
21	Slovak Republic	yes	yes, both
22	South Africa	yes	yes, with butter
23	Spain	yes	yes, both
24	Sweden	yes	yes, both
25	Switzerland	yes	see EU Legislation
26	Thailand	yes	
27	United Kingdom	no, trade data needed	no, but if, align fat spreads
28	United States	yes	no, but if, align butter
29	Uruguay	no, trade data needed	

SUMMARY TABLE: FERMENTED MILKS

Number	Country	3.1 2 standards	3.2 Heat treated fermented milks	3.3 mild yoghurt	3.4 composite	3.5.1 compromise	3.5.2 composite
1	Argentina	yes	heat treated fermented milk	yes+def compromise	yes, 30 %	yes	yes, 30 %
2	Australia	yes	heat treated fermented milk	yes	yes, General St	yes	yes, General St
3	Belgium	no+comp	heat treated fermented milk	yes+def compromise	yes, 30 %	yes	yes, 30 %
4	Brazil	yes	heat treated fermented milk	comply with table 3.3	yes, 30 %	not clear answer	yes, 30 %
5	Canada	no	heat treated yoghurt	yes	yes, 51 %	no	no
6	Croatia	no answer	yoghurt should not be used	not clear answer	yes	no answer	yes, 30 %
7	Cuba	no	heat treated acidified milk	no	yes	no	yes, 30 %
8	Denmark	no	heat treated fermented milk	no, yes milder taste	no	no	no
9	Finland	no	heat treated fermented milk	no	yes, 30 %	no	yes, 30 %
10	France	yes	heat treated ferm milk or dairy dessert	no	yes, 30 %	yes	yes, 30 %
11	Germany	no	yoghurt heat treated	yes+def compromise	yes	no	no answer
12	Greece	yes	heat treated fermented milk	see 3.5.1	yes	yes (?)	yes, 30 %
13	Israel	yes	heat treated fermented milk	yes+provisions	yes, 30 %	no	yes, 30 %
14	Italy	yes	desserts	no	yes	no	yes, 30 %
15	Japan	no	not necessary	no	yes, no level	alternative	not necessary
16	Netherlands	no	yoghurt heat treated after fermentation	yes, yoghurt mild	yes, 50 %	alternative	no
17	New Zealand	no	no denomination in standard	no answer	no	no	not necessary
18	Norway	no	heat treated fermented milk	no, yes milder taste	yes, not 30 %	no	no
19	Portugal	yes	heat treated fermented milk	no answer	yes	yes	yes
20	Romania	yes	heat treated fermented milk	no	yes, 30 %	yes	yes, 30 %
21	Slovak Republic	yes	thermised yoghurt	yes - probiotics	yes, 30 %	no	yes, 30 %
22	South Africa	no	pasteurized yoghurt + statement	yes	yes	no	no answer
23	Spain	yes	heat treated fermented milk	comply with table 3.3	yes	not clear answer	yes, 30 %
24	Sweden	yes/no	fermented milk heat treated	no, yes milder taste	yes, no label	no	no
25	Switzerland	yes	heat treated acidified milk	no	yes, 30 %	no	yes, 30 %
26	Thailand	yes	heat treated after fermented milk	yes	yes	yes	yes, 30%
27	United Kingdom	no	heat treated yoghurt	yes+def compromise	General Standard	no	no
28	United States	no	statement on heat treatment	no	yes, 51 %	no	no
29	Uruguay	no	heat treated fermented milk	no answer	yes, 30 %	answer later	yes, 30 %