codex alimentarius commission

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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Agenda Item 3 (a) **CX/FAC 05/37/2**
February 2005

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

Thirty-seventh Session
The Hague, the Netherlands, 25 -29 April 2005

MATTERS REFERRED/OF INTEREST TO THE COMMITTEE ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

PART I (MATTERS OF INTEREST TO THE COMMITTEE ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES FOR INFORMATION ONLY)

1. DECISIONS OF THE 27TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION CONCERNING THE WORK OF THE COMMITTEE (FOR INFORMATION)

1.1 Draft and Proposed Draft Standards and Related Texts adopted as Final Texts at Step 8 and Steps 5/8[1]

1. The Commission **adopted** at Step 8 and Steps 5/8 the following draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 36th session:

- ***Draft Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts;***
- ***Draft Code of Practice for the Prevention and Reduction of Lead Contamination in Food;***
- ***Proposed draft Specifications for the Identity and Purity of Food Additives (Category I);***
- ***Proposed draft Amendments to the International Numbering System for Food Additives.***

2. The following paragraphs provide additional information concerning the discussions that took place on certain items or contain additional decisions taken by the Commission in regard to the adoption of the following texts:

[1] ALINORM 04/27/41, paras 25-30 and Appendix III.

- ***Draft Food Category System of the General Standard on Food Additives***

3. The Commission **adopted** the draft Food Category System of the General Standard at Step 8 with amendments to the descriptors of food category 01.3 "*Condensed milk and analogues (plain)*", 01.3.2 "*Beverage sweeteners*", 01.5.2 "*Milk and cream powder analogues*" and 02.3 "*Fat emulsions of type oil-in-water, including mixed and/or flavoured products based on fat emulsions*" to take account of relevant decisions of the 6th Session of the Committee on Milk and Milk Products (CCMMP) regarding the name of milk products with vegetable fat. It also noted that the descriptor of food category 14.1.2.1 "*Fruit juices*" would be amended according to the clarification of the 4th Session of the Task Force on Fruit and Vegetable Juices on the inclusion of coconut water.

- ***Draft and Proposed Draft Revision of table 1 of the Codex General Standard for Food Additives***

4. The Commission **adopted** the draft and proposed draft Revision of Table 1 of the General Standard for Food Additives at Step 8 and Steps 5/8 as proposed, With regard to benzoates in food category 14.1.4 "W*ater-based flavoured drink, including 'sport", "energy" or "electrolyte" drinks and particulated drinks"* the Commission adopted the maximum level on an interim basis with the understanding that a review be considered by CCFAC within 3 years and that comprehensive information on the levels of use of benzoates in different types of foods and in different parts of the world and the results of intake studies, particularly in children, and other relevant data should be provided to JECFA to facilitate its further assessment.

5. In addition to the decision above, following the proposal by the Delegation of Chile, supported by other delegations, the Commission agreed to request the Committee on General Principles to clarify the interpretation of the "adoption on an interim basis".

6. The Commission noted the concern of the Delegation of the European Community about the proposed level of 600 mg/kg for benzoates in water-based flavoured drinks (food category 14.1.4) given the potential to exceed the ADI, particularly in children and that due regard be given to the technological need. The Delegation of Mexico expressed its reservation on the above level for benzoates in food category 14.1.4 as the level applied in its national legislation was 1000 mg/kg.

1.2 Proposed draft Standards and Related Texts adopted at Step 5[2]

7. The Commission **adopted** at Step 5 and advanced to Step 6 the following proposed draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 36th session. The following paragraphs provide additional information on the comments made and the decision taken on certain items:

- ***Proposed Draft Maximum Levels for Cadmium in rice: polished; wheat grain; potato; stem and root vegetables; leafy vegetables; and, other vegetable***

8. The Commission **adopted** the Proposed Draft Maximum Levels for cadmium at Step 5 and advanced them to Step 6 as proposed, with the exception of the proposed draft maximum level for cadmium in polished rice, which was returned to Step 3 for further consideration by the CCFAC, due to the concern that the maximum level proposed could result in intakes exceeding the PTWI in certain populations. In noting that cadmium was scheduled for evaluation by JECFA in February 2005, the Commission **requested** CCFAC to take careful account of the results of this evaluation and encouraged countries to provide information and data to JECFA to facilitate its assessment.

- ***Proposed Draft Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nut***

9. The Commission **adopted** the Proposed Draft Code of Practice at Step 5 and advanced it to Step 6 as proposed. It noted that the comments of the Delegation of Brazil regarding the inclusion of a section to address the particular aspects of Brazil nuts which were not grown on a farm base but collected in the forest would be referred to and further considered by the Committee on Food Additives and Contaminants at its next session.

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[2] ALINORM 04/27/41, paras 67-71 and Appendix IV.

- ***Proposed Draft Code of Practice for the Prevention and Reduction of Inorganic Tin Contamination in Canned Foods***

10. The Commission **adopted** the Proposed Draft Code of Practice at Step 5 and advanced it to Step 6 as proposed.

- ***Proposed Draft Guideline Levels for Radionuclides in Food for Use in International Trade***

11. The Commission **adopted** the proposed draft Guideline Levels at Step 5 and advanced them to Step 6 as proposed. The Commission noted the reservation of the delegations of Singapore and Malaysia concerning the levels proposed for individual radionuclides that might result in the safe level of 1 mSv being exceeded in the case of nuclear accident thus questioning the scientific assumption used for establishing these levels. In this regard, the Representative of IAEA indicated that these concerns together with the reservation of the European Community concerning the deletion of a category for "infant foods", expressed at the last Session of the Committee on Food Additives and Contaminants[3], would be addressed in its written comments on the revised guideline levels.

1.3 Withdrawal or revocation of existing Codex Standards and Related Texts[4]

12. The Commission approved the withdrawal from the Codex Alimentarius of the Maximum Levels for Food Additives (Codex General Standard for Food Additives) as proposed by the Committee on Food Additives and Contaminants.

1.4 Proposals to elaborate new Standards and Related Texts[5]

13. The Commission approved proposals for new work on the following standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 36th session:

- ***Proposed draft Sampling Plans for Aflatoxins in Almonds, Brazil Nuts, Hazelnuts and Pistachios***
- ***Proposed draft Maximum Levels for 3-MCPD (Chloropropanol) in Acid Hydrolized Vegetable Proteins (acid-HVPs) and Acif HVP containing Products***
- ***Proposed draft revision of the Codex General Standard for Contaminants and Toxins in Foods***

14. With regard to the proposal for new work on the *Sampling Plans for Aflatoxins in Almonds, Brazil Nuts, Hazelnuts and Pistachios*, the Commission agreed to refer to the comments of the 54th Session of the Executive Committee (ALINORM 04/27/4, paras 20-22) to the Committee on Food Additives and Contaminants:

> *20. The Committee noted that there was no project document for this proposal as the General Standard for Contaminants and Toxins in Foods was one of the exceptions proposed to the critical review process in the proposed amendments to the Elaboration Procedure. The Secretariat indicated that the sampling plans for contaminants are normally related to a maximum level and that the Terms of Reference of the Committee on Food Additives and Contaminants did not include consideration of sampling plans as such. The Committee also noted that maximum levels were under consideration in the Step Procedure for almonds, hazelnuts and pistachios, but not for Brazil nuts.*
>
> *21. The Member for North America drew the attention of the Committee to the implications of the amendment to the Critical Review proposed by the CCFAC and endorsed by the Committee on General Principles. Specifically, under "maintenance of the General Standard for Contaminants and Toxins in Foods", the CCFAC was proposing potentially major new work which the Executive Committee was asked to consider without the benefit of a project document.*
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> *22. The Committee recommended approval of new work and recommended that CCFAC consider the development of a maximum level of aflatoxins for Brazil nuts and* ***review its terms of reference*** *in relation to sampling plans.*

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3 ALINORM 04/27/41, paras 203.
4 ALINORM 04/27/41, para 87 and Appendix V.
5 ALINORM 04/27/41, paras 88, 99 and Appendix VI.

1.5 Discontinuation of Work[6]

15. The Committee approved the discontinuation of the following work as proposed by the Committee:

- ***Proposed draft (step 3) amd draft (Step 6) food additive provisions of the Codex General Standard for Food Additives (GSFA)***
- ***Proposed draft Code of Practice for the Sasfe Use of Active Chlorine***
- ***Proposed draft Maximum Level for Deoxynivalenol***
- ***Draft Maximum Levels for Cadmium in fruits; meat of cattle, pigs, sheep, and poultry; horse meat; herbs; fungi (edible); celeriac; soybeans (dry); and, peanuts***

1.6 Risk Analysis Policies[7]

- ***Draft Risk Analysis Principles Applied by the Codex Committee on Food Additives and Contaminants***[8]
- ***Draft CCFAC Policy for Exposure Assessment of Contaminants and Toxins in Food or Food Groups***[9]

16. In noting that the two texts had not been endorsed by the 20th Session of the Committee on General Principles (CCGP), the Commission deferred their consideration until its next session pending endorsement by CCGP (see ALINORM 05/28/33, paras 12-25 and Appendices II and III).

1.7 JECFA Priority List (Peroxide Value) [10]

17. The Commission noted that the Committee on Food Additive and Contaminants considered that the peroxide value (PV) for instant noodles was not a question of safety and therefore was not included in the priority list for JECFA evaluation. The CCFAC noted that there were no data proving a positive correlation between peroxide values of foods and food toxicological parameters. The Commission noted that the draft Standard for Instant Noodles, adopted at Step 5 by its 26th Session, had been circulated for comments at Step 6. A revised draft was under preparation to take account of the comments received; the revised draft Standard would be circulated for additional comments and consideration for advancement to Step 8 by the Committee on Cereals, Pulses and Legumes while the list of food additives was to be completed and endorsed by CCFAC.

18. The Delegation of Japan expressed its concern that the CCFAC reply was not based on a risk assessment and reiterated its proposal to include PV in the draft Standard for Instant Noodles.

19. The Commission **agreed** that he elaboration of the draft Standard should proceed without further delay, with the understanding that the inclusion of a peroxide value could be decided by CCFAC in the future in the light of relevant data to be submitted by the Government of Japan to the CCFAC for consideration.

1.8 Matters related to Scientific Advice [11]

20. The Commission **agreed** that Codex requests No 6 (functional foods), No.7 (active chlorine) and No.16 (transport of fats and oils in bulk) for scientific advice in Annex I of the working document should not be considered as cancelled but be retained.

21. The Commission noted that the Committee on Food Additives and Contaminants and the Committee on Food Hygiene were preparing the draft Terms of Reference for the proposed expert consultation on safety of active chlorine used in and on foods.

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6 ALINORM 04/27/41, para. 103 and Appendix VII.
7 ALINORM 04/27/41, para. 25.
8 ALINORM 04/27/12, Appendix II.
9 ALINORM 04/27/12, Appendix XIV.
10 ALINORM 04/27/41, para. 13 and Appendix VII.
11 ALINORM 04/27/41, para. 13 and Appendix VII.

22. In relation to the request regarding the evaluation of the safety of acceptable previous cargoes, the Commission confirmed its earlier request to FAO and WHO to convene an expert consultation, preferably before the next Session of the Committee on Fats and Oils. The Delegation of the United States stated that future work by the Committee on Fats and Oils should concentrate on criteria but not on the list.

23. The Commission **agreed** that priority for the provision of scientific advice should be given to requests coming from Codex subsidiary bodies rather than from Member governments and that the work plan of Codex shall take into account the availability of relevant scientific advice. The Commission noted the view that priority should also be given to the concerns of developing countries, the decisions of the Commission and prioritised requests by Codex subsidiary bodies.

24. The Commission **noted** that in the absence of Codex criteria for setting priorities for the provision of scientific advice, FAO and WHO would continue planning expert meetings and consultations considering the following criteria: a) clear scope of the advice requested; b) urgency of the advice requested, c) availability of required data or commitment of countries to provide such data; and d) availability of financial resources.

1.9 General Methods for Additives and Contaminants[12]

25. The 27th Session of the Commission adopted methods of analysis as proposed by the Codex Committee on Methods of Analysis and Sampling[13].

2. OTHER CODEX COMMITTEES AND TASK FORCES (FOR INFORMATION)

26. In addition to the above matters, the attention of the Committee is drawn to the reports of the following meetings of Codex Committees/Task Force :

- 36th Session of the Codex Committee on Food Hygiene (Washington D.C., USA, 29 March – 3 April 2004): Active Chlorine (ALINORM 04/27/13, para. 158);
- 36th Session of the Codex Committee on Pesticide Residues (New Delhi, India, 19-24 April 2004) - Revision of the Codex Classification of Foods and Animal Feed (ALINORM 04/27/24, paras 255-258);
- 6th Session of the Codex Committee on Milk and Milk Products (Auckland, New Zealand, 26 – 30 April 2004): Active chlorine (ALINORM 04/27/11, para. 10);
- 22nd Session of Codex Committee on Processed Fruits and Vegetables (Washington D.C., USA, 27 September – 1 October 2004): Food additive provisions in commodity standards (ALINORM 05/28/27, paras. 16-18);
- 4th Session of *Ad hoc* intergovernmental Codex Task Force of Fruits and Vegetables Juices (Fortaleza, Brazil, 11 -15 October 2004): Section 4 - Food Additives of the draft Codex Standard for Fruit Juices and Nectars (ALINORM 05/28/39, paras 16 and 22-24); Section 4.8 – Processing Aids (renumbered Section 5) of the draft Codex Standard for Fruit Juices and Nectars (paras 31-35);
- 8th Session of the FAO/WHO Coordinating Committee for North America and the South West Pacific (Apia, Samoa, 19 - 22 October 2004): Mercury in Fish (ALINORM 05/28/32, paras 111-114); Cadmium in Dalo/Taro (paras 115-116);
- 26th Session of the Codex Committee on Nutrition and on Foods Special Dietary Uses (Bonn, Germany, 1-5 November 2004): Proposed draft Advisory List(s) pf Mineral Salts and Vitamin Compounds for the Use in foods for Infants and Children (CAC/GL 10-1979) (ALINORM 05/28/26, paras 125-131);
- 21st Extraordinary Session of Codex Committee on General Principles (Paris, France, 8-12 November 2004): Draft Risk Analysis Principles Applied by the Committee on Food Additives and Contaminants (ALINORM 05/28/33, paras 12-24 and Appendix II); Draft Policies for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups (paras, 25 and Appendix III);

12 ALINORM 04/41, para. 64.
13 ALINORM 04/27/23, Appendix VI, Section E.

- 14th Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (Buenos Aires, 29 November - 3 December 2004): Food Additive sweetener: Stevioside (Stevia) (ALINORM 05/28/36, paras 120-121.)

PART II - MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES FOR ACTION.

3. GENERAL DECISIONS OF THE 27TH SESSION OF THE CODEX ALIMENTARIUS (FOR ACTION)

27. The Commission adopted the Definitions of Risk Analysis Terms related to Food Safety (see below), on an interim basis, for inclusion in the Procedural Manual with the understanding that the Committee on General Principles would reconsider these definitions if required in the light of the advice of the Committee on Pesticide Residues, the Committee on Food Additives and Contaminants, the Committee on Residues of Veterinary Drugs in Foods, the Committee on Meat Hygiene, and the Committee on Food Import and Export Inspection and Certification Systems.

28. The Committee **is invited to consider the definitions of Risk Analysis Terms related to Food Safety and provide advice**, as required.

> ***Food Safety Objective (FSO):*** *The maximum frequency and/or concentration of a hazard in a food at the time of consumption that provides or contributes to the appropriate level of protection (ALOP).*
>
> ***Performance Objective (PO):*** *The maximum frequency and/or concentration of a hazard in a food at a specified step in the food chain before the time of consumption that provides or contributes to an FSO or ALOP, as applicable.*
>
> ***Performance Criterion (PC)****: The effect in frequency and/or concentration of a hazard in a food that must be achieved by the application of one or more control measures to provide or contribute to a PO or an FSO.*

4. DECISIONS OF THE COMMISSION CONCERNING THE WORK OF THE COMMITTEE (FOR ACTION)

4.1 Proposed draft Standards and Related Texts adopted at Step 5

Proposed Draft Maximum Levels for Cadmium in rice: polished; wheat grain; potato; stem and root vegetables; leafy vegetables; and, other vegetables [14]

29. The Commission **adopted** the Proposed Draft Maximum Levels for cadmium at Step 5 and advanced them to Step 6 as proposed, with the exception of the proposed draft maximum level for cadmium in polished rice, which was returned to Step 3 for further consideration by the CCFAC, due to the concern that the maximum level proposed could result in intakes exceeding the PTWI in certain populations. In noting that cadmium was scheduled for evaluation by JECFA in February 2005, the Commission **requested** CCFAC to take careful account of the results of this evaluation and encouraged countries to provide information and data to JECFA to facilitate its assessment.

30. This subject will be considered under Agenda Item 17 (d) “Draft and proposed draft Maximum Levels for Cadmium”.

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14 ALINORM 04/27/412, para. 68.

4.2 Other matters

List of Maximum Levels for Contaminants and Toxins to be revoked [15]

31. The Commission endorsed the recommendations of the 54th Session of the Executive Committee concerning the amendments to the GSFA and GSCTF and the relation between the GSCTF and Codex Standards proposed by the CCFAC. It requested the Codex Secretariat to prepare a list of maximum levels for contaminants and toxins contained in Codex commodity standards, which are inconsistent with the GSCTF, so that they could be formally revoked by the Commission.

32. A list of maximum levels for contaminants and toxins contained in Codex commodity standards which are inconsistent with the GSCTF is attached as Annex 1 to this document.

33. This subject will be considered under Agenda Item 15 "Consideration of the Codex General Standard for Contaminants and Toxins in Foods (GSCTF).

Sampling Plans for Aflatoxins in almonds, Brazil nuts, hazelnuts and pistachios[16]

34. The Commission **agreed to refer the comments of the 54th Session of the Executive Committee to the Committee on Food Additives and Contaminants.**

> "The Committee recommended approval of new work and recommended that CCFAC consider the development of a maximum level of aflatoxins for Brazil nuts and review its terms of reference in relation to sampling plans. (ALINORM 04/27/4, para. 22)

35. This subject will be considered under Agenda Item 16 (d) "Discussion Paper on Aflatoxin Contamination in Brazil Nuts".

5. OTHER CODEX COMMITTEES AND TASK FORCES (FOR ACTION)

5.1. Codex Committee on Milk and Milk Products (6th Session)

Pimaricin [17]

36. The Committee noted that the current text permitted the use of Pimaricin (INS 235) for surface and rind treatment only, and **agreed to refer the use of Pimaricin to the CCFAC and asked that it be put on JECFA's priority list for exposure assessment for its use on shredded, cut and sliced cheese in standards C-1, C-4, C-5, C-9, C-15 and the Mozzarella Standard as well as Pimaricin use in Mozzarella when used during the kneading and stretching process.**

37. This subject will be considered under Agenda Item 18 "Priority List of Food Additives, Contaminants and Naturally Occurring Toxicants proposed for Evaluation by JECFA.

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15 ALINORM 04/27/41, para. 138.
16 ALINORM 04/27/41, para. 99.
17 ALINORM 04/27/11, para. 66.

5.2 Codex Committee on Processed Fruits and Vegetables (22nd Session)

Sweeteners[18]

38. The Committee noted the different combinations of the terms "nutritive", "carbohydrate", and "sweeteners" and the prefix "non" in front of any of these combinations in Codex standards for processed fruits and vegetables without a consistent application of these terms. The Committee also noted that this might have the potential to create confusion on whether terms such as "(nutritive) carbohydrate sweetener" or "nutritive sweetener" applied only to food ingredients (e.g. sugars, honey, syrups, etc.) or to certain types of food additive sweeteners with some caloric/nutritive (e.g. sugar alcohols). Similarly, it was not clear if terms such as "non-carbohydrate (nutritive) sweeteners" or "non-nutritive sweeteners" applied only to certain types of food additive sweeteners, usually regarded as "artificial" or "intense/high intensity sweeteners", or to any type of food additive sweetener being used in the production of food for special dietary uses (e.g. diet foods). The Committee further noted the possible use of terms such as "artificial" vs. "natural" sweeteners to differentiate between food additive sweeteners and other sweetening agents such as sugars, honey, etc.

39. The Committee noted that within the Codex system the terms "sugars" (including certain syrups), "honey", and "sweetener" were defined in the Codex Standards for Sugars[19] and Honey[20], and in the Codex Class Names and International Numbering System for Food Additives[21] respectively. In addition, the Codex General Standard for the Labelling of Prepackaged Foods[22] did not differentiate between the different kinds of food additive sweeteners and grouped them under the general term "sweetener" while all types of sucrose were designated as "sugar" and considered as ingredients. In addition, in a Codex Standard, the reference to "sweetener" was usually considered as a food additive regardless of its caloric/nutritive value and listed under the Section on Food Additives under the general name "Sweetener"; whereas any reference to compounds which were not considered as food additives, but performing a sweetening function, were regarded as a food/food ingredient and listed under the Section on Essential Composition and Quality Factors. The Committee also noted than when discussing the Codex Standard for Applesauce, it had decided that the term "sugars" or "nutritive sweeteners" appearing in the Standard should be replaced by "*sugars as defined in the Codex Alimentarius and/or other carbohydrate sweeteners such as honey*".

40. The Committee agreed that this matter was a cross cutting issue that should be resolved in a horizontal manner through the Codex Committee on Food Additives and Contaminants and the Codex Committee on Food Labelling so that substances used as food ingredients for sweetening purposes and substances used as food additives for sweetening purposes can be designated in a consistent manner within the Codex system. As a result, **the Committee agreed to put forward the following questions to the aforesaid Committees:**

a. Codex Committee on Food Labelling: In terms of foodstuff sweeteners (natural) (i.e., non-food additive), what terms (e.g., carbohydrate, nutritive) should be used in Codex commodity standards to indicate sweeteners other than those conforming to the Codex Standards for Sugars and Honey)?

b. **Codex Committee on Food Additives and Contaminants** & Codex Committee on Food Labelling: **In terms of food additive sweeteners (artificial), what terms are appropriate to describe sweeteners (e.g. non-carbohydrate, non-nutritive, high/low intensity)?**

41. This subject will be considered under Agenda Item 8 "Harmonization of Terms Used by Codex and JECFA".

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18 ALINORM 05/28/27, paras 12-13.
19 CODEX STAN 212-1999, Amd. 1-2001.
20 CODEX STAN 12-1987, Rev. 2-1001.
21 CAC/GL 36-1989, Rev. 7-2003.
22 CODEX STAN 1-1985, Rev. 1-1991.

***Concentration effect*[23]**

42. The Committee organized the Section into two sections to refer specifically to Pesticide Residues (Section 5.1) and Other Contaminants (Section 5.2) which included heavy metals and other contaminants such as mycotoxins. It considered necessary to take into account the concentration factor in the maximum level of residues as tomato concentrate was re-diluted when consumed in sauce. Therefore, the following sentence was added in the two sections "The value of maximum levels must comply with NTSS (Natural Tomato Soluble Solids) content, with a reference value of 4.5 for fresh tomato". **The Committee agreed to ask the advice of the Codex Committee on Pesticide Residues and on Food Additives and Contaminants with regard to the concentration effect when setting maximum levels for residue of pesticides and contaminants.**

43. This subject will be considered under Agenda Item 15 "Consideration of the Codex General Standard for Contaminants and Toxins in Foods (GSCTF)".

5.3 *Ad hoc* Intergovernmental Codex Task Force of Fruits and Vegetables Juices (4th Session)

***Coconut water*[24]**

44. The Task Force had an exchange of views on the definition of "coconut water" vis-à-vis compliance with the definition and requirements of the General Standard for Fruit Juices and Nectars to determine if this product could be considered as a "fruit juice" and consequently covered by the General Standard.

45. The delegation of Brazil informed the Task Force that "coconut water" referred to the aqueous liquid (liquid endosperm) enclosed in the kernel (endosperm) of the coconut. The "coconut water" was extracted by cutting off the head of the coconut followed by an aseptic process of storage of the liquid in formulation tanks, filtration, and packaging. The filtration process was to eliminate residues to obtain a clear or slightly turbid liquid that was processed by heat (Ultra High Temperature – UHT -) and packaged in tetra-pack containers with a maximum durability of 9 months.

46. The Task Force noted that "coconut water" was different from "coconut milk"[25] which was the diluted emulsion of comminuted coconut endosperm (kernel) in water with the soluble and suspended solids distributed in the product. The delegation of Thailand informed the Task Force that "fat content" was the quality parameter applied to "coconut milk" as opposed to "Brix level". The Task Force further noted that the 25% minimum juice content in the Annex on Brix Levels referred to the minimum content of "coconut water" required to prepare nectars.

47. The Task Force agreed that "coconut water" complied with the provisions of the General Standard for Fruit Juices and Nectars. Some delegations noted that the definition of "fruit juice" in Section 2.1.1.1 needed to be amended to accommodate "coconut water" as it was the juice obtained by extracting the water from the fruit and not by expressing the coconut meat (kernel). Other delegations recalled that it would be not advisable at this time to amend this Section as it was a compromised language agreed to by Task Force at previous sessions. **In view of this, the Task Force decided to enter a footnote to the term "coconut" in the Annex to the General Standard to clarify that the juice of this fruit was the "coconut water" extracted from the coconut without expressing the coconut meat.**

48. This information will be considered under Agenda Item 6 "Consideration of the Codex General Standard for Food Additives (GSFA)".

***Section 4 - Food Additives" of the draft Codex Standard for Fruit Juices and Nectars*[26]**

49. The Task Force agreed to refer the food additive Section in the General Standard for Fruit Juices and Nectars to the GSFA by introducing the general statement as proposed by CCFAC. In taking this decision the Task Force agreed on the following amendments:

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23 ALINORM 05/28/27, para. 39.

24 ALINORM 05/28/39 paras 9-12.

25 Codex Standard for Aqueous Coconut Products – Coconut Milk and Coconut Cream (CODEX STAN 240/2003).

26 ALINORM 05/28/39 paras 16 and 17-21.

Sulphites

50. The Task Force noted that, when endorsing food additive provisions in the General Standard for Fruit Juices and Nectars, the 36th Session of the Codex Committee on Food Additives and Contaminants did not endorse the footnote on the use of sulphites as proposed by the Task Force i.e. "*sulphites should be used when there is a technological necessity*" as only food additive that were technologically justified were included in the GSFA. Instead, the Committee amended the footnote to read "*sulphites should be used only in fruit juices and nectars in bulk dispensers and in certain tropical fruit juices and* nectars" to specify that the use of sulphites applied to specific cases such as fruit juices and nectars in bulk dispensers or to prevent oxidation in certain tropical fruit juices/nectars when no more other suitable technological means were available.

51. Some delegations indicated that the current language was unnecessary restrictive as it excluded broader uses of sulphites as antioxidants and did not represent current industry practices worldwide which applied to fruit juices/nectars other than tropical ones. These delegations said that the amendment introduced by CCFAC was not based on safety considerations but to clarify the language. They also indicated that the previous footnote represented a compromise language agreed to by the Task Force on a matter that was difficult to reach consensus.

52. Other delegations proposed to keep the footnote as endorsed by CCFAC and to expand it to cover uses of sulphites in fruit juices/nectars other than tropical ones. These delegations noted the safety concern associated with the use of sulphites.

53. Those delegations favouring the removal of the footnote indicated that the safety concern on sulphites could be adequately addressed through labelling. These delegations indicated that it was not a workable solution to broaden the footnote as there were several fruit juices/nectars and their mixtures that could be left aside by introducing specific names in the footnote. They also indicated that in any case sulphites were subject to national legislation of the importing country and footnote 6 already provided for countries to apply their own legislation on the use of sulphites.

54. In view of the above, **the Task Force agreed to delete footnote 7 "*sulphites should be used only in fruit juices and nectars in bulk dispensers and in certain tropical fruit juices and* nectars" and to inform CCFAC to make the corresponding amendment on sulphites (INS 220-225, 227, 228, 539) in food categories 14.1.2.1 (Fruit Juice), 14.1.2.3 (Concentrates for Fruit Juice), 14.1.3.1 (Fruit Nectar), and 14.1.3.3 (Concentrates for Fruit Nectar) of the GSFA.**

55. This information will be considered under Agenda Item 6 "Consideration of the Codex General Standard for Food Additives (GSFA)".

Section 4.8 – Processing Aids (renumbered Section 5) of the draft Codex Standard for Fruit Juices and Nectars - Polydimethylsiloxane [27]

56. The Task Force noted that the 36th Session of the Codex Committee on Food Additives and Contaminants endorsed processing aid provisions in the General Standard for Fruit Juices and Nectars with the exception of polydimethylsiloxane which was returned to the Task Force for clarification on whether the technological function of this compound was linked to a food additive or a processing aid use.

57. The Task Force had an exchange of views on whether polydimethylsiloxane at a maximum level of usage of 10 mg/l should be regarded either as a food additive or as a processing aid. A number of delegations were of the view that polydimethylsiloxane was a processing aid rather than a food additive and supported its retention in the Processing Aid Section of the General Standard. Other delegations were of the opinion that this compound should be considered as a food additive and included in the Section on Food Additives in accordance with the GSFA.

27 ALINORM 05/28/39 paras 25-30.

58. Those delegations favouring the retention of polydimethylsiloxane in the list of processing aids indicated that this compound was used to prevent foaming during processing (e.g. pumping, concentration, filling, packaging) and that the amount of residues left after processing did not have a technological effect in the final product. Therefore, the use of polydimethylsiloxane fulfilled the definition of a processing aid given in the Codex Alimentarius Procedural Manual[28]. In addition, as processing aids were not subject to labelling declaration[29], the introduction of labelling requirements for polydimethylsiloxane would imply a significant change in the current industry practices. These delegations recalled that the 3rd Session of the Task Force had already agreed to consider polydimethylsiloxane as a processing aid for the products covered by this General Standard[30]. They recognized that although polydimethylsiloxane might have a dual function of processing aid/food additive the latter applied to other technological functions such as anticacking agent but not as antifoaming agent. In order to better reflect the use of polydimethylsiloxane as a processing aid, these delegations proposed its use at GMP level with a maximum residue limit in the final product not greater than 10 mg/l.

59. Those delegations favouring the consideration of polydimethylsiloxane as a food additive expressed the view that CCFAC had already identified this compound as a food additive in the GSFA[5] for food category 14.1.2 Fruit and Vegetable Juices at a maximum level of use of 10 mg/kg. They noted that the definition of food additive also referred to their addition in the manufacture, processing, preparation, treatment, packing, packaging, transport, etc. to perform a technological effect in the final product. In this regard, they indicated that most of the processing aids listed in the General Standard were eliminated after processing while polymethylsiloxane remained in the product at a level that might still have a technological effect in the final product and if this was the case, it should be declared on the label. Therefore, the use of polydimethylsiloxane also fulfilled the definition of food additive given in the Codex Alimentarius Procedural Manual[5]. In view of this, they proposed to request CCFAC to provide clarification on the use of this compound at the level proposed in the General Standard for Fruit Juices and Nectars. The Task Force noted that the CCFAC had requested clarification about whether the technological function of this compound was linked to a food additive use or a processing aid as the technical expertise to identify food additives technologically necessary in a given product rested with Codex commodity committees.

60. In order to reach a compromise solution, some delegations proposed to differentiate the use of polydimethylsiloxane as a processing aid with the functional effect of an antifoaming agent when related to the manufacture of the product e.g. pumping, concentration, etc. and as food additive with functional effect of antifoaming agent when associated with the final product e.g. filling, packaging. It was therefore proposed to have polydimethylsiloxane as an antifoaming agent in both processing aid with a maximum level of use up to 10 mg/l and a maximum residue limit not greater than 10 mg/l and food additive with a maximum level of use equal or greater than 10 mg/l. It was however noted that there was no methodology to differentiate between the two uses of the compound in the final product and that in any case, the term "processing" covered the entire production chain as filling, packaging, and transport, were still part of the "processing" of the product.

61. The Task Force reconfirmed the decision taken at its 3rd Session that polydimethylsiloxane should be treated as a processing aid for the purposes of this General Standard at a maximum level of use of GMP level with a maximum residue limit in the final product not greater than 10 mg/l and **to request CCFAC to withdraw polydimethylsiloxane from the GSFA for the food categories covered by the General Standard for Fruit Juices and Nectars. The Delegation of the EC expressed its reservation on these decisions.**

62. This information will be considered under Agenda Item 6 "Consideration of the Codex General Standard for Food Additives (GSFA)".

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28 Definitions for the Purposes of the Codex Alimentarius, Codex Alimentarius Commission Procedural Manual, 13th Edition, pages 49-51. See also General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-1985, Rev. 1-1991), Section 2 – Definitions of Terms and the General Standard for Food Additives (CODEX STAN 192-1985, Rev. 2-1999), Definitions of Terms used in the GSFA, point (a).

29 General Standard for the Labelling of Prepackaged Foods, Processing Aids and Carry-Over of Food Additives, Section 4.2.4.2.

30 ALINORM 03/39A, para. 35.

Annex 1

List of maximum levels for contaminants and toxins contained in Codex commodity standards which are inconsistent with the GSCTF

11 Lead

Commodity		Level mg/kg	Type	Reference	Remarks
Code	Name				
NF 0175	Fruit nectars	0.3 **(*)**	ML	In commodity standards 1981	Apricot, peach and pear nectars Guava nectar Non-pulpy blackcurrant nectar Pulpy nectars of certain small fruits Nectars of certain citrus fruits Nectars not covered by other standards
JF 0175	Fruit juices	0.3 **(*)**	ML	In commodity standards 1981	Orange juice Grapefruit juice Apple juice (Tomato juice) Grape juice Pineapple juice Blackcurrant juice Fruit juices not covered by other standards Concentrated pineapple juice
		1 **(*)**	ML	In commodity standard 1981	Lemon juice
JF 0175	*Fruits juices*	*0.05*	*ML*	*Codex STAN 230-2001 (Rev.1 2003)* **(*2)**	*Including nectars; ready to drink*
MS 0098	Cooked cured chopped meat	0.5	ML	Codex STAN 98-1981 (Rev.1 1991)	**(*3)**
MS 0096	Cooked cured ham	0.5	ML	Codex STAN 96-1981 (Rev.1 1991)	**(*3)**
MS 0097	Cooked cured pork shoulder	0.5	ML	Codex STAN 97-1981 (Rev.1 1991)	**(*3)**
MS 0088	Corned beef	1	ML	Codex STAN 88-1981 (Rev.1 1991)	**(*3)**
MS 0089	Luncheon meat	0.5	ML	Codex STAN 89-1981 (Rev.1 1991)	**(*3)**
MM 0097	*Meat of cattle, sheep and pig*	*0.1*	*ML*	Codex STAN *230-2001 (Rev.1 2003)* **(*2)**	
PM 0100	*Poultry meat*	*0.1*	*ML*	Codex STAN *230-2001 (Rev.1 2003)* **(*2)**	

(*) Section 6.2 on other contaminant in the draft General Standard for Fruit Juices and Nectars (advanced to Step 8 for adoption by the 28th Session of the Codex Alimentarius Commission; ALINORM 05/28/39, Appendix II) does not contain numerical maximum limits but contains the following statement: "The products covered by the provisions of this Standard should comply with those maximum levels for contaminants established by the Codex Alimentarius Commission for these products." (Please note that the General Standard when adopted by the Commission will supersede all existing standards for fruits juices and nectars).

(*2) As these maximum levels were to be included in the General Standard for Contaminants and Toxins in Foods, assigning Codex standard number to them is not relevant.

(*3) Although the maximum levels for lead have been recommended in Codex standards for processed meat products, there may be a need to consider their validity in the light of the maximum levels for lead in meat of cattle, sheep, pig and poultry elaborated by the CCFAC.