



JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON FOOD ADDITIVES
Fifty-fourth Session

DISCUSSION PAPER ON DIVERGENCE BETWEEN THE GENERAL STANDARD FOR FOOD ADDITIVES (GSFA), CODEX COMMODITY STANDARDS AND OTHER TEXTS – IDENTIFICATION OF OUTSTANDING ISSUES

Prepared by China, Canada, and the European Union

Background

1. The Codex Committee on Food Additives (CCFA) has worked since its 42nd session in 2010 to achieve full alignment between the *General Standard for Food Additives* (XCS 192-1995) herein referred to as GSFA; and the food additive provisions contained in the Codex commodity standards.
2. The aim of the alignment work is to systematically align the food additive provisions of the commodity standards with those of the GSFA, with the overarching principle that the GSFA be the single reference point for food additives in the Codex Alimentarius and should therefore take account of any food additive provisions in the commodity standards. Once the alignment work on commodity standards has been completed, further food additive provisions should only be considered by CCFA, based on advice by the commodity committee on the technological justification for the proposed new or amended food additive use(s)¹.
3. To ensure that new divergence on food additive provisions between the GSFA and Commodity Standards do not arise, CCFA52 (2021) agreed to establish an Electronic Working Group (EWG) on Alignment to consider, as one its terms of reference, whether the information in the Procedural Manual is sufficient or if amendments are required to ensure future divergence does not occur, taking into account the Guideline Document on Avoiding Future Divergence of Food Additive Provisions in the GSFA with Commodity Standards².
4. It was agreed by the EWG on Alignment to the CCFA53 (2023), that the ultimate aim of the alignment work is to complete the alignment of all the Commodity Standards such that no further alignment work is required. For this work to be completed, it is imperative that no further misalignment of food additive provisions is introduced in Commodity Standards. It was also recommended that Procedural Manual text should be amended to ensure that further misalignment of food additive provisions does not occur once the full alignment of the food additive provisions between the Commodity Standards and the GSFA have been completed¹.
5. During CCFA53, the Chair of the Physical Working Group (PWG) on Alignment highlighted concerns around the subject of divergence and pointed out that new food additives provisions were continuing to be developed as a result of the activities of the different Codex Committees. The current CCFA “Guideline on avoiding future divergence of food additive provisions in the GSFA with Commodity Standards” may therefore be insufficient to ensure that further divergence does not occur. The PWG chair noted that the question of divergence needed a holistic approach and proposed that a discussion paper be prepared to identify a full range of issues around the subject of divergence of food additives provisions between commodity standards and the GSFA³.
6. CCFA53 agreed to request China as author, Canada and the European Union (EU) as co-authors to prepare a discussion paper to identify the outstanding issues with respect to avoiding future divergence between the GSFA, commodity standards and other texts, specifically the discussion paper will identify the outstanding issues with respect to avoiding future divergence between the GSFA, commodity standards and other texts. These issues include avoiding adoption of new or revised commodity standards containing food additive provisions beyond a

¹ [CX/FA 23/53/6](#) Appendix 6

² [REP21/FA](#) Paragraph 107

³ [REP23/FA](#) Paragraphs 45-46

general reference to the GSFA and examining the process by which CCFA develops future food additive provisions based on information from other committees, including commodity committees, relating to technological justification and functional classes of additives appropriate for use in foods covered by the standards developed by other committees^{3,4}.

Analysis of the current steps and documents

7. China, working closely with Canada and EU, made a full analysis of the current steps and documents which are related to the work between food additives provisions in commodity standards and the GSFA, including the [28th edition of the Procedural Manual](#) (PM), mainly focusing on paragraphs 59-65 which relate to “Relationship between commodity committees and general subject committees-Food Additives”, as well as the “[Guidance to commodity committees on the alignment of food additive provisions](#)” and “[Guideline on avoiding future divergence of food additive provisions in the GSFA with commodity standards](#)” (hereinafter referred to as the guidance and the guideline).

8. Commodity standards are categorized into three scenarios in this discussion paper: new commodity standards, commodity standards with food additives provisions that have already been aligned, and commodity standards with food additives provisions that still require alignment. These different scenarios should be treated differently.

9. Paragraph 59⁵ of the PM invites commodity committees to examine the GSFA in order to propose incorporation or revision of provisions in the GSFA, when needed, to establish a reference in commodity standards to the GSFA. However, this paragraph does not state that the GSFA is the single reference point for food additives in the Codex Alimentarius⁶.

10. Paragraph 60⁷ of the PM states that “Should the commodity committee consider that a general reference to the GSFA does not serve its purpose...”. This statement is not consistent with the goals of the principles of alignment, and this can be considered as a potential source of divergence that could occur between commodity standards and GSFA.

11. Paragraphs 61 through 65 of the PM do align with the principles of alignment and indicate clearly the need for CCFA endorsement of all food additive provisions. In actual cases, typically endorsement and alignment are carried out separately, the usual procedure involves first endorsing the food additive provisions, followed by alignment at a later stage. However, as the commodity committees and regional coordinating committees are still in the process of developing commodity standards, for example, CCASIA is currently working on a standard for dumplings, which will include specific food additives, alignment will be an ongoing task. For some other cases, endorsement and alignment are done at the same time, for example, the three CCPFV standards (i.e., *Standard for Mango Chutney* (CXS 160-1987), *Standard for Gochujang* (CXS 294-2009), and *Standard for Chili Sauce* (CXS 306-2023)) have been simultaneously endorsed and aligned. This is considered as an effective way of avoiding divergence between commodity standards and the GSFA and without making new task of alignment. However, once the current work plan of Alignment WG is completed and only Endorsement WG is existed, potential divergence between the commodity standards and the GSFA could occur if CCFA undertakes endorsement work only as required by the PM without aligning with the GSFA.

12. For commodity standards which have already been aligned and commodity standards that still require alignment, there are steps in place in both the guidance and the guideline.

13. The co-authors also note that there is potential for divergence if the GSFA is updated without a cross check

⁴ [CCFA53/CRD42](#)

⁵ 59. Commodity committees shall examine the *General Standard for Food Additives* (GSFA) (CXS 192-1995) with a view towards incorporating a reference to the general standard. All proposals for additions or amendments to the GSFA in order to establish a reference to the GSFA shall be referred to the Committee on Food Additives (CCFA). The CCFA shall consider such proposals for endorsement. Revisions of a substantive nature that are endorsed by the CCFA will be referred back to the commodity committee in order to achieve consensus between both committees at an early stage of the step procedure.

⁶ This is in contrast to the GSFA Preamble Section 1.2 where it is explicitly stated that “...The General Standard for Food Additives (GSFA) should be the single authoritative reference point for food additives...”

⁷ 60. Should the commodity committee consider that a general reference to the GSFA does not serve its purpose, a proposal should be prepared and forwarded to the CCFA for consideration and endorsement. The commodity committee shall provide a justification for why a general reference to the GSFA would not be appropriate in light of the criteria for the use of food additives established in the preamble of the GSFA, in particular Section 3.

to the commodity standard. Should the commodity standard not contain provisions for certain food additives, then there is the potential to miss adding necessary XS notes and inadvertently broadening the food additive provisions in food categories to those standardized foods that do not permit them.

Outstanding Issues Identified

14. Based on the analysis, the outstanding issues include:

- i. Lack of statement that the GSFA is the single reference point for food additives in the Procedural Manual.
- ii. Having food additive provisions beyond the general reference to the GSFA in the commodity standards is not consistent with the goals of the principles of Alignment, and this is also considered as a major potential source of divergence to occur between commodity standards and the GSFA.
- iii. Once the current work plan of Alignment WG is completed, the procedures to guide on endorsing commodity standards and inclusion in the GSFA accordingly may not be fully sufficient to prevent the introduction of new divergences.
- iv. If the GSFA is updated without a cross check to the commodity standard, especially when the commodity standard does not contain provisions for certain food additives, then there is the potential to miss adding necessary XS notes.

Possible ways to avoid future divergence

Option 1

Procedural Manual is not amended at present, while certain changes to the Procedural Manual will be required once the current work plan of Alignment WG is completed.

15. Option 1 requires no amendment at present, with understanding that the information in paragraphs 61 through 65 is sufficient when used in conjunction with the guidance and the guideline. This would mean that the Procedural Manual only need to be updated once the current work plan for Alignment is completed. CCFA would seek agreement by the CCEXEC and the CAC that requests for not including a general reference in commodity standards in accordance with paragraph 60 will be only allowed under exceptional circumstances/discouraged with the understanding that this paragraph would be in due time removed from the Procedural Manual.

Option 2

The Procedural Manual undergoes minor amendments, including:

- i. To strengthen reference to the GSFA as the single reference point for food additives in the Procedural Manual;
- ii. To remove paragraph 60, which is counter to the premise of Alignment; and
- iii. To add the reference to the "Guideline on avoiding future divergence of food additive provisions in the GSFA with commodity standards" and the "Guidance to commodity committee on the alignment of food additive provisions".

16. Option 2 requires minor amendments of the Procedural Manual by strengthening the GSFA as the single reference point for food additives and remove the paragraph which is considered not consistent with the goals of the principles of alignment, additionally, make references to the guidance and the guideline. The respective roles of the commodity committees and of CCFA would remain unchanged. This option is suitable for the current situation. However, once current work plan of Alignment is completed, the Procedural Manual will need amendment again due to issue iii. in para. 14.

Option 3

The Procedural Manual undergoes a holistic revision, including state clearly that:

- i. To strengthen reference to the GSFA as the single reference point for food additives in the Procedural

Manual.

- ii. The section of food additive in commodity standard should ONLY contain a general reference to the GSFA. Accordingly, the format for Codex commodity standards (Section of Food Additives) should be amended to prevent commodity standards from having specific food additive provisions.
- iii. CCFA should endorse the general reference to the GSFA in commodity standard and include in the GSFA accordingly (when necessary) at the same time. This implies that sort of simple alignment tasks, such as inserting XS Note, should be carried out simultaneously.
- iv. Should the commodity committee consider that a general reference to the GSFA does not serve its purpose, a proposal should be prepared and forwarded to the CCFA for consideration and follow the procedures of the entry and review of food additive provisions in the GSFA. Meanwhile, the guidance and the guideline could be referred to as appropriate.

17. Option 3 is generated from the previous discussion and recommendations from the EWG and the PWG of Alignment, but less emphasizes differentiating commodity standards that have already been aligned and still require alignment, with the understanding that it is sufficient in the guidance to guide commodity standards that yet to be aligned. Option 3 is applicable for both new commodity standards and revision of food additive provisions for the commodity standards that have already been aligned. This option does require a holistic revision to the Procedural Manual, the nature of this option is to restrict commodity standards containing only a general reference to GSFA which could avoid the major potential divergence. Meanwhile, under this option the commodity committees maintain their role to appraise the technological need for the use of additives in commodity standards. These committees keep also in their attributions the possibility to make proposal for revisions to a food additive provision applicable to the commodity standard. This option will need further discussion on details and revisions to several related paragraphs of the Procedural Manual accordingly.