

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
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Organization

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Agenda Item 5(a)

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GENERAL STANDARD FOR FOOD ADDITIVES (GSFA): REPORT OF THE EWG ON THE GSFA

Prepared by the United States of America with the assistance of Australia, Brazil, Canada, Chile, China, Colombia, Egypt, European Union, India, Indonesia, Iraq, Japan, Republic of Korea, New Zealand, Russian Federation, Senegal, Thailand, United Kingdom, United States, Vietnam, Calorie Control Council (CCC), Food Industry Asia (FIA), FIVS, International Association of Color Manufacturers (IACM), International Alliance of Dietary/Food Supplement Associations (IADSA), International Confectionery Association (ICA), International Council of Beverages Associations (ICBA), International Chewing Gum Association (ICGA), International Dairy Federation (IDF), International Food Additives Council (IFAC), International Fruit and Vegetable Juice Association (IFU), International Organization of the Flavor Industry (IOFI), International Sweeteners Association (ISA), International Stevia Council (ISC), Natural Food Colours Association (NATCOL), and International Organisation of Vine and Wine (OIV)

Introduction

1. CCFA53 agreed to establish an EWG to provide recommendations to CCFA54 on the following topics:¹
 - (i) All remaining draft and proposed draft provisions for sweeteners in the GSFA as well as adopted provisions for sweeteners with Note 161 in the GSFA;
 - (ii) Draft and proposed draft provisions for colours in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories as well as adopted provisions for colours with Note 161 in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories;
 - (iii) Draft and proposed draft provisions in FCs 14.2 and its subcategories;
 - (iv) Provisions entered at Step 2 of the GSFA at CCFA53; and
 - (v) All remaining draft and proposed draft provisions in the GSFA with the exception of: colours not addressed in parts ii and iii, and provisions for which CCFA is awaiting guidance from other Codex Alimentarius Committees or JECFA.

Working Documents

2. The working documents for the report of the EWG on the General Standard for Food Additives are presented as appendices to this document. The appendices provide background on the topic under discussion, collate comments on the topic from the EWG, and provide recommendations for each topic.
 - proposals for provisions related to sweeteners that pertain to topic i are presented in Appendix 1.
 - proposals for provisions related to colours that pertain to topic ii are presented in Appendix 2.
 - provisions related food additives covered under FCs 14.2 (Grape wines) and its subcategories that pertain to topic iii are presented in Appendix 3.
 - proposals for provisions entered into the step process by CCFA53 that pertain to topic iv are presented in Appendix 4.
 - proposals for provisions that pertain to topic v are presented in Appendix 5.

¹ REP23/FA para. 118.

Appendix 1: Remaining draft and proposed draft provisions for sweeteners in the GSFA and adopted sweetener provisions with Note 161

1. Among several topics, the 53rd CCFA requested the e-WG on the GSFA to the 54th CCFA to consider:²
 - All remaining draft and proposed draft provisions for sweeteners in the GSFA as well as adopted provisions for sweeteners with note 161 in the GSFA.

Introduction:

2. To continue to advance provisions for sweeteners through the step process and to address the remaining uses of Note 161 in the GSFA associated with sweeteners, CCFA53 requested that the eWG on the GSFA to CCFA54 consider all remaining draft and proposed provisions for sweeteners, as well as adopted provisions for sweeteners with Note 161.

Working Document:

3. The eWG on the GSFA issued three circulars for this Appendix requesting comments on all remaining draft and proposed draft provisions for sweeteners in the GSFA and adopted sweetener provisions with Note 161.
4. The current document presents proposals for each provision under discussion (adopt, adopt with revision, discontinue) in the format of the food categories listed in Table 2 of the GSFA.
5. These proposals are based upon a consensus approach taking into account the following information:
 - Information on corresponding Codex commodity standards and the use of food additives in those commodity standards is provided for each food category;
 - Historical discussions on the provision in previous sessions of CCFA; and
 - Comments provided by eWG members.
6. These recommendations are based on the “weight of evidence”; that is, comments containing justifications were given more weight than comments with no supporting justification.
7. A full compilation of comments submitted for Appendix 1 (Remaining draft and proposed draft provisions for sweeteners in the GSFA as well as adopted provisions for sweeteners with note 161 in the GSFA) to the three circulars are available at [CCFA54 meeting page](#).

² REP23/FA, para. 118(i)

Category No. 05.1.2 (Cocoa mixes (syrups))**Corresponding commodity standards:** None

Horizontal approach: The horizontal approach to sweeteners in this FC was decided at CCFA52 (justified on general basis with Note 477 or 478 as appropriate). CCFA52 also determined that the application of the horizontal approach to provisions in the step process for sweeteners in this FC would be discussed by the GSFA eWG to CCFA53. However, the provision for Steviol Glycosides in FC 05.1.2 was not addressed at CCFA53 due to an oversight.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
STEVIOLE GLYCOSIDES	960a, 960b, 960c, 960d	350	26	3	Sweetener	Adopt at 350 mg/kg with Note 26 and Note 477

Discussion by eWG Members on the Horizontal Approach for the use of sweeteners in FC 07.1:**Compilation of General Comments by eWG Members to 1st Circular for this FC:**

Australia: Australia does permit the use of some sweeteners at GMP in this food category as noted below. It also does permit the use of steviol glycosides (see below) in what is a subcategory termed 'fancy bread' only. It does note current permissions in the GSFA for some sweeteners as a precedent but interested to hear from other members in relation to technological justification for use and any suitable notes.

Canada: As a general comment to the proposals in the table below: as several Members have identified actual use of sweeteners/flavouring enhancers in products across the FC, the question of technological justification seems resolved; thus Canada asks for clarification on the nature of the objection to advancing the provisions. Canada supports advancing the provisions unless a safety-based rationale can be provided that demonstrates the risk of including sweeteners/flavour enhancers in these products.

China: In China, the use of sweeteners is not limited to specific types of products within this FC, but rather in products across FC 07.1. Products fall into FC 07.1 with the use of sweeteners are widely in trade. Technological justification: The use of sweeteners in this FC as partial replacement of sugar, including products for diabetics. The use of sweeteners are required to display on the label, so that does not mislead the consumer.

EU: Sweeteners are not permitted in bread and ordinary bakery ware in the EU

New Zealand: We note that FC 07.1 is a parent category that includes plain ordinary breads and more specialised and fancy breads in its subcategories. Where such breads are sweetened or are other than plain breads there is likely to be some technological justification for allowing a food additive sweetener to

be used to replace all or some of the sweetness provided by sugar. We would like to see consistency between the adopted provisions and those listed below in the step process

RU: According with «FOOD CATEGORY SYSTEM» (GSFA) FC 07.1 -07.1 Bread and ordinary bakery wares and mixes: Includes all types of non-sweet bakery products and bread-derived products. Therefore, there is no technological need to use sweeteners in this food category. Do not supports the proposals. Discontinue.

CCC: CCC appreciates the continued consideration of the use of sweeteners in this Food Category. CCC notes from previous discussions that some countries consider products in this Food Category to be plain products and should not contain additives. However, “plain” is a term that is not used globally and some countries may consider products in this Food Category to contain additives, including sweeteners. Recognizing the desire to find consensus on a path forward, CCC would like to propose a compromise approach that includes the creation of a new note “Excluding plain bread and plain bakery wares” which would allow countries that recognize plain bread and plain bakery ware products to restrict the use of additives, including sweeteners, in such products, while allowing other countries to allow the use of additives, including sweeteners, in such products.

ISC: Background: In 2022, after many years of discussion and exchange at Codex level, an agreement was reached to replace Note 161 with alternatives Note 477 and / or Note 478 through an horizontal approach and without reopening discussion on any food category. In 2023 however, few countries could not agree on the horizontal approach for FC 7.1 and made other proposals to replace Note 161, on which an consensus could not be reached at CCFA level. Many Codex delegations however, expressed their interest in continuing the exchange to try finding a solution to this issue which would be suitable to the large majority of the CCFA members. Thus the inclusion of FC 7.1 in Appendix 1: Sweeteners of the eWG on GSFA.

Proposal by ISC: ISC – in a spirit of compromise and based on its willingness to make progress on this FC – would like to make a proposal for the addition of a new Note that reads as: : “Excluding plain bread and plain ordinary bakery wares”.

Rational: ISC believes this new additional Note – allows: a) on one side, those countries that restrict the use of sweeteners and possibly other food additives, flavouring and colours to preserves their recipes of bread and ordinary bakery wares very simple staple products, by the mentioning that sweeteners cannot be used on “plain” products under this category; b) while, at the same time, those countries that – based on their specific traditions and cultural food diversities – do use a certain amount of sugar and/or sweeteners in their recipes of bread and ordinary bakery wares to continue using sugar and or sweeteners and meet consumer demands for these typical products.

ISC sincerely hope that this proposal would be positively considered as a compromised proposal and look forward to continue this discussion with all members of the eWG on GSFA.

Chair’s Summary of eWG comments to the first circular: Comments submitted to the eWG reiterated previous comments that some members are opposed to the use of sweeteners in this food category while other members were in favor of the use of sweeteners in FC 07.1 and its subcategories. Some comments noted that some Codex Members consider bread and ordinary bakery wares to be very simple staple products. These Members limit the use of food additives in these products to the extent that they could be considered “plain” products within the context of how that term is used in the GSFA as well as the cultural perception of these Members. Other comments noted that other Codex Members, based on their specific traditions and cultural food diversities, do use a certain amount of

sugar and/or sweeteners in their recipes of bread and ordinary bakery wares – these Members would not consider bread and ordinary products to be “plain” in the context of the GSFA and may not define them as such in their own markets. These comments proposed a horizontal approach to replace Note 161 in provisions for sweeteners with a new note “Excluding plain bread and plain bakery wares” to address this difference in cultural perception and the allowance or restriction of the use of sweeteners in these products by certain Codex Members.

For the second circular: eWG members were invited to discuss the following proposal for an alternative note as a horizontal approach to replace Note 161 for the use of sweeteners in FC 07.1. The provisions for sweeteners in FC 07.1 are also provided below for comment in the context of the discussion on a horizontal approach.

Horizontal approach for FC 07.1 – Proposal for Discussion by eWG Members:

- 1) Replace Note 161 with new note: “*Excluding plain bread and plain bakery wares*”. This note would be used without Notes 478 or 477.
 - eWG Members, and in particular those who would not agree with the above proposal on the wording of the alternative note are invited to provide a rationale for their disagreement and to suggest revisions to the above proposal.
 - eWG Members that do allow the use of sweeteners in these products are requested to comment concerns they may have with this proposal

Chair’s note: The GSFA normally refers to plain products as those in which flavours, and in some cases colours and/or sweeteners are not allowed or are restricted. There are examples of the GSFA making a distinction between plain and sweetened products – see descriptor of FC 01.3 which describes the products covered by this food category to “include(s) plain and sweetened types...”. CCFA has also previously excluded plain products from a provision – see the attachment of Note 347 “Excluding plain products” to the provision for INS 472e in FC 06.8.1 (Soybean-based beverages).

- 2) Previous alternative notes have made exceptions for the use of additives with both sweetener and flavour enhancer function for their use as flavour enhancers (see for example Note 478). For those additives replace Note 161 with the above note, and the additional text: “*This may not apply to the appropriate use as a flavour enhancer*”.
 - eWG Members are invited to discuss if additives under discussion in this FC are utilized in some cases only for their flavour enhancer function
 - eWG Members, and in particular those who do not agree with the use of sweeteners in FC 07.1, are invited to discuss if:
 - i. additives with both sweetener and flavour enhancer function are justified for use in FC 07.1 as flavour enhancers; and if the above proposal on the wording of additional text to be added to the proposed note is sufficient to address an additive’s use as a flavour enhancer, or to provide a rationale for their disagreement and to suggest revisions to the above proposal.

Compilation of General Comments by eWG Members to 2nd Circular for this FC:

Australia: Supports the use of the alternative note “Excluding plain bread and plain bakery wares” to replace note 161 but only for this FC and subcategories. Australia is unsure whether the use of sweeteners in FC 7.1 includes their use as flavouring enhancers rather than only as sweeteners noting its comments to the 1st circular. Australia is happy to defer to eWG members, especially industry suppliers of such sweeteners, with technical expertise and knowledge of their technological purpose and justification.

Canada: Appreciates the challenge in seeking a compromised resolution, and so, in principle, supports the Chair's proposed note as a promising way forward. Our main concern is in how the term "plain" might be interpreted and applied to products in the food categories. We agree with the Chair's comments that the GSFA has made distinctions between plain and sweetened products, and this distinction is supported by a previous analysis on the term "plain" in Codex texts (CX/FA 18/50/10). However, there is not a formal definition of a plain product, and there are other factors besides sweetening that differentiate plain and non-plain products, many of which could apply to a number of baked goods under such a broad category. We are concerned that we cannot rely on a traditional understanding of "plain bread" to adequately use the provision. We wonder, therefore, if greater specificity could be ascribed to the meaning of plain in this case. We welcome any suggestions, but one possible note could be "Excluding breads and ordinary bakery wares without added sugars". This note would preclude common (plain) breads from containing sweeteners alone, but they could be used in breads that have been historically prepared with sugars (with or without sweeteners) and that would be labelled as containing these ingredients. Further consideration could be given to adding an exemption to any sugar needed to activate yeast.

China: China agrees with replacing Note 161 with new note: "Excluding plain bread and plain bakery wares".

EU:

- 1) The EU appreciates further discussion related to the use of sweeteners in FC 07.1 and its sub-categories and the efforts to find a way forward taking into account the differences in the understanding of the technological need for sugar and sweeteners in this food category.

The products available on the EU market, falling within FC 07.1 and its sub-categories, contain no or very limited amount of sugar. This is in line with the descriptor of FC 07.1 stating that it "Includes all types of non-sweet bakery products and bread-derived products." and in contrast to fine bakery wares, which may contain substantive amounts of sugar and/or fat (the FC 07.2 Fine bakery wares (sweet, salty, savoury) and mixes).

The EU observers that a new note "Excluding plain bread and plain bakery wares" was suggested in the second circular for further consideration. The EU further notes the chair's observation that the term "plain" could also refer to products for which colours and/or sweeteners are not allowed. From the EU's perspective the proposed note could represent a workable solution if it also captures the point of view of the Codex Members, which do not consider sweeteners technologically justified due to the character of the products falling in FC 07.1, i.e. if the note allows understanding that (i) plain refers to products not containing colours and/or sweeteners and that (ii) only such products are within the scope of food category 07.1.

The differences in the understanding of Codex Members could be also captured in a new Note that would more closely follow the structure / logic of Notes 477 /478. For example:

Some Codex Members allow use of additives with sweetener and colour function in this Food Category whilst others consider that this Food Category includes only "plain products". For the purpose of this Food Category "plain" refers to products for which the use of additives with sweetener and colour function is not allowed.

- 2) The additives under consideration are not allowed for use in the EU in FC 07.1.

Iraq:

- 1) Iraq supports the use of the alternative note "Excluding plain bread and plain bakery wares" to replace note 161 without footnotes 478 or 477

2) Iraq agrees with the opinions of other EWG members.

Japan:

- 1) Japan would like to seek clarification on the scope of “plain bread and plain bakery wares”. According to industry, in many cases “plain” bread means bread with basic dough which additional ingredients like fruits and nuts are not added, or bread which doesn’t have characteristic flavour or taste. Whether a certain bread product is called “plain” is not necessarily related to use of sweeteners. Sweeteners are used broadly across FC07.1 to partially (not fully) replace sugars by sweeteners, provide moderate sweetness and prevent the crust from getting too dark;
- 2) In Japan, high intensity sweeteners are used as appropriate in this food category to enhance the aroma of bread.

Sweet-tasting additives have an intrinsic flavor-enhancing function when used in foods in quantities where sweetness is unrecognizable or only slightly sweetened.

New Zealand: New Zealand supports replacing Note 161 with new note “Excluding plain bread and plain bakery wares”. For the permission to use sweeteners in FC07.1, it should be consistent across the proposed and adopted sweetener provisions in the FC; It would be helpful to get information from sweetener manufacturers on whether the sweeteners have both sweetener and flavour enhancer functions.

RU: There is no technological need to use sweeteners in this food category. Do not support the proposals. There are need in discontinuation proposal

Senegal: appreciates the new note “Excluding plain bread and plain bakery wares” proposed by certain members to replace note 161 and supports this proposal for application all sweeteners for this FC 07.1

Thailand: Regarding the description of food category 07.1 (Bread and ordinary bakery wares and mixes) stated that “includes all types of non-sweet bakery products and bread-derived products”, we would like to ask for clarification that why are sweeteners needed to be used in this food category?

CCC: Appreciates the continued consideration of the use of sweeteners in this Food Category. For all sweeteners, CCC supports the replacement of Note 161 with the alternative note, “Excluding plain bread and plain bakery wares”, which would be used without Notes 477 or 478.

FIA: Supports the new note “Excluding plain bread and plain bakery wares”.

ISC: Supports the replacement of Note 161 with a new note: “Excluding plain bread and plain bakery wares” and supports that the new Note would be used without Notes 477 or 478.

Chair’s Summary of eWG comments to the second circular: Comments reiterated that some EWG members are opposed to the use of sweeteners in this food category while other members were in favor of the use of sweeteners in FC 07.1 and its subcategories. Some comments noted that some EWG members consider bread and ordinary bakery wares to be very simple staple products. These members limit the use of food additives in these products to the extent that they could be considered “plain” products within the context of how that term is used in the GSFA as well as the cultural perception of these members. Other EWG members noted that sweeteners are used broadly across FC 07.1 to partially (not fully) replace sugars by sweeteners, provide moderate sweetness and prevent the crust from getting too dark.

The second circular also requested comments specifically on the use of the alternative note “Excluding plain bread and plain bakery wares”. Some EWG members indicated that they support the use of the proposed note. Other EWG members sought greater specificity as to what the term “plain” would mean in the

context of FC 7.1 and its subcategories. Of the comments received, two alternative notes were proposed that took two different approaches to address the issue: 1) to avoid the use of the term plain; or 2) to address defining plain products in the context of FC 7.1 and its subcategories. In regards to the first point, one member suggested the note “Excluding breads and ordinary bakery wares without added sugars” in order to avoid the use of the term “plain”. This note would preclude common (plain) breads from containing sweeteners alone, but they could be used in breads that have been historically prepared with sugars (with or without sweeteners) and that would be labelled as containing these ingredients. Another EWG member took the second approach and suggested the note “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products for which the use of additives with sweetener and colour function is not allowed.” They note that this proposed new note would more closely follow the structure / logic of the alternative Notes 477 /478 that were used to remove Note 161 from many GSFA sweetener provisions. Such a note could also potentially work as an alternative note for colours in FC 7.1 and its subcategories.

Third Circular Horizontal approach for FC 07.1 – Request for comments for third circular on new “Alternative Note”:

It is clear that in order to consider adoption of sweeteners (and colors in Appendix 2) the EWG will need to consider an appropriate alternative note that will address the differing use of additives in FC 07.1 and its subcategories. In this regard, the EWG is invited to comment on the three alternative notes currently proposed. Please comment on your preferred “Alternative Note” from the 3 options, below. Comments both for and against each of the options are requested.

Option 1: “Excluding plain bread and plain bakery wares”

Option 2: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products for which the use of additives with sweetener and colour function is not allowed.”

Option 3: “Excluding breads and ordinary bakery wares without added sugars”

Compilation of General Comments by eWG Members on Third Circular New “Alternative Note” Options for use in “Horizontal Approach” to FC 07.1:

Australia: Notes that the issue (for both sweeteners as well as colours) is complicated with the need for the note(s) to satisfy two different groups with opposing views.

Australia’s preferred option is option 2 (EU suggestion). It is understood the two sentences work together to satisfy both groups. This is in a similar way to the earlier notes 477 and 478. A benefit of writing these sentences is there should not be interpretation concerns over what ‘plain’ encapsulates.

Brazil: Brazil does not consider option 2 a suitable option, as it does not reach consensus and leaves space for particular interpretation. Option 1 would be acceptable if the term “plain” from the note 347 could be explicitly defined. The definition of “plain products” can be related to ingredients that are allowed in the product. For example, it could be defined that plain products are those exclusively formulated with wheat flour, water, salt and yeast/baking powder. Option 3 would be acceptable.

Canada: As written, Canada prefers option 3 but could support Option 2 if slightly modified. Canada supports Option 3 principally because it is unambiguous and applicable in all cases, as the provision is tied to the physical state of the product. When manufacturers produce products that respect various regional

legislations, the use of sweeteners (or lack thereof) would follow suit. That is, the provisions in the GSFA associated with the Option 3 Note would not be concerned with the state of regional legislations nor the food category descriptors, which can sometimes be in conflict.

On the other hand, we believe that the Option 2 Note as written is circular as it is based on what is allowed by the GSFA, which, in the absence of a clear definition of a plain product, is at risk of changing. To adopt the Note presupposes a forgone conclusion that sweeteners and colours may never be permitted in “plain” baking wares under the GSFA, even in a limited fashion; but this is a far-reaching conclusion that fails to consider potential future scenarios. By the fact that sweeteners (and colours) are proposed to be adopted in the food category, does this not already logically contradict the second sentence of the Note? NB: This argument is based on the language of the Option 2 Note, which, as we read it, only applies to the state of the GSFA and not to any regional legislation (unlike Notes 477/478).

That said, we acknowledge Option 2 has the attractive advantages of following the structure of Notes 477/478, is broadly applicable to any food category, and is applicable to the colour provisions. To address the concern we raised, Canada suggests that a stronger tie-in to regional legislations may be appropriate. This would also bring it closer to the logic of Notes 477/478. For example, “Some Codex Members allow the use of additives with sweetener and colour function in this Food Category while others only permit plain products. For the purpose of this Food Category, “plain” refers to products without additives with that have sweetener and or colour functions.”

We are not supportive of Option 1 in light of the available alternatives.

Chile: prefers option 1, since it is much easier to understand, which limits the use of sweeteners in category 7.1

EU: The EU explained in its previous comments its misgivings on the use of colours and sweeteners in FC 07.1 and its subcategories.

However, as the Option 2 captures the differences in the understanding of the need and use of sweeteners and colours in FC 07.1 among the Codex Members, the EU believes it may be an acceptable solution.

India: Supports Option 3

Japan: Japan generally supports Option 2. However, Japan considers that the word “plain” is not necessarily related to the use of sweeteners or colours, it rather relates whether the products have certain ingredients or flavour, so Japan proposes amending as follows; “Some Codex Members ...while others consider that this Food Category includes only “plain products” for which the use of additives with sweetener and colour function is not allowed.” (deleting “For the purpose of this Food Category, “plain” refers to products”)

Russia: In accordance with CAC 192-1995 «07.1 Bread and ordinary bakery wares and mixes: Includes all types of non-sweet bakery products and bread-derived products».

In our opinion, the phrase “ordinary bakery wares” is an analogue of “plain bakery wares”

Thus, from the description of this category it follows that the food products included in it should not have a sweet taste. In this regard, the following questions arise:

1. The document states that in a number of countries sweeteners are used in this category. On what basis are these food additives used in this food category? Do they correctly determine whether their products belong to the FC 07.1 category?

2. On what basis can the CCFA approve the use of sweeteners in FC 07.1. In this case, before making such changes, it is necessary to make changes to the description of FC 07.1.

3. Before to approve options 1-3, it is necessary to define the terms “ordinary” and “plain” food products.

PS: Thus, RU believes that, based on the results of the discussion, there are no grounds for approving the proposed options (1, 2, 3) for the use of sweeteners in FC 07.1.

Senegal: Supports option 3 : “Excluding breads and ordinary bakery wares without added sugars” This option would on the one hand, prevent the use of sweeteners in ordinary breads (mass-market products). On the other hand, for technological and nutritional reasons, the use of sweeteners in other products in subcategory 7.1 would reduce the quantity of calories ingested. Against the others options: The option 1 is very restrictive because it does not allow the use of sweeteners in any of the products in category FC 07.1. There is no firm decision on option 2.

Thailand: Thailand is of the opinion that option 2 is an appropriate alternative note, as it provides a clear understanding and would allow countries consider the use of and colour in this food category. Moreover, option 2 Note is in a similar way to the earlier notes 477 and 478 that were used to remove Note 161 from many GSFA sweetener provisions. In the case of Option 1, the term “plain” in the context of FC 7.1 and its subcategories needs to be clearly defined.

CCC, ISA, ISC: Supports Option 2

Chair’s Summary of eWG comments to the third circular:

Each of the three options presented in the third circular received support. The option that received support from the most members was Option 2. Some members were of the opinion that slight changes to the originally proposed Option 2 note would allow the note to more closely resemble the note structure used for Note 477 and Note 478. In this regard, we have taken suggestions from some members and revised the original Option 2 Note.

Based on suggestions provided by members, we propose to modify the second sentence of the original note such that the revised note would be:

Revised Option 2 Note: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products without additives that have sweetener or colour functions.”

Recommended Alternative Note for Consideration by GSFA PWG

Based on the comments received by members to the GSFA third circular, consensus is most likely to be achieved by the use of the Revised Option 2 Note presented, below.

Revised Option 2 Note: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products without additives that have sweetener or colour functions.”

Category No. 07.1 (Bread and ordinary bakery wares)**Corresponding commodity standards:** None

Horizontal Approach: A horizontal approach to the use of sweeteners in FC 07.1 and its subcategories was extensively discussed by the EWGs on Note 161 to CCFA51 & CCFA52 (see CX/FA 19/51/10 & CX/FA22/52/9). These EWGs attempted to reach consensus on a replacement note for Note 161 based on the technological justification for the use of sweeteners in this food category. An analysis of comments submitted to those EWGs indicates that the use of sweeteners is not limited to specific foods in specific subcategories, but rather sweeteners are used in products across FC 07.1 and its subcategories, including products in international trade. Several EWG members opposed to the use of sweeteners in foods corresponding to FC 07.1 questioned the technological need as in their opinion these foods are not “sweet” products and therefore the use of added sugars is limited and cannot be wholly replaced by sweeteners as sugars are necessary substrate for yeasts and contribute to flavor and darkening of crusts through the Maillard reaction. These comments also raised exposure concerns as bread is a staple food consumed in high amounts. However, other members were in favor of the use of sweeteners in FC 07.1 and its subcategories. These Members claim there is sufficient technological justification for the use of sweeteners as partial replacement of sugar can still result in reduced calorie content without interfering with the technological need for sugar in this FC. These comments also compared exposure for select sweeteners from their use in this FC to the JECFA ADI to address concerns related to exposure. These EWGs were unable to reach consensus on a replacement note.

The EWG on the GSFA to CCFA53 noted that analysis of previous EWGs indicated that some are Members opposed to use of sweeteners in these foods regardless of energy reduction, so Notes 477 and 478 are not a solution to achieve consensus. For that reason, the EWG attempted to reach consensus on a replacement note for Note 161 in FC 07.1 based on general restriction wording. However, the EWG on the GSFA to CCFA53 could not reach consensus on this approach, resulting in the EWG recommending the topic for further discussion (see CX/FA 22/53/8 Appendix 4 pg. 147 – 151).

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal if agreement can be reached on New Alternative Note
ACESULFAME POTASSIUM	950	1000	161 & 188	2008	Flavour enhancer, Sweetener	Remove Note 161; Adopt with Note 188 and Add New “Alternative Note”
ADVANTAME	969	10		3	Flavour enhancer, Sweetener	Adopt with New “Alternative Note”
ASPARTAME	951	4000	161 & 191	2008	Flavour enhancer, Sweetener	Remove Note 161, Adopt with Note 191 and Add New “Alternative Note”

ASPARTAME-ACESULFAME SALT	962	2270	113	3	Sweetener	Adopt at 1000 mg/kg with Note 113 and New "Alternative Note"
NEOTAME	961	70	161	2008	Flavour enhancer, Sweetener	Remove Note 161; Adopt with New "Alternative Note"
STEVIOL GLYCOSIDES	960a, 960b, 960c, 960d	50	26	3	Sweetener	Adopt at 165 mg/kg; Add New "Alternative Note"
SUCRALOSE (TRICHLOROGALACTOSUCROSE)	955	650	161	2008	Flavour enhancer, Sweetener	Remove Note 161. Adopt with New "Alternative Note"

Category No. 12.2.2 (Seasonings and condiments)

Corresponding commodity standards: None

Horizontal approach: The horizontal approach to sweeteners in this FC was decided at CCFA53 (justified on general basis with Note 477 or 478 as appropriate). CCFA53 also applied the horizontal approach to adopted provisions for sweeteners in this FC by replacing Note 161 with either Note 477 or 478 as appropriate. However, the provision for Saccharins was not addressed at CCFA53 due to an oversight.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
SACCHARINS	954(i)-(iv)	1500	161	2008	Sweetener	Revise adopted provision; Replace Note 161 with Note 477

NOTES:

Note 26: As steviol equivalents.

Note 113: As acesulfame potassium equivalents (the reported maximum level can be converted to an aspartame-acesulfame salt basis by dividing by 0.44). Combined use of aspartame-acesulfame salt with individual acesulfame potassium or aspartame should not exceed the individual maximum levels for acesulfame potassium or aspartame (the reported maximum level can be converted to aspartame equivalents by dividing by 0.68).

Note 161: Subject to national legislation of the importing country aimed, in particular, at consistency with Section 3.2 of the Preamble.

Note 188: If used in combination with aspartame-acesulfame salt (INS 962), the combined maximum use level, expressed as acesulfame potassium, should not exceed this level.

Note 191: If used in combination with aspartame-acesulfame salt (INS 962), the combined maximum use level, expressed as aspartame, should not exceed this level.

Note 477: Some Codex Members allow use of additives with sweetener function in all foods within this Food Category while others limit additives with sweetener function to those foods with significant energy reduction or no added sugars.

Note 478: Some Codex Members allow use of additives with sweetener function in all foods within this Food Category while others limit additives with sweetener function to those foods with significant energy reduction or no added sugars. This limitation may not apply to the appropriate use as a flavour enhancer.

Appendix 2: Draft and proposed draft provisions for colours in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories as well as adopted provisions for colours with Note 161 in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories

1. Among several topics, the 53rd CCFA requested the e-WG on the GSFA to the 54th CCFA to consider:³
 - Draft and proposed draft provisions for colours in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories; and
 - Adopted provisions for colours with Note 161 in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories.

Introduction:

2. To continue to advance provisions for colours through the step process, CCFA53 requested that the eWG on the GSFA to CCFA54 consider the provisions for colours, both adopted provisions with Note 161 associate with them and provisions in the step process, in food categories 07.0 (*Includes categories for bread and ordinary bakery wares (07.1) and for sweet, salty and savoury fine bakery wares (07.2)*), 12.0 (*Salts, spices, soups, sauces, salads, protein products*), 13.0 (*Foodstuffs intended for particular nutritional uses*) and 15.0 (*Ready-to-eat savouries*) and their subcategories.

Working Document:

3. The eWG on the GSFA issued three circulars for this Appendix requesting comments on the draft and proposed draft provisions for colours in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories as well as adopted provisions for colours with Note 161 in FCs 07.0, 12.0, 13.0 and 15.0 and their subcategories.
4. The current document presents proposals for each provision under discussion (adopt, adopt with revision, discontinue) in the format of the food categories listed in Table 2 of the GSFA.
5. These proposals are based upon a consensus approach taking into account the following information:
 - Information on corresponding Codex commodity standards and the use of food additives in those commodity standards is provided for each food category;
 - Historical discussions on the provision in previous sessions of CCFA; and
 - Comments provided by eWG members.
6. These recommendations are based on the “weight of evidence”; that is, comments containing justifications were given more weight than comments with no supporting justification.
7. A full compilation of comments submitted for Appendix 1 (Remaining draft and proposed draft provisions for sweeteners in the GSFA as well as adopted provisions for sweeteners with note 161 in the GSFA) to the three circulars are available at [CCFA54 meeting page](#).

³ REP23/FA, para. 118(ii)

Discussion by eWG Members on the Horizontal Approach for the use of colours in subcategories of FC 07.1:

Chair's summary of eWG comments to the first circular and second Circular approach for FC 07.1 and its subcategories: Comments submitted to the first circular noted that some members are opposed to the use of sweeteners in FC 07.1 and its subcategories while other members were in favor of the use of colors in these foods. Some comments noted that certain Codex Members consider bread and ordinary bakery wares to be very simple staple products that do not necessitate/justify the use of colours. Other comments noted that other Codex Members do allow the use of colours in bread and ordinary bakery wares. This lack of consensus on the use of colours is similar to the lack of consensus on the use of sweeteners in FC 07.1 and its subcategories (see Appendix 1 of this circular). For sweeteners the current circular proposes a note that excludes the use from "plain" products. For Colours in FC 07.1 and its subcategories, the second circular proposes a similar approach, the use of a note excluding the use of colours from plain products that are included in these food categories. However, in comparing the comments to Appendix 1 to those comments to Appendix 2 to the first circular, one member that allows the use of sweeteners across FC 07.1 and its subcategories does not permit the use of colours in one subcategories, 07.1.5. For this reason Appendix 2 in this circular considers the use of colours in each subcategory of FC 07.1 individually, and proposes the more general note, Note 347 "Excluding plain products", as a replacement note for Note 161 in these subcategories.

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for the use of colours in subcategories of FC 07.1:*

*(in addition to the below note, certain subcategories of FC 07.1 may request discussion on additional aspects to be considered to help formulate the horizontal approach for the use of colours in that specific subcategory.)

- 3) Replace Note 161 with Note 347: "*Excluding plain products*". This note would be used without Notes 478 or 477.
- eWG Members, and in particular those who would not agree with the above proposal on the wording of the alternative note are invited to provide a rational for their disagreement and to suggest revisions to the above proposal.
 - eWG that do allow the use of colours in these products are requested to comment concerns they may have with this proposal

Comments by eWG members on the 2nd Circular:

Australia: Australia supports the use of note 347 as a replacement for note 161 for provisions that are supported by the eWG

Brazil: does not allow colours in FC 07.1. Since such products are usually sold without the list of ingredients and are widely consumed, the use of colours would significantly increase exposure. Brazil asks clarification on what products would still remain in this FC after excluding plain products.

Canada: supports the Chair's proposal. Similar to sweeteners (see our comments to Appendix 1), we continue to have some concerns regarding the interpretation of "plain" with regard to such varied products because the use of colours is not necessarily the key distinguishing factor. However, because in this case the provisions are proposed to be considered in the sub-categories, it may be too difficult to develop case-by-case Notes that would distinguish plain from non-plain products in each subcategory. Therefore, the use of the generalized Note 347 seems more manageable.

Chile: need clarification about what are the specific products for which the use of colours is advocated.

China: Generally China supports replacing Note 161 with Note 347: "Excluding plain products" in this FC. However, colours are not allowed to use in FC 07.1.5 in China, please see our specific comment in FC 07.1.5.

EU: The EU expressed its view on the use of colours in FC 07.1 in reply to the first circular. The EU sees certain link between the discussion on the use of colours and sweeteners in FC 07.1 and its sub-categories. Therefore, the EU appreciates the discussion on possible horizontal approaches that could address differences in the understanding of the technological need for colours (and sweeteners) in FC 07.1 and its subcategories.

The EU provided comments on a similar note “Excluding plain bread and plain bakery wares” in Appendix 1 to the second circular. These comments are also applicable to the above proposal for the use of Note 347.

Japan: would like to seek clarification on the scope of “plain products”. According to industry, in many cases “plain” bread means bread with basic dough which additional ingredients like fruits and nuts are not added, or bread which doesn’t have characteristic flavour or taste. Whether a certain bread product is called “plain” is not necessarily related to use of colours.

New Zealand: supports replacing Note 161 with Note 347.

IACM: can support the replacement of Note 161 with Note 347, excluding plain products.

NATCOL: Support Chair’s proposal to use Note 347 “*Excluding plain products*” with some exceptions. More details in sub-categories.

Summary of 2nd Circular Comments:

Comments reiterated that some EWG members are opposed to the use of colours in food category 07.1 and its subcategories while other members were in favor of the use of colours.

The second circular also requested comments specifically on the use of Note 347 (“Excluding plain products) as an alternative note. Some EWG members indicated that they support the use of the proposed note. Other EWG members sought greater specificity as to what the term “plain” would mean in the context of FC 07.1 and its subcategories. One EWG member proposed an alternative note in the appendix on sweeteners (Appendix 1) that could also be appropriate as an alternative note for colours: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products for which the use of additives with sweetener and colour function is not allowed.”

Third Circular Horizontal approach for FC 07.1 and its subcategories – Request for comments for third circular on new “Alternative Note”:

As with sweeteners (Appendix 1), the EWG will likely need to consider an appropriate alternative note that will address the differing use of additives in FC 07.1 and its subcategories. Unlike sweeteners, the provisions for colours will be considered primarily in subcategories of FC 07.1 rather than in the parent FC 07.1. This granularity will allow for more in depth consideration of whether colours are technologically justified in each subcategory. However, in many instances it may still be useful to have an “Alternative Note” in cases where consensus is difficult. In this regard, the EWG is invited to comment on the two alternative notes currently proposed for use “Horizontally” as appropriate. Please comment on your preferred “Alternative Note” from the two options, below. Comments both for and against each of the options are requested.

Option 1: Note 347 (“Excluding plain products)

Option 2: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products for which the use of additives with sweetener and colour function is not allowed.”

Comments on Third Circular New “Alternative Note” Options for use in “Horizontal Approach” to FC 07.1 and its subcategories:

Australia: Australia notes that the issue (for both sweeteners as well as colours) is complicated with the need for the note(s) to satisfy two different groups with opposing views.

Australia supports the proposed alternative note, option 2 (EU suggestion) for the same reasons provided in Appendix 1 for sweeteners.

It is understood the two sentences work together to satisfy both groups. This is in a similar way to the earlier notes 477 and 478. A benefit of writing these sentences is there should not be interpretation concerns over what ‘plain’ encapsulates.

Brazil: does not consider option 2 a suitable option, as it does not reach consensus and leaves space for particular interpretation. Option 1 would be acceptable if the term “plain” from the note 347 could be explicitly defined. The definition of “plain products” can be related to ingredients that are allowed in the product. For example, it could be defined that plain products are those exclusively formulated with wheat flour, water, salt and yeast/baking powder.

Canada: prefers Option 2 as it is broadly applicable, while the Option 1 note suffers from ambiguity as to the meaning of “plain”, particularly in respect of the various types of products in the sub-categories. However, the alternative note Option 2 suffers from the issue as described in Appendix 1: that it refers to the state of the food category in the GSFA and not to the application in any regional legislation. By virtue of the fact that many of the food categories of interest already allow colours, this negates the note. To make the Option 2 note viable, in our opinion, perhaps a stronger tie-in to regional legislations is needed. For example, “Some Codex Members allow the use of additives with sweetener and colour function in this Food Category while others **only permit plain products**.” For the purpose of this Food Category, “plain” refers to products without additives ~~with that have~~ sweetener ~~and or~~ colour functions.”

Chile: prefers option 1, since it option is a much easier to understand, which limits the use of colours in plain products of food category 7.1

EU: considers that as the Option 2 captures the differences in the understanding of the need and use of sweeteners and colours in FC 07.1 among the Codex Members it may represent an acceptable solution.

India: supports Option 2.

Japan: Similar to sweeteners in Appendix 1, Japan generally supports Option 2. Japan considers that the meaning of the word “plain” in this Food Category is wider and could be different in some countries , so Japan proposes amending as follows; “Some Codex Members ...while others consider that this Food Category includes only “plain products” for which the use of additives with sweetener and colour function is not allowed.” (deleting “For the purpose of this Food Category, “plain” refers to products”)

RU: Before considering the possibility of using the proposed options, it is necessary to give a comprehensive explanation (give a definition in GSFA) which products are classified as «plain».

Senegal: Proposes an alternative option as follows: “Excluding plain products. For the purpose of this Food Category, “plain” refers to products for which the use of additives with sweetener and colour function is not allowed.”

Against the others options:

The option 1: The option 1 is very restrictive because not allowing the use of colour in all types of products in subcategories

The option 2 : The option 2 is very opened

Thailand: Thailand is of the opinion that option 2 is an appropriate alternative note, the rationale as mentioned in Appendix 1.

IACM: prefers Option 1.

NATCOL: notes that some specialty burger buns, crackers, and breadcrumbs would contain colours. Therefore, the agreed understanding of “plain” should not include these types of products or specific notes should be developed.

Chair’s Summary of eWG comments to the third circular:

Both of the options presented in the third circular received support. The option that received support from the most members was Option 2. Some members were of the opinion that slight changes to the originally proposed Option 2 note would allow the note to more closely resemble the note structure used for Note 477 and Note 478. In this regard, we have taken suggestions from some members and revised the original Option 2 Note.

Based on suggestions provided by members, we propose to modify the second sentence of the original note such that the revised note would be:

Revised Option 2 Note: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products without additives that have sweetener or colour functions.”

Recommended Alternative Note for Consideration by GSFA PWG

Based on the comments received by members to the GSFA third circular, consensus is most likely to be achieved by the use of the Revised Option 2 Note presented, below. The note will be considered on a food category by food category basis.

Revised Option 2 Note: “Some Codex Members allow use of additives with sweetener and colour function in this Food Category while others consider that this Food Category includes only “plain products”. For the purpose of this Food Category, “plain” refers to products without additives that have sweetener or colour functions.”

Category No. 07.0 (Bakery wares)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300	-	7	Colour	Discontinue in parent category and discuss in subcategories
CARAMEL II- SULFITE CARAMEL	150b	50000	-	4	Colour	Discontinue in parent category and discuss in subcategories
FAST GREEN FCF	143	100	161	2009	Colour	Consider in subcategories. If put forward for adoption in subcategories with "Alternative Note", revoke in parent category.
TARTRAZINE	102	300	-	7	Colour	Discontinue in parent category and discuss in subcategories

Category No. 07.1 (Bread and ordinary bakery wares)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
BRILLIANT BLUE FCF	133	100	161	2009	Colour	Consider in subcategories. If put forward for adoption in subcategories with "Alternative Note", revoke in parent category.

Category No. 07.1.1 (Breads and rolls)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185	4	Colour	Discontinue in parent category and discuss in subcategories
CURCUMIN	100(i)	500		4	Colour	Discontinue in parent category and discuss in subcategories

Category No. 07.1.1.1 (Yeast-leavened breads and specialty breads)

Corresponding commodity standards: None

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.1.1:

In addition to the general horizontal approach for FC 07.1 and subcategories to replace Note 161 with Note 347 “Excluding plain products”:

- 1) The descriptor for this FC lists “staple” breads such as white bread and whole wheat bread and rolls, as well as “specialty” breads such as pumpernickel bread and hamburger rolls. eWG Members that utilize colours in this FC are invited to comment:
 - if their use is technologically justified in “staple breads” and if so the technological justification for the use; and
 - if the use of colours are limited to specialty breads and if the use of a replacement note “For use in specialty breads only” in addition to Note 347 is sufficient to capture all uses of colours in FC 07.1.1.1.

Comments by eWG members on the 2nd Circular:

Australia: Australian comments provided relate to the general Australia FC of ‘breads and bakery products’ that captures this subcategory

Brazil: does not allow colours in FC 07.1.1.1. Brazil asks clarification on what products would still remain in this FC after excluding plain products.

EU: Colours are not considered technologically justified and therefore not allowed for use in bread in the EU. The exception is “malt bread” for which caramel colours are permitted to standardise the colour of this type of bread.

Whilst the EU does not support the use of colours in this food category, the acceptability of the provisions will also depend on the consensus on the horizontal approach / note replacing Note 161.

New Zealand: supports replacing Note 161 with Note 347.

IACM: Can support the limitation to specialty breads as well as the use of Note 347 “Excluding plain products” if needed as a replacement note for Note 161 in this food category.

NATCOL: Support Chair’s proposal to use Note 347 “*Excluding plain products*”.

Summary of Comments to Second Circular:

There was limited support for the use of colours in FC 07.1.1.1. “Alternative Note” would be required if put forward for adoption.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not move from Parent Category
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185		Colour	Adopt at 200 mg/kg with "Alternative Note".
BRILLIANT BLUE FCF	133	100	161		Colour	Adopt at 100 mg/kg with "Alternative Note". <i>Chair's Note: If put forward for adoption, revoke in parent FC 7.1.</i>
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg with "Alternative Note"
CURCUMIN	100(i)	500			Colour	Adopt at 500 mg/kg with "Alternative Note".
FAST GREEN FCF	143	100	161		Colour	Adopt at 100 mg/kg with "Alternative Note". <i>Chair's Note: If put forward for adoption, revoke in parent FC 7.0.</i>
TARTRAZINE	102	300			Colour	Adopt at 300 mg/kg with "Alternative Note".

Category No. 07.1.1.2 (Soda breads)

Corresponding commodity standards: None

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.1.2:

- eWG members are requested to provide information on the technological justification and Member support for the use of colours in FC 07.1.1.2. If no information is provided, this will indicate that the horizontal approach for colours in this FC is that their use is not technologically justified.

Comments by eWG members on the 2nd Circular:**Australia:** Same comment as for FC 7.1.1.**Egypt:** Supports to Not move from FC 07.0 unless there is a specific information on use and technological justification in this FC to avoid not appearing in the subcategories.

EU: Colours are not considered technologically justified and therefore not allowed for use in soda breads in the EU.

Whilst the EU does not support the use of colours in this food category, the acceptability of the provisions will also depend on the consensus on the horizontal approach / note replacing Note 161.

Japan: considers it is appropriate that annatto extracts, norbixin-based (INS 160b(ii)) and curcumin (INS 100(i)) are also moved from FC07.1.1 and discussed under this FC.

Summary of Comments to Second Circular

There was limited support for the use of colours in FC 07.1.1.2. "Alternative Note" would be required if put forward for adoption.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not move from parent category.
BRILLIANT BLUE FCF	133	100	161	(2009)	Colour	Adopt at 100 mg/kg with "Alternative Note" <i>Chair's Note: If adopted, revoke in parent FC 07.1</i>
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg with "Alternative Note"
FAST GREEN FCF	143	100	161	(2009)	Colour	Adopt at 100 mg/kg with "Alternative Note"
TARTRAZINE	102	300			Colour	Do not move from parent category.

Category No. 07.1.2 (Crackers, excluding sweet crackers)

Corresponding commodity standards: None

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.2:

- 1) There are adopted provisions for colours in this FC without Note 161 attached to them (Carmines, Carotenes beta-vegetable, beta-Carotenes, Curcumin, and Grape Skin Extract. eWG Members are invited to discuss if Note 347 "Excluding plain products" is necessary as a horizontal approach to replace Note 161 for provisions for the use of colors in this FC.

Comments by eWG members on the 2nd Circular:

Australia: Australia has the same comments as above, except annatto extracts (160b) are permitted for this FC in Australia. This is a correction to what was stated in Australia's comments to the 1st circular.

EU: in the EU, crackers (sweet, salty and savoury) fall within the category 'Fine bakery ware'. Therefore, colours are allowed for use in crackers in the EU.

Japan: considers Note 347 is not necessary in FC 07.1.2. As mentioned by Chair, there are provisions without note161 in FC7.1.2 and it means colours are generally technologically justified in this FC including plain products.

New Zealand: supports adding Note 347.

IACM: can support use of Note 347 "Excluding plain products" if needed as a replacement note for Note 161 in this food category.

NATCOL: Support Chair's proposal to use Note 347 "*Excluding plain products*".

Summary of Comments to Second Circular:

Based on comments provided, many EWG members indicate that colours are technologically justified for use in this FC. Recommend that "Alternative Note" is used on a "case by case" basis for this FC.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ALLURA RED AC	129	300	161	2009	Colour	Revise adopted provision to ML of 100 mg/kg, remove Note 161.
AMARANTH	123	300			Colour	Do not consider in this subcategory.
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	200	8	4	Colour	Adopt at 100 mg/kg.
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185	4	Colour	Adopt at 25 mg/kg.
AZORUBINE (CARMOISINE)	122	50		4	Colour	Adopt at 50 mg/kg.

BRILLIANT BLUE FCF	133	100	161		Colour	Adopt at 100 mg/kg, remove Note 161. Chair's Note: <i>If put forward for adoption, revoke in parent FC 07.1</i>
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg.
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2009	Colour	Revise adopted provision to use level of 15,000 mg/kg and remove Note 161.
CARAMEL IV - SULFITE AMMONIA CARAMEL	150d	50000	161	2010	Colour	Revise adopted provision to ML of 25,000 and remove Note 161.
CURCUMIN	100(i)	500		4	Colour	Adopt at 200 mg/kg
FAST GREEN FCF	143	100	161		Colour	Adopt at 100 mg/kg, remove Note 161. Chair's Note: <i>If put forward for adoption, revoke provision in FC 7.0</i>
PAPRIKA EXTRACT	160c(ii)	100	39	2	Colour	Adopt at 100 mg/kg.
TARTRAZINE	102	300			Colour	Adopt at 300 mg/kg.
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin, synthetic is a Table 3 food additive (GMP) and FC 07.1.2 is not in the Annex to Table 3

Category No. 07.1.3 (Other ordinary bakery products (e.g. bagels, pita, English muffins))

Corresponding commodity standards: None

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.3:

- 1) There is an adopted provision for beta-Carotenes in this FC without Note 161 attached. eWG Members are invited to discuss if Note 347 "Excluding plain products" is necessary as a horizontal approach to replace Note 161 for provisions for the use of colors in this FC.

Comments by eWG members on the 2nd Circular:

Australia: Australian comments are the same as for earlier subcategories. That is there is no similar subcategory, Australian permissions relate to general permissions for higher category.

EU: Colours are not considered technologically justified and therefore not allowed for use in this Food Category in the EU.

Whilst the EU does not support the use of colours in this food category, the acceptability of the provisions will also depend on the consensus on the horizontal approach / note replacing Note 161.

New Zealand: supports adding Note 347.

IACM: can support use of Note 347 “Excluding plain products” if needed as a replacement note for Note 161 in this food category.

NATCOL: Support Chair’s proposal to use Note 347 “*Excluding plain products*” with the exception of Soft wraps for which colour gives the baked product the hue expected by customers

Summary of Comments to Second Circular:

There appears to be mixed opinions on use of colours in this food category. “Alternative Note” would likely be required if put forward for adoption.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ALLURA RED AC	129	300	161	2009	Colour	Adopt at 300 mg/kg with “Alternative Note”
AMARANTH	123	300			Colour	Do not consider in this subcategory.
AZORUBINE (CARMOISINE)	122	50		4	Colour	Adopt at 50 mg/kg with “Alternative Note”
BRILLIANT BLUE FCF	133	100	161		Colour	Adopt at 100 mg/kg with “Alternative Note” <i>Chair’s Note: If put forward for adoption, revoke in Parent Category 7.0.</i>
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg with “Alternative Note”
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2009	Colour	Revise adopted provision to use level of 15,000 mg/kg and remove Note 161.

CARAMEL IV - SULFITE AMMONIA CARAMEL	150d	50000	161	2010	Colour	Revise adopted provision to use level of 25,000 mg/kg and remove Note 161.
CURCUMIN	100(i)	500		4	Colour	Adopt at 500 mg/kg with “Alternative Note”
FAST GREEN FCF	143	100	161		Colour	Adopt at 100 mg/kg with “Alternative Note”. <i>Chair’s note: if adopted, revoke adopted provision in parent FC.</i>
TARTRAZINE	102	300			Colour	Adopt at 300 mg/kg with “Alternative Note”

Category No. 07.1.4 (Bread-type products, including bread stuffing and bread crumbs)

Corresponding commodity standards: None

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.4:

- 1) There are adopted provisions for colours in this FC without Note 161 attached to them (Carmines, Carotenes beta-vegetable, beta-Carotenes, Curcumin, and Grape Skin Extract. eWG Members are invited to discuss if Note 347 “Excluding plain products” is necessary as a horizontal approach to replace Note 161 for provisions for the use of colors in this FC.

Comments by eWG members on the 2nd Circular:

Australia: Same comments as above for other subcategories

EU: Colours are not considered technologically justified and therefore not allowed for use in this Food Category in the EU.

Whilst the EU does not support the use of colours in this food category, the acceptability of the provisions will also depend on the consensus on the horizontal approach / note replacing Note 161.

New Zealand: supports adding Note 347.

IACM: Can support use of Note 347 “Excluding plain products” if needed as a replacement note for Note 161 in this food category.

NATCOL: Support Chair’s proposal to use Note 347 “*Excluding plain products*” with the exception of bread crumbs for coating.

Summary of Comments to Second Circular:

There appears to be mixed opinions on use of colours in this food category. “Alternative Note” would likely be required if put forward for adoption.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not consider in subcategory.
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	200	8	4	Colour	Adopt at 200 mg/kg with "Alternative Note"
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185	4	Colour	Adopt at 10 mg/kg with "Alternative Note"
BRILLIANT BLUE FCF	133	100	161		Colour	Adopt at 100 mg/kg with "Alternative Note" <i>Chair's Note: If put forward for adoption revoke provision in parent category.</i>
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg with "Alternative Note"
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2009	Colour	Revise adopted provision to use level of 15,000 mg/kg and remove Note 161.
CHLOROPHYLLS AND CHLOROPHYLLINS, COPPER COMPLEXES	141(i),(ii)	6.4	62 & 161	2009	Colour	Revise adopted provision to use level of 6 mg/kg with Note 62, remove Note 161 and add "Alternative Note"
CURCUMIN	100(i)	20	116	7	Colour	Adopt at 500 mg/kg with "Alternative Note". Do not include Note 116.
FAST GREEN FCF	143	100	161	(2009)	Colour	Adopt at 100 mg/kg, remove Note 161, add "Alternative Note" <i>Chair's Note: If put forward for adoption, revoke provision in Parent Category.</i>
PAPRIKA EXTRACT	160c(ii)	100	39	2	Colour	Adopt at 100 mg/kg with Note 39 and "Alternative Note".

TARTRAZINE	102	300			Colour	Adopt at 300 mg/kg with “Alternative Note”
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Category No. 07.1.5 (Steamed breads and buns)

Corresponding commodity standards: None

General comment to FC 07.1.5:

China: Suggest discontinuation. China does not permit colors used in FC 07.1.5. According to Food Category Descriptors of GSFA, FC 07.1.5 refers to Chinese products including mantou, baozi, huajuan, etc. In China those products are staple food like rice, the use of colours is not technologically justified.

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for FC 07.1.5:

For Colours in FC 07.1 and its subcategories, the current circular proposes a similar approach to that proposed in Appendix 1 for sweeteners: the use of a note excluding the use of colours from plain products that are included in these food categories. However, in comparing the comments to the first circular for Appendix 1 to those comments on Appendix 2, one Member that allows the use of sweeteners across FC 07.1 and its subcategories does not permit the use of colours in FC 07.1.5. For this reason, the use of Note 347 “Excluding plain products” may not be a suitable approach as a replacement note for Note 161 in this FC. Additionally, there is one adopted provision for the use of colours (beta-Carotenes) in FC 07.1.5 – this provision has note 216 “for use in maize-based products only”.

- 1) All eWG members are requested to provide information on the specific products within this FC that utilize colours, the technological justification for that use, and indication of Member support for the use. If no information is provided, this will indicate that the horizontal approach for colours in this FC is “not technologically justified”.

In the context of the above request, the Chair of the eWG notes that there is one adopted provision for the use of colours (specifically, beta-Carotenes) in FC 07.1.5 without Note 161 – this provision has note 216 “for use in maize-based products only”.

- 2) All eWG members are requested to comment if the use of Note 216 “for use in maize-based products only” without Note 347 “excluding plain products” is sufficient to capture all uses of colours in FC 07.1.5 and if consensus could be reached on Note 216 as a replacement note for Note 161 for provisions for colours in FC 07.1.5.

Comments by eWG members on the 2nd Circular:

Australia: As for above subcategories the Australian comments apply to the higher category since there is no such specific subcategory in Australia.

China: As China commented to the 1st circular, the food category descriptor of FC 07.1.5 in GSFA is as below:

07.1.5 Steamed breads and buns:

Oriental-style leavened wheat or rice products that are cooked in a steamer. Products may be made with or without filling. In China, products without filling are called steamed bread (*mantou*), and those with filling are called steamed buns (*baozi* or *bao*). Twisted rolls of various shapes (*huajuan*) may also be prepared.⁵⁹ Examples include: filled dumplings and steamed bun with meat, jam or other filling (*manjyu*).

According to the descriptor, FC 07.1.5 refers to Chinese products including mantou, baozi, huajuan, etc. Therefore if FC 07.1.5 ONLY refers to Chinese products, China does not agree to use colors in FC 07.1.5.

However, if there are other countries provide information on the specific products within this FC that utilize colours, China does not oppose to their use, but the amendment of food category descriptor of FC 07.1.5 will be necessary, by adding more other specific products and perhaps less emphasizing on “in China”.

Meanwhile, if certain provisions are kept AND the food category descriptor of FC 07.1.5 is amended, China could accept using the similar approach to replace Note 161 with Note 347 “Excluding plain products.”

China would also like to clarify that sweeteners are not allowed to use in mantou, baozi, huajuan, etc. in China, so that the use of Note 347 “Excluding plain products” is suitable in this FC. China apologizes for the confusion made in the 1st circular.

EU: colours are not considered technologically justified and therefore not allowed for use in this Food Category in the EU.

Whilst the EU does not support the use of colours in this food category, the acceptability of the provisions will also depend on the consensus on the horizontal approach / note replacing Note 161.

Japan: Japan would like to note that it was agreed to establish ML of 1 mg/kg for “CAROTENES, BETA-” and replace Note 216 to APP1F “Except for use in maize-based products at 60 mg/kg” in FC 07.1.5 at CCFA53. (REP23/FA, Para81) Japan understands Note APP1C, APP1D and APP1F are attached in this provision.

Regarding the horizontal approach, Japan believes we should not re-open the discussion on provisions of “CAROTENES, BETA-” and “CAROTENAL, BETA-APO-8’-” in FC 07.1.5 as those have been agreed to be technologically justified at CCFA53. The horizontal approach should be applied other than those provisions.

Summary of Comments to Second Circular:

There does not appear to be strong support for inclusion of colors in this food category. “Alternative Note” would likely be required if put forward for adoption.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not move from parent food category.
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	200	8	4	Colour	Adopt at 200 mg/kg with Note 8 and “Alternative Note”.

ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185	4	Colour	discontinue
BRILLIANT BLUE FCF	133	100	161		Colour	Adopt at 100 mg/kg with “Alternative Note”. Chair’s Note: Revoke provision in parent category.
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Do not move from parent category.
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2009	Colour	Revise adopted provision ML to 15,000 mg/kg with “Alternative Note”; remove Note 161
CURCUMIN	100(i)	500		4	Colour	Adopt at 500 mg/kg with “Alternative Note”
FAST GREEN FCF	143	100	161		Colour	Do not move from parent category.
TARTRAZINE	102	300			Colour	Do not move from parent food category.

Category No. 07.1.6 (Mixes for bread and ordinary bakery wares)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not move from parent food category.
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	200	8	4	Colour	Adopt at 200 mg/kg with Note 8 and “Alternative Note”.
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	200	185	4	Colour	Adopt at 10 mg/kg with Note 185 and “Alternative Note”.

BRILLIANT BLUE FCF	133	100	161	(2009)	Colour	Adopt at 100 mg/kg with “Alternative Note”. Do not include Note 161.
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg with “Alternative Note”.
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2010	Colour	Revise adopted provision by revising ML to 15,000 mg/kg, adding the “Alternative Note” and removing Note 161.
CURCUMIN	100(i)	200		4	Colour	Adopt at 500 mg/kg with “Alternative Note”.
FAST GREEN FCF	143	100	161		Colour	Adopt at 100 mg/kg with “Alternative Note”. Do not add Note 161. Chair’s Note: <i>If adopted, revoke provision in parent food category.</i>
TARTRAZINE	102	300			Colour	Adopt at 200 mg/kg with “Alternative Note”

Category No. 07.2 (Fine bakery wares (sweet, salty, savoury) and mixes)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300			Colour	Do not move from parent food category.
ALLURA RED AC	129	300	161	2009	Colour	Revise adopted provision by removing Note 161 (maintain use level at 300 mg/kg)
AZORUBINE (CARMOISINE)	122	200		7	Colour	Adopt at 100 mg/kg
BRILLIANT BLACK (BLACK PN)	151	200		7	Colour	Adopt at 200 mg/kg
BRILLIANT BLUE FCF	133	200	161	2009	Colour	Revise adopted provision by removing Note 161 (maintain use level at 200 mg/kg).

BROWN HT	155	200		7	Colour	Adopt at 50 mg/kg
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 3000 mg/kg.
CARAMEL III - AMMONIA CARAMEL	150c	50000	161	2009	Colour	Revise adopted provision by lowering ML to 15,000 mg/kg and removing Note 161.
CURCUMIN	100(i)	200		7	Colour	Adopt at 200 mg/kg
FAST GREEN FCF	143	100	161		Colour	Adopt at 100 mg/kg. Do not include Note 161. <i>Chair's Note: If adopted in this subcategory, revoke in parent category.</i>
INDIGOTINE (INDIGO CARMINE)	132	200	161	2009	Colour	Revise adopted provision by removing Note 161 (maintain use level of 200 mg/kg).
LUTEIN FROM TAGETES ERECTA	161b(i)	200		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 07.2 is not in the Annex to Table 3
PAPRIKA EXTRACT	160c(ii)	90	39		Colour	Adopt in FC 7.2 at 90 mg/kg with Note 39 (based on agreement of use level of 90 mg/kg in final food in subcategories). <i>Chair's Note: According to the Preamble to the GSFA, use levels in GSFA food categories are set on the final product as consumed (unless otherwise indicated). Some comments indicate that a higher use level is necessary in FC 7.2.3 (Mixes for fine bakery wares (e.g. cakes, pancakes) due to dilution by water. Unless the ML in the final food as consumed for FC 7.2.3 needs to be higher than 90 mg/kg, it should be appropriate to adopt the provision in the higher food category (FC 7.2).</i>
QUINOLINE YELLOW	104	200		7	Colour	Adopt at 200 mg/kg
TARTRAZINE	102	300			Colour	Adopt at 100 mg/kg.
ZEAXANTHIN, SYNTHETIC	161h(i)	100		4	Colour	Discontinue: Zeaxanthin, synthetic is a Table 3 food additive (GMP) and FC 07.1.2 is not in the Annex to Table 3

Category No. 07.2.1 (Cakes, cookies and pies (e.g. fruit-filled or custard types))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt at 100 mg/kg with Note 8.
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185	4	Colour	Adopt at 10 mg/kg with Note 185 Chair's Note: <i>If higher use levels are necessary for particular products, please provide the appropriate note to cover such uses.</i>
PAPRIKA EXTRACT	160c(ii)	90	39	2	Colour	Adopt in FC 7.2 at 90 mg/kg with Note 39 (based on agreement of use level of 90 mg/kg in final food in subcategories).

Category No. 07.2.2 (Other fine bakery products (e.g. doughnuts, sweet rolls, scones, and muffins))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt at 100 mg/kg with Note 8 and New Note ““Except for use in monaka wafers and cones for ice cream at 410 mg/kg.””
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185	4	Colour	Adopt at 10 mg/kg with Note 185
PAPRIKA EXTRACT	160c(ii)	90	39	2	Colour	Adopt in FC 7.2 at 90 mg/kg with Note 39 (based on agreement of use level of 90 mg/kg in final food in subcategories).

Category No. 07.2.3 (Mixes for fine bakery wares (e.g. cakes, pancakes))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	25	8	4	Colour	Adopt at 25 mg/kg with Note 8
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	25	185	4	Colour	Adopt at 25 mg/kg with Note 185.
PAPRIKA EXTRACT	160c(ii)	200	39	2	Colour	Adopt in FC 7.2 at 90 mg/kg with Note 39 (based on agreement of use level of 90 mg/kg in final food in subcategories). Chair's Note: According to the Preamble to the GSFA, use levels in GSFA food categories are set on the final product as consumed (unless otherwise indicated). Some comments indicate that a higher use level is necessary in FC 7.2.3 (Mixes for fine bakery wares (e.g. cakes, pancakes) due to dilution by water. Unless the ML in the final food as consumed for FC 7.2.3 needs to be higher than 90 mg/kg, it should be appropriate to adopt the provision in the higher food category (FC 7.2).

Category No. 12.1.2 (Salt Substitutes)

Corresponding commodity standards: CODEX STAN 53-1981: Specifies composition of salt substitutes. Does not mention food additives

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
CARAMEL I - PLAIN CARAMEL	150a	GMP		4	Colour	Discontinue

Category No. 12.2 (Herbs, spices, seasonings and condiments (e.g. seasoning for instant noodles))

Corresponding commodity standards – specific to FC 12.2.1 only: CODEX STAN 326-2017: Lists specific preservatives are used green peppers only; **CODEX STAN 327-2017, 328-2017, 342-2021, 343-2021, 344-2021, 345-2021, and 347-2019:** in powdered form only - Anticaking agents as listed in Table 3 of the GSFA

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for the use of colours in subcategories of FC 12.2:**Background:**

- There is one adopted provision for colours (Caramel IV (INS 150d)) in FC 12.2. This provision was originally adopted in 2010, before the formation of the Codex Committee on Spices and Culinary Herbs (CCSCH) or the adoption of any commodity standards for spices. In 2021 as part of the alignment exercise, CCFA51 revised the adopted provision for INS 150d in FC 12.2 to include XS notes for those commodity standards that had been adopted at that time.
- CCFA53 considered the use of sweeteners in FC 12.2 and its subcategories. At that time the Committee notes several factors that would also be applicable to colours, including that spices and herbs are considered “pure” products in which the use of food additives should be limited. The Committee also noted that the use of additives may be justified in “seasonings” that are not justified in herbs and spices. To address this issue as well as overlap between the subcategories of FC 12.2, CCFA53 revised the descriptors for FCs 12.2.1 and 12.2.2 and endorsed a horizontal approach that the use of sweeteners was only technologically justified in FC 12.2.2.
- There are numerous adopted provisions for the use of colours in FC 12.2.2 – none have note 161 attached to them

eWG members are invited to discuss the proposed horizontal approach for the use of colours in FC 12.2 and its subcategories:

- 1) Colours are technologically justified in FC 12.2.2 only.

If agreement is reached on point 1 above, the Chair also proposes that:

- the adopted provision for Caramel IV (INS 150d) in FC 12.2 should be moved to FC 12.2.2, with the subsequent removal of Notes XS 326, XS327, and XS328 as those commodity standards correspond to FC 12.2.1. (This proposal has been added to the tables below for specific provisions in FC 12.2 and its subcategories).

Comments by eWG members on the 2nd Circular Proposal:

Australia: Australia supports the chairs proposals, as it agrees with the provided explanation.

Brazil: agrees with point 1 proposed by the chair and agrees with moving the adopted provision of INS 150d to FC 12.2.2. Brazil understands that there is no technological justification for the use of colors in FC 12.2.

Canada: agrees that herbs and spices (FC 12.2.1) should generally not contain colours, and we support the Chair’s proposal.

China: supports the proposal.

EU: Supports the chair’s proposal. Colours are technologically justified in FC 12.2.2 only. The EU also supports to move the adopted provision for Caramel IV to FC 12.2.2

Japan: Japan generally agrees that colours are not technologically justified in FC12.2.1, except for Japanese wasabi powder. It is made by powdering wasabi roots, and it is used to add taste and smell to food as paste by mixing with water or directly as powder. Tartrazine is used in powdered wasabi to adjust the colour of the powder product to the raw wasabi.

Summary of Comments to Second Circular:

In general, there was support for the proposal that colours are only technologically justified in FC 12.2.2. However, Japan noted an exception for the use of tartrazine in powdered wasabi in FC 12.2.1. Japan's request for an exception is put forward in the provision for tartrazine in FC 12.2.1.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Discontinue in parent category; Move and consider in FC 12.2.2 only
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185	4	Colour	Discontinue in parent category; Move and consider in FC 12.2.2 only
CARAMEL II-SULFITE CARAMEL	150b	100000		4	Colour	Discontinue in parent category; Move and consider in FC 12.2.2 only
CARAMEL IV-SULFITE AMMONIA CARAMEL	150d	10000	XS326, XS327, XS328	2021	Colour	Revoke adopted provision Move and consider in subcategory 12.2.2 only

Food Category No. 12.2.1 (Herbs and spices)

Corresponding commodity standards: CODEX STAN 326-2017: Lists specific preservatives are used green peppers only; CODEX STAN 327-2017, 328-2017, 342-2021, 343-2021, 344-2021, 345-2021, and 347-2019: in powdered form only - Anticaking agents as listed in Table 3 of the GSFA

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8		Colour	Do not move from parent category (FC 12.2). Consider only in FC 12.2.2
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185		Colour	Do not move from parent category (FC 12.2). Consider only in FC 12.2.2
CARAMEL I - PLAIN CARAMEL	150a	GMP	51	4	Colour	Discontinue Chair's Note: There is no need to move to FC 12.2.2 because that FC is not in the Annex to Table 3 and INS 150a is a Table 3 additive
CARAMEL II - SULFITE CARAMEL	150b	100000			Colour	Do not move from parent category (FC 12.2). Consider only in FC 12.2.2
CARAMEL IV - SULFITE AMMONIA CARAMEL	150d	10000	XS326, XS327, XS328		Colour	Do not move from parent category (FC 12.2). Consider only in FC 12.2.2
LYCOPENE, TOMATO	160d(ii)	2000		3	Colour	Discontinue Chair's Note: There is already a provision for INS 160d(ii) in the step process in FC 12.2.2
PAPRIKA EXTRACT	160c(ii)	300	39	2	Colour	Discontinue Chair's Note: There is already a provision for INS 160c(ii) in the step process in FC 12.2.2
TARTRAZINE	102	300	7	Colour		Adopt at 940 mg/kg with New Note "For use in powdered wasabi only" Chair's Note: The provision for Tartrazine (INS 102) is the only exception to the horizontal approach that colours should not be used in FC 12.2.1. Japan has noted an exception for the use of tartrazine in powdered wasabi to adjust the colour of the product in the raw material.

Food Category No. 12.2.2 (Seasonings and condiments)

Corresponding commodity standards: None

Chair's Note: multiple provisions for colors already adopted in this FC.

General comments for FC 12.2.2:

Australia: Australia does not have any comparable food category so no food additive provisions to note. It does however, note the many colour provisions in this FC in the GSFA as noted by the Chair. With these preliminary comments Australia provides only limited comments.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300		7	Colour	Discontinue
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	600	8	2	Colour	Adopt at 600 mg/kg with Note 8 Chair's Note: Refer to extensive tech justification and safety discussion by Brazil in CX/FA 19/51/8 for 600mg/kg.
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185		Colour	Adopt at 100 mg/kg with Note 185
AZORUBINE (CARMOISINE)	122	500		7	Colour	Adopt at 500 mg/kg
BRILLIANT BLACK (BLACK PN)	151	500		7	Colour	Discontinue
BROWN HT	155	500		7	Colour	Discontinue
CARAMEL II - SULFITE CARAMEL	150b	100000			Colour	Adopt at 50000 mg/kg
CARAMEL IV - SULFITE AMMONIA CARAMEL	150d	10000	XS326, XS327, XS328		Colour	Adopt at 5000 mg/kg with no notes. Chair's Note: XS notes not required for this food category as there are no commodity standards corresponding to FC 12.2.2.

CURCUMIN	100(i)	500		7	Colour	Adopt at 500 mg/kg
JAGUA (GENIPIN-GLYCINE) BLUE	183	600	New Note: "On a blue polymer basis"	2	Colour	Discontinue Chair's Note: According to the 89 th JECFA exposure estimate (WHO FAS 80, Toxicological Monograph from the 89 th JECFA, Table 1, p. 37), Jagua (Genipin-Glycine) Blue was considered at 616 mg/kg in "Potato crisps, flavoured; Chips or crisps; potato crisps from dough; potato crisps from potato slices; potato crisps or sticks". This food category would correspond to GSFA FC 15.1 "Snacks – potato, cereal, flour or starch based (from roots and tubers, pulses and legumes) and not FC 12.2.2.
LUTEIN FROM TAGETES ERECTA	161b(i)	500		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 12.2.2 is not in the Annex to Table 3
LYCOPENE, TOMATO	160d(i)	20000		3	Colour	Discontinue: Lycopene, Tomato is a Table 3 food additive (GMP) and FC 12.2.2 is not in the Annex to Table 3
PAPRIKA EXTRACT	160c(ii)	350	39	2	Colour	Adopt at 350 mg/kg with Note 39
QUINOLINE YELLOW	104	500		7	Colour	Discontinue
TARTRAZINE	102	500		7	Colour	Adopt at 425 mg/kg
ZEAXANTHIN, SYNTHETIC	161h(i)	500		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 12.2.2 is not in the Annex to Table 3

Category No. 12.3 (Vinegars)

Corresponding commodity standards: None- provisions for Caramel III and Caramel IV are already adopted in this FC.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
CARAMEL II - SULFITE CARAMEL	150b	100000		4	Colour	Adopt at 5000 mg/kg

Food Category No. 12.4 (Mustards)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt at 100 mg/kg
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	140	185	4	Colour	Adopt at 100 mg/kg
AZORUBINE (CARMOISINE)	122	300		7	Colour	Adopt at 300 mg/kg
BRILLIANT BLACK (BLACK PN)	151	300		7	Colour	Adopt at 300 mg/kg
BROWN HT	155	300		7	Colour	Adopt at 300 mg/kg
CARAMEL II - SULFITE CARAMEL	150b	100000		4	Colour	Adopt at 50000 mg/kg
CURCUMIN	100(i)	300		7	Colour	Adopt at 300 mg/kg
LUTEIN FROM TAGETES ERECTA	161b(i)	300		4	Colour	Discontinue; Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 12.4 is not in the Annex to Table 3
PAPRIKA EXTRACT	160c(ii)	70	39	2	Colour	Adopt at 70 mg/kg
QUINOLINE YELLOW	104	300		7	Colour	Adopt at 300 mg/kg
TARTRAZINE	102	300		7	Colour	Adopt at 300 mg/kg

Food Category No. 12.5 (Soups and broths)

Corresponding commodity standards: Standard for Bouillons and Consommés (CXS 117-1981). **Chair's Note:** There are multiple adopted provisions for colours in this FC.

For second circular - Request for Discussion by eWG Members to Inform Horizontal Approach for the use of colours in FC 12.5 and subcategories:

Background: The Standard for Bouillons and Consommés (CXS 117-1981) originally listed specific colours and also had a general allowance for the use of Table 3 colours. CXS 117-1981 and the GSFA were aligned by CCFA47. CCFA47 conducted a mechanistic alignment exercise and automatically added Note XS117 for any adopted provisions for colours that were not originally listed in CXS 117-1981. Note XS117 was added to adopted provisions in FC 12.5 for Grape Skin Extract (INS 163(ii) and Iron Oxides (INS 172(i)-(iii)), and to an adopted provision for Canthaxanthin (INS 161g) in FC 12.5.2. There was also an adopted provision for Allura Red AC (INS 129) with Note 161 attached - CCFA47 maintained Note 161 for that provision but added note 337 "For use in products conforming to the Codex Standard for Bouillons and Consommés (CODEX STAN 117-1981) at 50 mg/kg."

eWG members are invited to discuss:

- 2) whether Note XS117 is necessary for provisions under discussion that were not originally listed in the Standard for Bouillons and Consommés (CXS 117-1981).
 - o Paprika extract (INS 160c(ii)) had not been reviewed by JECFA at the time that the Codex Committee on Soups and Broths finalized CXS 117-1981.

Comments by eWG members on the 2nd Circular:

EU: The EU recognises the technological need for colours for products in FC 12.5 including for Bouillons and Consommés. Therefore, in general, the EU does not object if Note XS117 is not used for colour provisions. Nevertheless, for colours with low ADIs and possible exposure concern the use needs to be restricted and carefully considered which includes the use of XS117, when appropriate (e.g. Canthaxanthin has a very low ADI of 0.03 mg/kg bw/d, the use therefore needs to be restricted as much as possible).

NATCOL: Support use of paprika and annatto extracts in soups and broths. Based on the horizontal approach, Note CXS 117-1981 should not be needed.

Summary of Second Circular Comments

Some EWG members indicated support for removing Note XS 117. Other EWG members indicated that it was appropriate in some cases, but not in others for additives with low ADIs. Thus the inclusion of XS 117 will be on a case-by-case basis.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal

ALLURA RED AC	129	300	161 & 337	2015	Colour	Revise adopted provision to ML of 100 mg/kg with Note 337, and remove Note 161. (see background in horizontal approach discussion)
AMARANTH	123	300		7	Colour	Discontinue
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt at 50 mg/kg with Note 8 and New Note: "Except for use at 300 mg/kg in carrot and pumpkin flavoured soup". Do not include Note XS 117 (see horizontal approach discussion above).
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	150	185	4	Colour	Adopt at 10 mg/kg with Note 185. Do not include Note XS 117 (see horizontal approach discussion above).
BRILLIANT BLACK (BLACK PN)	151	300		7	Colour	Discontinue
BROWN HT	155	300		7	Colour	Adopt at 50 mg/kg
CARAMEL II - SULFITE CARAMEL	150b	100000		4	Colour	Adopt at 25000 mg/kg Do not include Note XS 117 (see horizontal approach discussion above).
LUTEIN FROM TAGETES ERECTA	161b(i)	50		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) And FC 12.5 is not in the Annex to Table 3
PAPRIKA EXTRACT	160c(ii)	40	39		Colour	Adopt in parent category 12.5 at 85 mg/kg with Note 39 and new note "Except for use in red soups at 120 mg/kg". Discontinue provisions in FC 12.5.1 and 12.5.2. Do not include Note XS 117 (see horizontal approach discussion above). <i>Chair's Note: Note 72 "On the ready-to-eat basis" is not deemed necessary as all MLs in the GSFA are intended to be for "the final product as consumed" according to the GSFA Preamble.</i>
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 12.5 not in the Annex to Table 3

Food Category No. 12.5.1 (Ready-to-eat soups and broths, including canned, bottled, and frozen)

Corresponding commodity standards: None.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
PAPRIKA EXTRACT	160c(ii)	40	39	2	Colour	Adopt in parent category 12.5 at 85 mg/kg with Note 39 and new note "Except for use in red soups at 120 mg/kg". Discontinue provision in 12.5.1 Do not include Note XS 117 (see horizontal approach discussion above).

Food Category No. 12.5.2 (Mixes for soups and broths)

Corresponding commodity standards: None.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
PAPRIKA EXTRACT	160c(ii)	500	39	2	Colour	Adopt in parent category 12.5 at 85 mg/kg with Note 39 and new note "Except for use in red soups at 120 mg/kg". Discontinue provision in 12.5.2 Do not include Note XS 117 (see horizontal approach discussion above).

Category No. 12.6 (Sauces and like products)

Corresponding commodity standards: None, Corresponding commodity standard to subcategory 12.6.2 and 12.6.4 (CODEX STAN 306R-2011 allows specific colours and CODEX STAN 302-2011 has a general reference for colours listed in FC 12.6.4 and its parent categories). *However, the only color permitted in CXS 302 prior to alignment was Caramel III (INS 150c).*

Chair's Note: There are numerous adopted provisions for colours in this FC. All but the provision for Caramel III have Note XS302 associated with them

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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AZORUBINE (CARMOISINE)	122	500		7	Colour	Adopt at 500 mg/kg with Note XS302 and XS306R
BRILLIANT BLACK (BLACK PN)	151	500		7	Colour	Adopt at 500 mg/kg with Note XS302 and XS306R
BROWN HT	155	500		7	Colour	Adopt at 500 mg/kg with Note XS302 and new note "Except for use in products conforming to the Regional Standard for Chili Sauce (CXS 306R-2011) at 50 mg/kg."
CARAMEL II - SULFITE CARAMEL	150b	100000		4	Colour	Adopt at 6000 mg/kg with Note XS302 and XS306R Chair's Note: <i>The only color permitted in XS302 prior to alignment was Caramel III (INS 150c).</i>
CURCUMIN	100(i)	500		7	Colour	Adopt at 500 mg/kg with Note XS302
LUTEIN FROM TAGETES ERECTA	161b(i)	500	92	4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP), FC 12.6 is not in the Annex to Table 3
QUINOLINE YELLOW	104	500		7	Colour	Adopt at 500 mg/kg with Notes XS302 and XS306R
TARTRAZINE	102	500		7	Colour	Adopt at 500 mg/kg with XS302 and New Note "Except for use in products conforming to the Regional Standard for Chili Sauce (CXS 306R-2011) at 100 mg/kg"

Category No. 12.6.1 (Emulsified sauces and dips (e.g. mayonnaise, salad dressing, onion dip))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	100	8	4	Colour	Adopt at 30 mg/kg with Note 8 and New Note "Except for use at 100 mg/kg in flavoured mayonnaise."

ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	100	185	4	Colour	Adopt at 30 mg/kg with Note 185 and New Note "Except for use at 100 mg/kg in flavoured mayonnaise."
PAPRIKA EXTRACT	160c(ii)	150	39	2	Colour	Adopt at 150 mg/kg with Note 39
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 12.6.1 is not in the Annex to Table 3

Category No. 12.6.2 (Non-emulsified sauces (e.g. ketchup, cheese sauce, cream sauce, brown gravy))

Corresponding commodity standards: CODEX STAN 306R-2011 allows specific colours

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AMARANTH	123	300		7	Colour	Discontinue
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	100	8	4	Colour	Adopt at 100 mg/kg with note 8 and new note "Except for use in products conforming to the Regional Standard for Chili Sauce (CXS 306R-2011) at 10 mg/kg"
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	100	185	4	Colour	Adopt at 30 mg/kg with note 185 and Note XS306R
PAPRIKA EXTRACT	160c(ii)	150	39	2	Colour	Adopt 150 mg/kg with Note XS306R
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 12.6.2 is not in the Annex to Table 3

Category No. 12.6.3 (Mixes for sauces and gravies)

Corresponding commodity standards: None. **Chair's Note:** there are multiple adopted provisions for colours in this FC.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	100	8	4	Colour	Adopt at 100 mg/kg with Note 8 and Note 127 "On the served to the consumer basis"
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	100	185	4	Colour	Adopt at 30 mg/kg with Note 185 and Note 127 "On the served to the consumer basis"
LYCOPENE, TOMATO	160d(ii)	5000		3	Colour	Discontinue: Lycopene, Tomato is a Table 3 food additive (GMP) and FC 12.6.3 is not in the Annex to Table 3
PAPRIKA EXTRACT	160c(ii)	500	39	2	Colour	Adopt at 150 mg/kg with Note 39 and Note 127 "On the served to the consumer basis"

Category No. 12.6.4 (Clear sauces (e.g. fish sauce))

Corresponding commodity standards: CODEX STAN 302-2011 has a general reference for colours listed in FC 12.6.4 and its parent categories

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	400	8	4	Colour	Adopt at 400 mg/kg with Note XS302
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	400	185	4	Colour	Adopt at 10 mg/kg with Note XS302

Category No. 12.7 (Salads (e.g. macaroni salad, potato salad) and sandwich spreads excluding cocoa-and nutbased spreads of food categories 04.2.2.5 and 05.1.3)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt 10 mg/kg with Note 8.
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185	4	Colour	Discontinue
CARAMEL II - SULFITE CARAMEL	150b	100000		4	Colour	Adopt at 50,000 mg/kg
PAPRIKA EXTRACT	160c(ii)	70	39	2	Colour	Adopt at 50 mg/kg with Note 39

Category No. 13.3 (Dietetic foods intended for special medical purposes (excluding products of food category 13.1))

Corresponding commodity standards: CODEX STAN 118-1979: Does not discuss food additives. **Chair's Note:** there are multiple adopted provisions for colours in this FC.

General Comment:

RU: Question regarding the use of all types of food included in this FC. It is necessary to separate offers for solid and liquid products

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	20	8	4	Colour	Adopt at 50 mg/kg with Note 8
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	10	185	4	Colour	Adopt at 10 mg/kg with Note 185

AZORUBINE (CARMOISINE)	122	50		7	Colour	Adopt at 50 mg/kg
BRILLIANT BLACK (BLACK PN)	151	50		7	Colour	Discontinue
BROWN HT	155	50		7	Colour	Discontinue
CAMEL II - SULFITE CAMEL	150b	20000		4	Colour	Adopt at 4000 mg/kg
CURCUMIN	100(i)	50		7	Colour	Adopt at 50 mg/kg
LUTEIN FROM TAGETES ERECTA	161b(i)	50		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) FC 13.3 not in the Annex to Table 3
QUINOLINE YELLOW	104	50		7	Colour	Adopt at 10 mg/kg
TARTRAZINE	102	50		7	Colour	Adopt at 100 mg/kg
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin Synthetic is Table 3 food additive (GMP) and FC 13.3 not in the Annex to Table 3

Category No. 13.4 (Dietetic formulae for slimming purposes and weight reduction)

Corresponding commodity standards: CODEX STAN 203-1995 and CODEX STAN 181-1991: Food additives cleared by the Joint FAO/WHO Expert Committee on Food Additives shall be permitted at levels endorsed by the Committee on Food Additives and Contaminants. **Chair's Note:** There are multiple adopted provisions for the use of colors in this FC.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	20	8	4	Colour	Discontinue

ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	10	185	4	Colour	Discontinue
AZORUBINE (CARMOISINE)	122	50		7	Colour	Adopt at 50 mg/kg
BRILLIANT BLACK (BLACK PN)	151	50		7	Colour	Discontinue
BROWN HT	155	50		7	Colour	Discontinue
CARAMEL II - SULFITE CARAMEL	150b	20000		4	Colour	Adopt at 5000 mg/kg
CURCUMIN	100(i)	50		7	Colour	Adopt at 50 mg/kg
JAGUA (GENIPIN-GLYCINE) BLUE	183	64	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 65 mg/kg with Note 601 "On a blue polymer basis"
LUTEIN FROM TAGETES ERECTA	161b(i)	50		4	Colour	Discontinue: Lutein from Tagetes Erecta is Table 3 food additive (GMP) and FC 13.4 not in the Annex to Table 3
QUINOLINE YELLOW	104	50		7	Colour	Adopt at 10 mg/kg
TARTRAZINE	102	50		7	Colour	Adopt at 50 mg/kg
ZEAXANTHIN, SYNTHETIC	161h(i)	50		4	Colour	Discontinue: Zeaxanthin Synthetic is Table 3 food additive (GMP) and FC 13.4 not in the Annex to Table 3

Category No. 13.5 (Dietetic foods (e.g. supplementary foods for dietary use) excluding products of food categories 13.1 - 13.4 and 13.6)

Corresponding commodity standards: None.

Chair's Note: There are multiple adopted provisions for the use of colors in this FC

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	20	8	4	Colour	Discontinue
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	10	185	4	Colour	Discontinue
AZORUBINE (CARMOISINE)	122	300		7	Colour	Adopt at 300 mg/kg.
BRILLIANT BLACK (BLACK PN)	151	300		7	Colour	Discontinue
BROWN HT	155	300		7	Colour	Discontinue
CARAMEL II - SULFITE CARAMEL	150b	20000		4	Colour	Adopt at 20,000 mg/kg
CHLOROPHYLLS	140	20	84	4	Colour	Adopt at 20 mg/kg. Do not include Note 84 <i>Chair's Note: As noted by members, other provisions in this food category do not include Note 84 "For use in products for infants over 1 year of age only". Unless there is a particular safety concern regarding Chlorophylls, we recommend not including Note 84.</i>
CURCUMIN	100(i)	300		7	Colour	Adopt at 50 mg/kg
JAGUA (GENIPIN-GLYCINE) BLUE	183	64	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 65 mg/kg with Note 601: "On a blue polymer basis".

						Chair's Note: A member of the EWG is commenting that this food category was not included in the JECFA exposure estimate for Jagua (Genipin-Glycine) Blue. There is a food included in the JECFA exposure estimate at 64 mg/kg (Nutritional beverages (ready-to-use and powders) which could be considered to overlap with this food category). The 3 rd circular suggested including Note 192 (For use in liquid products only), however, it does appear that the food grouping considered by JECFA included both "ready to use" and powdered nutritional beverages. Thus Note 192 may not be necessary. Clarification from JECFA may be necessary.
LUTEIN FROM TAGETES ERECTA	161b(i)	100		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 13.5 is not in the Annex to Table 3
QUINOLINE YELLOW	104	300		7	Colour	Adopt at 10 mg/kg
TARTRAZINE	102	300		7	Colour	Adopt at 300 mg/kg
ZEAXANTHIN, SYNTHETIC	161h(i)	100		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 13.5 is not in the Annex to Table 3

Category No. 13.6 (Food supplements)**Corresponding commodity standards:** None.**Chair's Note:** There are multiple adopted provisions for the use of colors**General Comment:****RU:** Question regarding the use of all types of food included in this FC. It is necessary to separate offers for solid and liquid products

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
AZORUBINE (CARMOISINE)	122	300	539, 533	2021	Colour	

AZORUBINE (CARMOISINE)	122	300	539 & 533, New Note: “Except for use at 1100 mg/kg in effervescent forms as sold to the consumer only”	2	Colour	Revise Adopted provision adding Notes 539 & 533 and New Note: “Except for use at 1100 mg/kg in effervescent forms as sold to the consumer.” Subsequently discontinue step 2 provision. Chair’s Note: IADSA has explained that the 1100 mg/kg in effervescent forms as sold to the consumer would result in the equivalent of 36 mg/kg when in liquid form.
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Category No. 15.0 (Ready-to-eat savouries)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
CAMEL II - SULFITE CAMEL	150b	10000		4	Colour	Adopt at 1,000 mg/kg
ZEAXANTHIN, SYNTHETIC	161h(i)	100		4	Colour	Discontinue: Zeaxanthin Synthetic is a Table 3 food additive (GMP) and FC 15.0 is not in the Annex to Table 3

Category No. 15.1 (Snacks - potato, cereal, flour or starch based (from roots and tubers, pulses and legumes))

Corresponding commodity standards: None.

Chair’s Note: There are numerous adopted provisions for colours in this FC. Only the provision from Allura Red AC (INS 129) has Note 161 attached.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ALLURA RED AC	129	200	161	2009	Colour	Maintain provision at 200 mg/kg; Remove Note 161
AMARANTH	123	300		7	Colour	Discontinue

ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	50	8	4	Colour	Adopt at 20 mg/kg with Note 8 and New Note: "For use at 100 mg/kg in flavoured crackers (e.g. barbecue, cheese, hot/spicy) and tortillas/nachos/chips only."
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	50	185	4	Colour	Adopt at 20 mg/kg with Note 185 and New Note: "For use at 100 mg/kg in flavoured crackers (e.g. barbecue, cheese, hot/spicy) and tortillas/nachos/chips only."
AZORUBINE (CARMOISINE)	122	550		4	Colour	Adopt at 200 mg/kg.
BRILLIANT BLACK (BLACK PN)	151	200		7	Colour	Adopt at 200 mg/kg
BROWN HT	155	200		7	Colour	Adopt at 200 mg/kg
CURCUMIN	100(i)	200		7	Colour	Adopt at 300 mg/kg
JAGUA (GENIPIN-GLYCINE) BLUE	183	1200	New Note: "For use in blue/purple tortilla chips only" New Note: "On a blue polymer basis"	2	Colour	Adopt at 600 mg/kg with New Note "On a blue polymer basis" and revised new note "Except for use in blue/purple tortilla chips at 1200 mg/kg" Chair's Note: According to the 89 th JECFA exposure estimate (WHO FAS 80, Toxicological Monograph from the 89 th JECFA, Table 1, p. 37), Jagua (Genipin-Glycine) Blue was considered at 616 mg/kg in "Potato crisps, flavoured; Chips or crisps; potato crisps from dough; potato crisps from potato slices; potato crisps or sticks". This food category would correspond to GSFA FC 15.1 "Snacks – potato, cereal, flour or starch based (from roots and tubers, pulses and legumes). As a result, we have proposed a use level of 600 mg/kg to cover the majority of products in FC 15.1 with an exception for use in blue/purple tortilla chips at 1200 mg/kg.
LUTEIN FROM TAGETES ERECTA	161b(i)	200		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 15.1 is not in the Annex to Table 3
PAPRIKA EXTRACT	161c(ii)	110	39	2	Colour	Adopt at 250 mg/kg with Note 39

QUINOLINE YELLOW	104	200		7	Colour	Adopt at 200 mg/kg
TARTRAZINE	102	300		7	Colour	Adopt at 300 mg/kg

Category No. 15.2 (Processed nuts, including coated nuts and nut mixtures (with e.g. dried fruit))

Corresponding commodity standards: None. **Chair's Note:** There are multiple adopted provisions for the use of colors in this FC

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	30	8	4	Colour	Adopt at 10 mg/kg with Note 8
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	30	185	4	Colour	Adopt at 10 mg/kg with Note 185
AZORUBINE (CARMOISINE)	122	100		7	Colour	Adopt at 100 mg/kg
BRILLIANT BLACK (BLACK PN)	151	100		7	Colour	Adopt at 100 mg/kg
BROWN HT	155	100		7	Colour	Adopt at 100 mg/kg
CURCUMIN	100(i)	100		7	Colour	Adopt at 100 mg/kg
JAGUA (GENIPIN-GLYCINE) BLUE	183	800	New Note: "For use in yoghurt coating of yoghurt-covered nuts only"	2	Colour	Discontinue Chair's Note: A member questioned whether the JECFA exposure estimate for Jagua (Genipin-Glycine) Blue included this food category (WHO FAS 80, Toxicological Monograph from the 89 th JECFA, Table 1, p. 37). The use level of 800 mg/kg was associated with "Confectionary containing chocolate" and

			New Note: "On a blue polymer basis"			"Confectionary not containing chocolate". This would not cover use in FC 15.2.
LUTEIN FROM TAGETES ERECTA	161b(i)	100		4	Colour	Discontinue: Lutein from Tagetes Erecta is a Table 3 food additive (GMP) and FC 15.2 not in the Annex to Table 3
PAPRIKA EXTRACT	161c(ii)	100	39	2	Colour	Adopt at 100 mg/kg with Note 39
QUINOLINE YELLOW	104	100		7	Colour	Adopt at 100 mg/kg
TARTRAZINE	102	100		7	Colour	Adopt at 120 mg/kg

Category No. 15.3 (Snacks - fish based)

Corresponding commodity standards: None. **Chair's Note:** There are multiple adopted provisions for the use of colors

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	20	8	4	Colour	Discontinue
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	20	185	4	Colour	Discontinue
PAPRIKA EXTRACT	160c(ii)	100	39	2	Colour	Adopt at 100 mg/kg with Note 39

NOTES:

Note 8: As bixin.

Note 39: On a total carotenoid basis.

Note 51: For use in herbs only.

Note 62: As copper.

Note 84: For use in products for infants over 1 year of age only.

Note 92: Excluding tomato-based sauces.

Note 116: For use in doughs only.

Note 161: Subject to national legislation of the importing country aimed, in particular, at consistency with Section 3.2 of the Preamble.

Note 185: As norbixin.

Note 337: For use in products conforming to the Codex Standard for Bouillons and Consommés (CODEX STAN 117-1981) at 50 mg/kg.

Note 533: Except for use at 100 mg/kg in liquid forms as sold to the consumer only.

Note 539: For use in solid forms as sold to the consumer only.

Appendix 3: Draft and proposed draft provisions in FC 14.2 and its subcategories

1. Among several topics, the 53rd CCFA requested the e-WG on the GSFA to the 54th CCFA to consider:⁴
 - Draft and proposed draft provisions in FC 14.2 and its subcategories.

Introduction:

2. All provisions in FC 14.2 have been adopted with the exception of provisions in FC 14.2.3 (Grape wines) and its subcategories, and a provision for nitrates (INS 251, 252) in FC 14.2.4 (Wines (other than grape)). All provisions for nitrates are currently being held at their current step while CCFA awaits information on nitrate and nitrite ion detection from the Codex Committee on Methods of Analysis and Sampling (CCMAS).⁵ Therefore, this appendix will only discuss draft and proposed draft provisions in FC 14.2.3 and its subcategories.

3. The technological function of the food additives under discussion in FC 14.2.3 include ES&Ts (emulsifier, stabilizer, thickener), antioxidants, colours, packaging gases, or flavour enhancers. Background on previous discussions in CCFA on the use of additives for these technological functions in FC 14.2.3 are provided below.

Emulsifiers, Stabilizers, Thickeners

4. CCFA43 assigned the eWG on the GSFA to discuss provisions in Table 1 and 2 of the GSFA for those food additives in Table 3 with acidity regulatory or EST function and to determine a horizontal approach for the use of additives with this technical effect for each food category.⁶ CCFA44 and CCFA45 were not able to reach consensus on the horizontal approach for the use of additives with this technological function in FC 14.2.3 and established an eWG led by France to further discuss this topic.⁷

5. CCFA46 agreed to the recommendation that food additives with “acidity regulator” or EST function should be considered on a case-by-case basis in food category 14.2.3 and its subcategories.⁸ However, agreement could not be reached at CCFA47 on a maximum use level of good manufacturing practice (GMP) versus a numeric use level for provisions in FC 14.2.3 and its subcategories for Table 3 additives with these technological functions.

6. CCFA48, CCFA49, CCFA52, and CCFA53 discussed the use of a footnote to facilitate a maximum use level of GMP in provisions for specific Table 3 additives in FC 14.2.3 and its subcategories.^{9, 10, 11, 12} Consensus on a footnote was reached at CCFA53, resulting in the adoption of specific provisions for Table 3 additives in FC 14.2.3 and its subcategories, including several with ES&T function.

7. **The current eWG discusses provisions in FC 14.2.3 for additives with ES&T function** including Polyglycerol esters of fatty acids (INS 475), Polyglycerol esters of interesterified ricinoleic acid (INS 476), Potassium polyaspartate (INS 456), Polyoxyethylene stearates (INS 430, 431), and Sorbitan esters of fatty acids (INS 497-495). These provisions were not previously discussed by CCFA43 through

⁴ REP23/FA, para. 118(i)

⁵ REP21/FA, paras. 20, 21

⁶ REP11/FA, para. 71-74

⁷ REP13/FA, para. 76

⁸ REP14/FA, para. 67

⁹ REP16/FA, para. 88-97

¹⁰ REP17/FA, para. 91-102

¹¹ REP21/FA, para. 233-240

¹² REP23/FA, para. 173-190

CCFA53 because these additives have numeric JECFA Acceptable Daily Intakes (ADIs) and therefore are not included in Table 3 of the GSFA.

Antioxidants

8. During discussion of the use of Table 3 additives with acidity function by the eWG on grape wines to CCFA46, several eWG members raised provisions in FC 14.2.3 for specific food additives with antioxidant function.¹³ This included provisions for Calcium ascorbate (INS 302), Erythorbic acid (INS 315), Sodium ascorbate (INS 301), and Sodium erythorbate (INS 316). CCFA46 requested that these provisions be discussed by the eWG on grape wines to CCFA47 to determine if these additives were used as acidity regulators or antioxidants in the production of grape wines.¹⁴ The eWG on grape wines to CCFA47 noted that comments received indicated that these additives were used as antioxidants by certain eWG members, but that other members did not utilize these additives in the production of grape wines and their use had not been evaluated by internationally recognized technical organizations.^{15, 16}

9. **The current eWG discusses provisions in FC 14.2.3 for Table 3 additives with antioxidant function** including for Calcium ascorbate (INS 302), Glucose oxidase (INS 1102), Sodium ascorbate (INS 301), and Sodium erythorbate (INS 316). The provision for glucose oxidase was not discussed by the previous eWGs on grape wines as it was not raised by eWG Members in comments to the eWG on grape wines to CCFA46.

Colours, Flavour enhancers, Packaging gases

10. The use of colours, flavour enhancers, sweeteners, and packaging gases in FC 14.2.3 and its subcategories have not been previously discussed.

Working Document:

11. The eWG on the GSFA issued three circulars for this Appendix requesting comments on the draft and proposed draft provisions in FC 14.2 and its subcategories.

12. The current document presents proposals for each provision under discussion (adopt, adopt with revision, discontinue) in the format of the food categories listed in Table 2 of the GSFA.

13. These proposals are based upon a consensus approach taking into account the following information:

- Information on corresponding Codex commodity standards and the use of food additives in those commodity standards is provided for each food category;
- Historical discussions on the provision in previous sessions of CCFA; and
- Comments provided by eWG members.

14. These recommendations are based on the “weight of evidence”; that is, comments containing justifications were given more weight than comments with no supporting justification.

15. A full compilation of comments submitted for Appendix 3 (Draft and proposed draft provisions in FC 14.2 and its subcategories) to the three circulars are available at [CCFA54 meeting page](#).

¹³ CX/FA 14/46/10

¹⁴ REP14/FA paras 71, 72

¹⁵ CX/FA 15/47/10

¹⁶ Erythorbic acid was later recommended for adoption by the eWG on grape wines to CCFA49 (CX/FA 15/17/10) and adopted at GMP by CCFA53 (FA/22 para 189). The other additives with antioxidant function under discussion in this circular were not discussed at CCFA49 or CCFA53.

Food Category No. 14.2.3 (Grape Wines)**Technological function: Emulsifiers/Stabilizers/Thickeners:** case-by-case horizontal approach**General comments by eWG members for this FC:****EU:** Discontinue. The EU is not aware of the technological need and use of this additive in wine. Technological justification should be provided.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
POLYGLYCEROL ESTERS OF FATTY ACIDS	475	500		7	Emulsifier, Stabilizer	Discontinue
POLYGLYCEROL ESTERS OF INTERESTERIFIED RICINOLEIC ACID	476	1000		7	Emulsifier	Discontinue
POLYOXYETHYLENE STEARATES	430, 431	GMP		7	Emulsifier	Discontinue
POTASSIUM POLYASPARTATE	456	300		2	Stabilizer	Adopt at 100 mg/kg
PROTEASE FROM ASPERGILLUS ORYZAE VAR.	1101(i)	GMP		7	Flavour enhancer, Flour treatment agent, Stabilizer	Discontinue Chair's Note: Comments indicate Protease from <i>Aspergillus Oryzae</i> Var. (INS 1101(i)) is used as a processing aid and would be covered under CAC/GL 75-2010 (Codex Guidelines on Substances Used as Processing Aids)
SORBITAN ESTERS OF FATTY ACIDS	491-495	1000		4	Emulsifier, Stabilizer	Discontinue

Food Category No. 14.2.3 (Grape Wines)**Technological function: Antioxidant:** case-by-case horizontal approach

Chair's note: All additives under consideration with technological function of antioxidant are Table 3 additives. CCFA53 adopted provisions for Erythorbic acid (INS 315) for use as an antioxidant at GMP with the note “*The maximum level of the additive in grape wine set as Good Manufacturing Practice must not result in (i) the modification of the natural and essential characteristics of the wine and (ii) a substantial change in the composition of the wine. Some Codex Members further specify the use to be consistent with the Code of Oenological Practice of the International Organisation of Vine and Wine (OIV).*”

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
CALCIUM ASCORBATE	302	GMP		7	Antioxidant	Discontinue.
GLUCOSE OXIDASE	1102	GMP		7	Antioxidant	Discontinue Chair's Note: Comments indicate Glucose Oxidase (INS 1102) is used as a processing aid and would be covered under CAC/GL 75-2010 (Codex Guidelines on Substances Used as Processing Aids)
SODIUM ASCORBATE	301	200		7	Antioxidant, Flour treatment agent	Discontinue.
SODIUM ERYTHORBATE (SODIUM ISOASCORBATE)	316	GMP		7	Antioxidant	Discontinue.

Category No. 14.2.3 (Grape wines)**Technological Function: Colour, Flavour enhancer, Packaging gas:** Technological justification not previously discussed in eWG for this food category

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
CARAMEL I – PLAIN CARAMEL	150a	GMP	-	7	Colour	Discontinue in FC 14.2.3 and Adopt in subcategory, FC 14.2.3.3, at GMP Chair's Note: Comments by some eWG members indicate that colours are not used in food category 14.2.3. However, other comments indicate that this colour is used in liquor wine in FC 14.2.3.3.
CARAMEL II – SULFITE CARAMEL	150b	50000	-	4	Colour	Discontinue in FC 14.2.3 and Adopt in subcategory, FC 14.2.3.3, at 50,000 mg/kg Chair's Note: Comments by some eWG indicate that colours are not used in food category 14.2.3. However, other comments indicate that this colour is used in liquor wine in FC 14.2.3.3.
ETHYL MALTOL	637	100	93	7	Flavour enhancer	Discontinue
MALTOL	636	250		7	Flavour enhancer	Discontinue
PAPAIN	1101(ii)	GMP		7	Flavour enhancer	Discontinue Chair's Note: Comments indicate Papain (INS 1101(ii)) is used as a processing aid and would be covered under CAC/GL 75-2010 (Codex Guidelines on Substances Used as Processing Aids)
NITROGEN	941	GMP	59	7	Foaming agent, Packaging gas, Propellant	Adopt Chair's Note: Comments indicate that Nitrogen (INS 941) is used as a packaging gas. Packaging gas is considered a food additive functional effect as described in CXG 36-1989 (Class Names and the International Numbering System for Food Additives).

Category No. 14.2.3.1 (Still grape wines)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	10	185	4	Colour	Discontinue
CURCUMIN	100(i)	200		4	Colour	Discontinue

Category No. 14.2.3.2 (Sparkling and semi-sparkling grape wines)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	10	185	4	Colour	Discontinue
BEET RED	162	GMP		7	Colour	Discontinue
BROMELAIN	1101(iii)	GMP		7	Flavour enhancer, Flour treatment agent, Stabilizer	Discontinue Chair's Note: Comments indicate Bromelain (INS 1101(iii)) is used as a processing aid and would be covered under CAC/GL 75-2010 (Codex Guidelines on Substances Used as Processing Aids)

CHLOROPHYLLS	140	GMP		7	Colour	Discontinue
CURCUMIN	100(i)	200		4	Colour	Discontinue
TITANIUM DIOXIDE	171	GMP		7	Colour	Discontinue

Category No. 14.2.3.3 (Fortified grape wine, grape liquor wine, and sweet grape wine)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
ANNATTO EXTRACTS, BIXIN-BASED	160b(i)	20	8	4	Colour	Discontinue
ANNATTO EXTRACTS, NORBIXIN-BASED	160b(ii)	15	185	4	Colour	Discontinue
BEET RED	162	GMP		7	Colour	Discontinue
CARAMEL I - PLAIN CARAMEL	150a	GMP			Colour	Adopt at GMP (moved from parent category 14.2.3)
CARAMEL II - SULFITE CARAMEL	150b	50000			Colour	Adopt at 50,000 mg/kg (moved from parent category 14.2.3)
CHLOROPHYLLS	140	GMP		7	Colour	Discontinue
CURCUMIN	100(i)	200		7	Colour	Discontinue

NOTES:

Note 8: As bixin.

Note 59: For use as a packaging gas only.

Note 93: Excluding natural wine produced from *Vitis vinifera* grapes.

Note 185: As norbixin.

Appendix 4: New and revised provisions in the GSFA entered into the step process at Step 2 as a result of CX/FA 23/53/9

1. Among several topics, the 53rd CCFA requested the e-WG on the GSFA to the 54th CCFA to consider:¹⁷
 - Proposed new and revised provisions entered into the step process at Step 2 as a result of CX/FA 23/53/9.

Introduction:

2. The pWG on the GSFA to CCFA53 considered submissions received in reply to the Circular Letter requesting proposals for new and/or revision of food additive provisions of the GSFA (CL 2021/55-FA) and made recommendations as to which proposals to revise adopted provisions in the GSFA should be included in the GSFA at Step 2. CCFA53 agreed to include those provisions in the GSFA at Step 2 and to circulate those provisions for comment.

Working Document:

3. The eWG on the GSFA issued three circulars for this Appendix requesting comments on the proposed new and revised provisions entered into the step process at Step 2 as a result of CX/FA 23/53/9.
4. The current document presents proposals for each provision under discussion (adopt, adopt with revision, discontinue) in the format of the food categories listed in Table 2 of the GSFA.
5. These proposals are based upon a consensus approach taking into account the following information:
 - Information on corresponding Codex commodity standards and the use of food additives in those commodity standards is provided for each food category; and
 - Comments provided by eWG members.
6. These recommendations are based on the “weight of evidence”; that is, comments containing justifications were given more weight than comments with no supporting justification.
7. A full compilation of comments submitted for Appendix 4 (New and revised provisions in the GSFA entered into the step process at Step 2 as a result of CX/FA 23/53/9) to the three circulars are available at [CCFA54 meeting page](#).

¹⁷ REP 23/FA, para. 118(i)

Some proposals considered by CCFA53 apply to proposals for new provisions or revisions to adopted provisions in more than one food category. This includes proposals for Jagua (Genipin-Glycine) Blue that were provided by Columbia, proposals for Riboflavins that were provided by NATCOL, proposals for Methacrylate Copolymer Basic (BMC) that were provided by Senegal, and proposals for Dimethyl Dicarbonate that were provided by IFAC. For specific information provided to support these proposals see CX/FA 23/53/9.

Category No. 01.1.4 (Flavoured fluid milk drinks)

Corresponding commodity standards: CODEX STAN 243-2003: Certain colours are permitted in flavoured fermented milks and drinks based on fermented milk, including in those heat treated after fermentation; **CODEX STAN 332R-2018:** Food additive section has not been drafted by Regional Committee - footnote reads: "For further consideration by the Regional Coordinating Committee for the Near East and subsequent endorsement by the Codex Committee on Food Additives."

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	160	52, 601 ("On a blue polymer basis")	2	Colour	Adopt with Note 52, 601 ("On a blue polymer basis"), and Note XS332R. Chair's Note: We note that CXS 243-2003 includes a list of colours that does not include Jagua (Genipin-Glycine) Blue. Jagua (Genipin-Glycine) Blue is a new colour that was not available when the standard was adopted. However, colours are permitted for use in flavoured products. We also note that the Codex Committee on Milk and Milk Products is currently adjourned sine die. Since the JECFA evaluation included Flavoured Milk in the exposure estimate for INS 183, we do not see a reason to exclude the use of INS 183 from products conforming to CXS 243-2003.

Category No. 01.6.1 (Unripened cheese)

Corresponding commodity standards: CODEX STAN 221-2001: Lists specific colours, acidity regulators, stabilizers, thickeners, preservatives, foaming agents, and anticaking agents, **CODEX STAN 262-2007:** Lists specific colours, acidity regulators, stabilizers, thickeners, preservatives, and anticaking agents, **CODEX STAN 273-1968:** Lists specific acidity regulators, stabilizers, and preservatives, **CODEX STAN 275-1973:** Lists specific colours, acidity regulators, stabilizers, thickeners, emulsifiers, preservatives, and foaming agents, **CODEX STAN 283-1978:** Lists specific colours, acidity regulators, preservatives, and anticaking agents

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
LAURIC ARGINATE ETHYL ESTER	243	200	XS221, XS262, XS273, XS275	2023	Preservative	Revise adopted provision to remove all XS notes and subsequently discontinue draft provision. Chair's Note: XS262 was inadvertently excluded from the provision as listed in the first and second circulars (the adopted provision for INS 243 was updated at CCFA53). The argument for the removal of XS221, XS273, and XS275 is the same argument that would support the removal of XS262.
LAURIC ARGINATE ETHYL ESTER	243	200		2	Preservative	
SORBATES	200, 202, 203	1000	42, 223, 492, 494	2021	Preservative	Revise adopted provision as follows: Maintain use level at 1000 mg/kg, maintain notes 42, 223, 492 and 494. Add a new note: "Except for use in sliced, cut, shredded, or grated product at 3000 mg/kg". Subsequently discontinue provision in the step process.
SORBATES	200, 202, 203	3000	42, 492, 494	2	Preservative	

Category No. 01.6.2 (Ripened Cheese)

Corresponding commodity standards: None for 01.6.2; Corresponding commodity standards to food category 01.6.2.1: **CODEX STAN 283-1978:** (General standard for cheese): Refers to **CODEX STAN 208-1999** for cheeses in brine, lists specific additives that can be used in all other ripened cheeses; **CODEX STAN 208-1999** (Group standard for cheeses in brine): INS 270 & 575; Specific **CODEX STANs 263-1966, 264-1966, 265-1966, 266-1966, 267-1966, 268-1966, 269-1967, 270-1968, 271-1968, 272-1968, 274-1969, 276-1973, 277-1973:** lists specific additives, most do not allow additives on the rind; **CODEX STAN 278-1978:** does not list food additives

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
SORBATES	200, 202, 203	3000	42, 457, 499, 501, XS208, XS274,	2021	Preservative	Revise Adopted provision as follows: Remove Note 501, maintain use level at 3000 with notes 42, 499, XS208, XS274, XS276, and XS277; and revised Note 457 "For use in products conforming to the Standards

			XS276, XS277			for Cheddar (CXS 263-1966), Danbo (CXS 264-1966), Edam (CXS 265-1966), Gouda (CXS 266-1966), Havarti (CXS 267-1966), Samsø (CXS 268-1966), Emmental (CXS 269-1967), Tilsiter (CXS 270-1968), Saint-Paulin (CXS 271-1968) and Provolone (CXS 272-1968): at a maximum level of 1000 mg/kg for surface treatment only".
SORBATES	200, 202, 203	3000	42, 457(revised) 499, XS208, XS274, XS276, XS277	2	Preservative	Discontinue provision in the step process. <i>Chair's Comment: Note 499 was maintained as New Zealand noted that it was not aware of use of sorbates in hard grating cheese above 1000 mg/kg.</i>

Category No. 01.6.2.1 (Ripened Cheese, including rind)

Corresponding commodity standards: **CODEX STAN 283-1978:** (General standard for cheese): Refers to **CODEX STAN 208-1999** for cheeses in brine, lists specific additives that can be used in all other ripened cheeses; **CODEX STAN 208-1999** (Group standard for cheeses in brine): INS 270 & 575; Specific **CODEX STANs 263-1966, 264-1966, 265-1966, 266-1966, 267-1966, 268-1966, 269-1967, 270-1968, 271-1968, 272-1968, 274-1969, 276-1973, 277-1973:** lists specific additives, most do not allow additives on the rind; **CODEX STAN 278-1978:** does not list food additives

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
LAURIC ARGINATE ETHYL ESTER	243	200	XS274, XS276, XS277	2023	Preservative	Revise Adopted provision as follows: Maintain use level at 200 mg/kg with Notes XS274, XS276, XS277 and add XS208. Discontinue provision in the step process.
LAURIC ARGINATE ETHYL ESTER	243	200	XS208, XS263, XS264, XS265, XS266, XS267, XS268, XS269, XS270, XS271, XS272, XS274, XS276, XS277	2	Preservative	<i>Chair's Note: We inadvertently did not include the updated provision for LAEE adopted in 2023 in FC 01.6.2.1 in Circulars one through three. At CCFA53, the following XS notes were deleted from the adopted provision based on the presumption that the associated commodity standards permitted preservatives, but that the list of preservatives predated the availability of LAEE: XS208, XS263, XS264, XS265, XS266, XS267, XS268, XS269, XS270, XS271, XS272, XS278 and XS283. However, it has been noted that CXS 2098-199 (Group Standard for Cheeses in Brine) does not permit the</i>

						<i>use of preservatives. As a result, the recommendation is to include XS208 in the list of notes for the provision.</i>
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Category No. 01.6.4.2 (Flavoured processed cheese, including containing fruit, vegetables, meat, etc.)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	44	Note 601: "On a blue polymer basis"	2	Colour	Adopt with a use level of 44 mg/kg and Note 601 "On a blue polymer basis".

Category No. 01.7 (Dairy-based desserts (e.g. pudding, fruit or flavored yoghurt))

Corresponding commodity standards: CODEX STAN 243-2003: Specific colours are permitted in flavoured fermented milks and drinks based on fermented milk, including in those heat treated after fermentation

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	New Note: "Use in frozen dairy confections and novelties at a maximum of 400 mg/kg to achieve the desired colour" Note 601: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with New Note: "Use in frozen dairy confections and novelties at a maximum of 400 mg/kg to achieve the desired colour" and Note 601: "On a blue polymer basis".

Category No. 02.2.2 (Fat spreads, dairy fat spreads and blended spreads)

Corresponding commodity standards: CODEX STAN 253-2006 lists specific preservatives; and CODEX STAN 256-2007: General reference for Acidity regulators, antifoaming agents, antioxidants, colours, emulsifiers, flavour enhancers, preservatives, stabilizers and thickeners listed in FC 02.2.2 in Tables 1 and 2.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
LAURIC ARGINATE ETHYL ESTER	243	200	XS253 & XS256	2023	Preservative	Revise adopted provision at 200 mg/kg with Note XS253 only. Remove Note XS256 Discontinue provision in step process.
LAURIC ARGINATE ETHYL ESTER	243	200	214	2	Preservative	<i>Chair's Note:</i> We inadvertently did not include the updated provision for LAEE in FC 02.2.2 adopted in 2023 in Circulars one through three. However, the provision put forward at Step 2 is essentially requesting the same thing. The old Note 214 was essentially equivalent to an XS253 note, and the old Note 215 was essentially equivalent to an XS256 note. The provision at Step 2 was requesting permission for the use of LAEE in CXS 256-1999 (Standard for Fat Spreads and Blended Spreads). As preservatives are permitted for use in CXS 256-1999, the proposal to remove XS256 remains consistent with the decision put forward in the third circular.

Category No. 02.3 (Fat emulsions mainly of type oil-in water, including mixed and/or flavoured products based on fat emulsions)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	160	Note 601 "On a blue polymer basis"	2	Colour	Adopt at 160 mg/kg with Note 601 "On a blue polymer basis"

Category No. 02.4 (Fat-based desserts excluding dairy based dessert products of food category 01.7)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	200	New Note: "Use in non-dairy frozen confections and novelties at a maximum of 400 mg/kg to achieve the desired colour" Note 601: "On a blue polymer basis"	2	Colour	Adopt at 200 mg/kg with New Note: "Use in non-dairy frozen confections and novelties at a maximum of 400 mg/kg to achieve the desired colour" and Note 601: "On a blue polymer basis".

Category No. 03.0 (Edible ices, including sherbet and sorbet)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with Note 601 "On a blue polymer basis"

Category No. 04.1.1.2 (Surface-treated fresh fruit)

Corresponding commodity standards: CODEX STAN 143-1985: Lists specific emulsifiers

Additive	INS	Max Level(mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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RIBOFLAVINS	101(i),(ii), (iii), (iv)	300	4 & 16	2008	Colour	Revise adopted provision at GMP with Notes 4, 16 and XS143. Delete provision in step process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP	4 & 16	2	Colour	Chair's Note: This proposal reflects that at the 92 nd JECFA Riboflavins were given an ADI of "not specified" and CCFA53 added provisions for riboflavins to Table 3 of the GSFA. Therefore the ML for adopted provisions for riboflavins in Tables 1 and 2 of GSFA should be revised from numeric to GMP to align with the change in ADI. Note XS143 is added because CXS 143-1985 does not allow colours.

Category No. 04.1.2.5 (Jams, jellies, marmelades)

Corresponding commodity standards: CODEX STAN 296-2009: List specific acidity regulators, antifoaming agents, colors and preservatives.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with Note 601 "On a blue polymer basis" <i>Chair's Note: If the Committee decides that it is appropriate to allow for use in CXS 296-2009, then the list of colours in the commodity standard should be updated to include INS 183.</i>
POLYDIMETHYLSILOXANES	900a	30		1999	Anticaking agent, Antifoaming agent, Emulsifier	Revise adopted provision by maintaining use level at 30 mg/kg and adding new note "Except for use in products conforming to (CXS 296-2009) at 10 mg/kg".
POLYDIMETHYLSILOXANES	900a	30	New Note: "Except for use in products conforming"	2	Anticaking agent, Antifoaming agent, Emulsifier	Discontinue provision in step process.

			to (CXS 296-2009) at 10 mg/kg”			
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Category No. 04.1.2.8 (Fruit preparations, including pulp, purees, fruit toppings and coconut milk)

Corresponding commodity standards: **CODEX STAN 240-2003:** Lists specific bleaching agents, emulsifiers, preservatives, stabilizers, and thickeners; **CODEX STAN 314R-2013:** No additives are allowed in the products covered by this Standard.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	Note 182: “Excluding coconut milk” Note 601: “On a blue polymer basis”	2	Colour	Adopt at 120 mg/kg with Note 601 (On a blue polymer basis), Note XS240 (replacing Note 182) and Note XS314R.

Category No. 04.1.2.9 (Fruit-based desserts, incl. fruit flavoured water-based desserts)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	New Note: “On a blue polymer basis”	2	Colour	Adopt at 120 mg/kg with Note 601 “On a blue polymer basis”.

Category No. 04.1.2.11 (Fruit fillings for pastries)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with Note 601 "On a blue polymer basis".

Category No. 04.2.1.2 (Surface-treated fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds and nuts and seeds)

Corresponding commodity standards: CODEX STAN 330-2018: Does not discuss food additives

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii),(iii),(iv)	300	4 & 16	2008	Colour	Revise adopted provision to ML of GMP with Notes 4, 16 and add XS330.
RIBOFLAVINS	101(i),(ii),(iii),(iv)	GMP	4 & 16	2	Colour	Discontinue provision in Step Process.

Category No. 04.2.2.7 (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)

Corresponding commodity standards: CXS 294R-2009 Gochujang does not permit colors.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	500	XS294	2023	Colour	Revise adopted provision to ML of GMP with XS294. Discontinue provision in Step Process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP		2	Colour	

Category No. 05.1.4 (Cocoa and chocolate products)

Corresponding commodity standards: CODEX STAN 87-1987: Acidity regulators, antioxidants, bulking agents, colours (for surface decoration purposes only), emulsifiers, glazing agents and sweeteners used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CODEX STAN 192-1995) in food category 05.1.4 (Chocolate and chocolate products) and its parent food categories are acceptable for use in foods conforming to this Standard. Only certain Table 3 food additives (as indicated in Table 3) are acceptable for use in foods conforming to this Standard.

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	800	Note 183: "For use in surface decoration only" Note 601: "On a blue polymer basis"	2	Colour	Adopt at 800 mg/kg with Note 183 and Note 601 "On a blue polymer basis".

Category No. 05.2 (Confectionary including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3, and 05.4)

Corresponding commodity standards: None for 05.2; Corresponding commodity standards to food category 05.2.2: **CODEX STAN 309R-2011:** Only acidity regulators and emulsifiers listed in Table 3 of the General Standard for Food Additives (CODEX STAN 192-1995) are acceptable for use in foods conforming to this Standard

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	800	Note XS309R: "Excluding products conforming to the Codex Regional Standard for Halawa Tehenia (CODEX STAN 309R-211)" Note 601: "On a blue polymer basis"	2	Colour	Adopt at 800 mg/kg with XS309R and Note 601 "On a blue polymer basis"

Category No. 05.3 (Chewing gum)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	800	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 800 mg/kg with Note 601: "On a blue polymer basis."

Category No. 05.4 (Decorations (e.g. for fine bakery wares), toppings (non-fruit) and sweet sauces)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with Note 601 "On a blue polymer basis."

Category No. 06.1 (Whole, Broken or Flaked Grain Including Rice)

Corresponding commodity standards: **CODEX STAN 153-1985**: Does not mention food additives in Standard; **CODEX STAN 169-1989**: Does not mention food additives in Standard; **CODEX STAN 172-1989**: Does not mention food additives in Standard; **CODEX STAN 198-1995**: Does not mention food additives in Standard; **CODEX STAN 199-1995**: Does not mention food additives in Standard; **CODEX STAN 201-1995**: Does not mention food additives in Standard; **CODEX STAN 202-1995**: No food additives allowed; **CODEX STAN 333-2019**: No food additives allowed

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
METHACRYLATE COPOLYMER, BASIC (BMC)	1205	GMP		2	Carrier, Glazing agent	Adopt at GMP with Notes XS153, XS169, XS172, XS199, XS201, XS202, XS333 and New Note "For use only in rice intended to be enriched with nutrients" Recommendation to the EWG on Alignment to add a food additive section to CXS 198-1995 (Standard for Rice) that states: "Carriers used in accordance with Tables 1 and 2 of the General Standard for Food Additives in food category 06.1 (Whole, Broken or Flaked Grain Including Rice) are acceptable for use in foods conforming to this standard."

Category No. 06.3 (Breakfast cereals, including rolled oats)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	2000	New Note: "For use in ready-to-eat multicoloured cereal only; the 2000 mg/kg is for individual pieces of cereal" Note 601: "On a blue polymer basis"	2	Colour	Adopt at 2000 mg/kg with Note 601 "On a blue polymer basis" <i>Chair's comment: Colombia clarified that the use level of a completely blue cereal would be approximately 2000 mg/kg. In ready-to-eat multicolored cereal, the final amount of polymer will be lower the more multicolored the cereal is. As the use level for "Ready-to-eat cereal, multi-coloured" in the JECFA exposure estimate for INS 183 was 2000 mg/kg (see the tox monograph for INS 183 in WHO Food Additive Series 80), it seems appropriate to keep the use level of 2000 mg/kg. Colombia further requested that the note pertaining to multicoloured cereal be removed as it was causing confusion.</i>

Category No. 06.5 (Cereal and starch based desserts (e.g. rice pudding, tapicoa pudding))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	84	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 84 mg/kg with Note 601 "On a blue polymer basis."

Category No. 09.2.1 (Frozen fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: **CODEX STAN 36-1981:** Lists specific antioxidants; **CODEX STAN 92-1981, CODEX STAN 95-1981:** Lists specific humectants, preservatives and antioxidants; **CODEX STAN 165-1989:** Lists specific humectants, antioxidants, acidity regulators and thickeners; **CODEX STAN 190-1995:** Lists specific humectants and antioxidants; **CODEX STAN 191-1995:** No additives permitted; **CODEX STAN 292-2008:** No additives permitted in Live Bivalve Molluscs, Raw Bivalve Molluscs allows antioxidants from FC 09.1.2 and 09.2.1; **CODEX STAN 312-2013:** No additives permitted; **CODEX STAN 315-2014:** No additives permitted except Phosphates in Quick Frozen Scallop Meat and Quick Frozen Roe-on Scallop Meat Processed With Phosphates

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	1000	95, XS36, XS92, XS95, XS165, XS190, XS191, XS292, XS312 & XS315	2017	Colour	Revise adopted provision at GMP with Notes 95, XS36, XS92, XS95, XS165, XS190, XS191, XS292, XS312 & XS315.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP	95, XS36, XS92, XS95, XS165, XS190, XS191, XS292, XS312, XS315	2	Colour	Discontinue provision in step process.

Category No. 09.2.2 (Frozen battered fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: CODEX STAN 166-1989: Lists specific humectants, antioxidants, acidity regulators, thickeners, raising agents, flavour enhancers, colours and emulsifiers

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	2 nd Proposal / Comments
RIBOFLAVINS	101(i),(ii),(iii), (iv)	300	16 & XS166	2017	Colour	Revise adopted provision at GMP with Notes 16 and XS166. Discontinue provision in the step process.
RIBOFLAVINS	101(i),(ii),(iii), (iv)	GMP	16 & XS166	2	Colour	

Category No. 09.2.3 (Frozen minced and creamed fish products, including mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii),(iii), (iv)	300	16	2005	Colour	Revise adopted provision at GMP with Note 16. Discontinue provision in step process.
RIBOFLAVINS	101(i),(ii),(iii), (iv)	GMP	16	2	Colour	

Category No. 09.2.4.1 (Cooked fish and fish products)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii),(iii), (iv)	300	95	2008	Colour	Revise adopted provision at GMP with Note 95. Discontinue provision in Step Process.
RIBOFLAVINS	101(i),(ii),(iii), (iv)	GMP	95	2	Colour	

Category No. 09.2.4.2 (Cooked mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	300		2008	Colour	Revise adopted provision at GMP. Discontinue provision in Step Process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP		2	Colour	

Category No. 09.2.4.3 (Fried fish and fish products, including mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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RIBOFLAVINS	101(i),(ii), (iii), (iv)	300	16	2005	Colour	Revise adopted provision to ML of GMP, maintain Note 16. Discontinue provision in step process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP	16	2	Colour	

Category No. 09.2.5 (Smoked, dried, fermented, and/or salted fish and fish products, including mollusks, crustaceans, and echinoderms)

Corresponding commodity standards: **CODEX STAN 167-1989:** Lists Sorbates with the function of preservatives; **CODEX STAN 189-1993:** No additives permitted; **CODEX STAN 222-2001:** Lists specific sequestrants and flavour enhancers; **CODEX STAN 236-2003:** No additives permitted; **CODEX STAN 244-2004:** Lists specific acidity regulators and preservatives; **CODEX STAN 311-2013:** Lists specific acidity regulators, antioxidants, colours, packaging gases and preservatives in Smoked fish and Smoke-flavoured fish, No additives permitted in Smoked-Dried Fish

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	300	22, XS167, XS189, XS222, XS236, XS244 & XS311	2018	Colour	Revise adopted provision at GMP with Notes 22, XS167, XS189, XS222, XS236, XS244 & XS311. Discontinue provision in step process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP	22, XS167, XS189, XS222, XS236, XS244, XS311	2	Colour	

Category No. 10.1 (Fresh eggs)**Corresponding commodity standards:** None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	300	4	2005	Colour	Revise adopted provision at GMP with Note 4. Discontinue provision in the step process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP	4	2	Colour	

Category No. 11.1.1 (White sugar)**Corresponding commodity standards: CODEX STAN 212-1999:** Antioxidants and anticaking agents used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CODEX STAN 192-1995)

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
METHACRYLATE COPOLYMER, BASIC (BMC)	1205	GMP		2	Carrier, Glazing agent	Adopt at GMP with Note XS212 and New Note "For use only in sugar intended to be enriched with nutrients"

Category No. 11.1.2 (Powdered sugar, powdered dextrose)**Corresponding commodity standards: CODEX STAN 212-1999:** Antioxidants and anticaking agents used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CODEX STAN 192-1995)

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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METHACRYLATE COPOLYMER, BASIC (BMC)	1205	GMP		2	Carrier, Glazing agent	Adopt at GMP with Note XS212 and New Note "For use only in sugar intended to be enriched with nutrients"
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Category No. 11.2 (Brown sugar excluding products of food category 11.1.3)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
METHACRYLATE COPOLYMER, BASIC (BMC)	1205	GMP		2	Carrier, Glazing agent	Adopt at GMP with New Note "For use only in sugar intended to be enriched with nutrients"

Category No. 11.3 (Sugar solutions and syrups, also (partially) inverted, including treacle and molasses, excluding products of food category 11.1.3)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
RIBOFLAVINS	101(i),(ii), (iii), (iv)	300		2005	Colour	Revise adopted provision to GMP. Discontinue provision in the step process.
RIBOFLAVINS	101(i),(ii), (iii), (iv)	GMP		2	Colour	

Category No. 11.4 (Other sugars and syrups (e.g. xylose, maple syrup, and sugar toppings))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	120	New Note: "On a blue polymer basis"	2	Colour	Adopt at 120 mg/kg with New Note "On a blue polymer basis" and Note 258 "Excluding maple syrup."
RIBOFLAVINS	101(i),(ii),(iii),(iv)	300		2005	Colour	Revise adopted provision to ML of GMP.
RIBOFLAVINS	101(i),(ii),(iii),(iv)	GMP		2	Colour	Discontinue provision in step process.

Category No. 12.6.1 (Emulsified sauces and dips (e.g. mayonnaise, salad dressing, onion dip))

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
POLYGLYCEROL ESTERS OF INTERESTERIFIED RICINOLEIC ACID	476	5000		2018	Emulsifier	Revise adopted provision by maintaining use level at 5000 mg/kg and adding New Note: "Except for use in emulsified sauces and dips with >20% fat content 8,000 mg/kg"
POLYGLYCEROL ESTERS OF INTERESTERIFIED RICINOLEIC ACID	476	5000	New Note: "Except for use in emulsified sauces and dips with >20% fat content 8,000 mg/kg"	2	Emulsifier	Discontinue provision in step process.

Category No. 14.1.2 (Fruit and vegetables juices)

Corresponding commodity standards: None for 14.1.2; Corresponding commodity standards to food category 14.1.2.1 and 14.1.2.3: **CODEX STAN 247-2005:** Refers to food additives listed in Tables 1 and 2 of the General Standard for Food Additives 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) may be used in foods subject to this Standard

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
DIMETHYL DICARBONATE	242	250		2	Preservative	Adopt at 250 mg/kg with Note XS247. <i>Chair's Note: There was much discussion on the use of DMDC in FC 14.1.2 in three circulars of the EWG. Some argued its use as a processing aid, some argued its use as a food additive. More members appear to consider the use of DMDC as a food additive. Therefore, the current proposal is to include DMDC in the GSFA.</i>

Category No. 14.1.3 (Fruit and vegetable nectars)

Corresponding commodity standards: None for 14.1.3; Corresponding commodity standards to food category 14.1.3.1 and 14.1.3.3: **CODEX STAN 247-2005:** Refers to food additives listed in Tables 1 and 2 of the General Standard for Food Additives 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) may be used in foods subject to this Standard

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
DIMETHYL DICARBONATE	242	250		2	Preservative	Adopt at 250 mg/kg with Note XS247. <i>Chair's Note: There was much discussion on the use of DMDC in FC 14.1.3 in three circulars of the EWG. Some argued its use as a processing aid, some argued its use as a food additive. More members appear to consider the use of DMDC as a food additive. Therefore, the current proposal is to include DMDC in the GSFA.</i>

Category No. 14.1.4 (Water-based flavoured drinks, including "sport," "energy," or "electrolyte" drinks and particulated drinks)

Corresponding commodity standards: None

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
JAGUA (GENIPIN-GLYCINE) BLUE	183	80	Note 601: "On a blue polymer basis"	2	Colour	Adopt at 80 mg/kg with Note 601 "On a blue polymer basis"

NOTES:

Note 42: As sorbic acid

Note 44: As residual SO₂.

Note 52: Excluding chocolate milk

Note 165: For use in products for special nutritional use only

Note 182: Excluding coconut milk

Note 183: For use in surface decoration only

Note 214: Excluding products conforming to the Standard for Dairy Fat Spreads (CODEX STAN 253-2006)

Note 215: Excluding products conforming to the Standard for Fat Spreads and Blended Spreads (CODEX STAN 256-2007)

Note 223: Except for use in products containing added fruits, vegetables, or meats at 3 000 mg/kg

Note 457: Except for use in products conforming to the Standards for Cheddar (CXS 263-1966), Danbo (CXS 264-1966), Edam (CXS 265-1966), Gouda (CXS 266-1966), Havarti (CXS 267-1966), Samsø (CXS 268-1966), Emmental (CXS 269-1967), Tilsiter (CXS 270-1968), Saint-Paulin (CXS 271-1968) and Provolone (CXS 272-1968): at a maximum level of 1000 mg/kg for surface treatment only

Note 492: For use in cheese mass only of products conforming to the Standard for Cottage Cheese (CXS 273-1968) and the Standard for Cream Cheese (CXS 275-1973): sorbic acid (INS 200), potassium sorbate (INS 202), calcium sorbate (INS 203)

Note 494: For use in cheese mass and the surface treatment of sliced, cut, shredded and grated cheese products conforming to the Group Standard for Unripened Cheese including Fresh Cheese (CXS 221-2001): sorbic acid (INS 200), potassium sorbate (INS 202), calcium sorbate (INS 203)

Note 499: Except for use in products conforming to the Standard for Extra Hard Grating Cheese (CXS 278-1978): sorbic acid (INS 200), potassium sorbate (INS 202) and calcium sorbate (INS 203), at 1000 mg/kg as sorbic acid in the final product

Note 501: For use in the cheese mass at 3000 mg/kg, and for surface or rind treatment of sliced, cut, shredded or grated cheese only at 1000 mg/kg, for products conforming to the General Standard for Cheese (CXS 283-1978): sorbic acid (INS 200), potassium sorbate (INS 202) and calcium sorbate (INS 203), as sorbic acid

Note 533: Except for use at 100 mg/kg in liquid forms as sold to the consumer only

Note 539: For use in solid forms as sold to the consumer only

Note 601: On a blue polymer basis.

Note XS208: Excluding products conforming to the Standard for Cheese in Brine (CODEX STAN 208-1999)

Note XS221: Excluding products conforming to the Standard for Unripened Cheese, including Fresh Cheese (CXS 221-2001)

Note XS263: Excluding products conforming to the Standard for Cheddar (CXS 263-1966)

Note XS264: Excluding products conforming to the Standard for Danbo (CXS 264-1966)

Note XS265: Excluding products conforming to the Standard for Edam (CXS 265-1966)

Note XS266: Excluding products conforming to the Standard for Gouda (CXS 266-1966)

Note XS267: Excluding products conforming to the Standard for Havarti (CXS 267-1966)

Note XS268: Excluding products conforming to the Standard for Samsø (CXS 268-1966)

Note XS269: Excluding products conforming to the Standard for Emmental (CXS 269-1966)

Note XS270: Excluding products conforming to the Standard for Tilsiter (CXS 270-1966)

Note XS271: Excluding products conforming to the Standard for Saint-Paulin (CXS 271-1966)

Note XS272: Excluding products conforming to the Standard for Provolone (CXS 272-1966)

Note XS273: Excluding products conforming to the Standard for Cottage Cheese (CXS 273-1968)

Note XS274: Excluding products conforming to the Standard for Coulommiers (CXS 274-1966)

Note XS275: Excluding products conforming to the Standard for Cream Cheese (CXS 275-1973)

Note XS276: Excluding products conforming to the Standard for Brie (CXS 276-1966)

Note XS277: Excluding products conforming to the Standard for Brie (CXS 277-1973)

Note XS278: Excluding products conforming to the Standard for Extra Hard Grating cheese (CXS 278-1978)

Note XS283: Excluding products conforming to the General Standard for Cheese (CXS 283-1978)

Note XS309R: Excluding products conforming to the Codex Regional Standard for Halawa Tehenia (CODEX STAN 309R-211)

New Note: On a blue polymer basis.

New Note: Use in frozen dairy confections and novelties at a maximum of 400 mg/kg to achieve the desired colour

New Note: Use in non-dairy frozen confections and novelties at a maximum of 400 mg/kg to achieve the desired colour

New Note: For use in ready-to-eat multicoloured cereal only; the 2000 mg/kg is for individual pieces of cereal

New Note: For use in blue/purple tortilla chips only

New Note: For use in yoghurt coating of yoghurt-covered nuts only

New Note: For use in products conforming to the Standards for Cheddar (CXS 263-1966), Danbo (CXS 264-1966), Edam (CXS 265-1966), Gouda (CXS 266-1966), Havarti (CXS 267-1966), Samsø (CXS 268-1966), Emmental (CXS 269-1967), Tilsiter (CXS 270-1968), Saint-Paulin (CXS 271-1968) and Provolone (CXS 272-1968): for surface treatment only

New Note: Except for use in products conforming to the Standards for Jams, Jellies and Marmalades (CXS 296-2009) at a maximum level of 10 mg/kg

New Note: Except for use in emulsified sauces and dips with > 20% fat content 8,000 mg/kg

New Note: Except for use at 1100 mg/kg in effervescent forms as sold to the consumer only

Appendix 5: All remaining draft and proposed draft provisions in the GSFA with the exception of: colours not addressed in parts ii and iii, and provisions for which CCFA is awaiting guidance from other Codex Alimentarius Committees or JECFA

1. Among several topics, the 53rd CCFA requested the e-WG on the GSFA to the 54th CCFA to consider:¹⁸
 - All remaining draft and proposed draft provisions in the GSFA with the exception of: colours not addressed in parts ii and iii, and provisions for which CCFA is awaiting guidance from other Codex Alimentarius Committees or JECFA.

Introduction:

2. To continue to advance provisions through the step process, CCFA53 requested that the eWG on the GSFA to CCFA54 consider all remaining draft and proposed draft provisions in the GSFA with the exception of: colours not addressed in parts ii and iii, and provisions for which CCFA is awaiting guidance from other Codex Alimentarius Committees or JECFA.

Working Document:

3. The eWG on the GSFA issued three circulars for this Appendix requesting comments on actual use levels and/or technological and justification for the draft and proposed draft provisions under discussion.
4. The current document presents proposals for each provision under discussion (adopt, adopt with revision, discontinue) in the format of the food categories listed in Table 2 of the GSFA.
5. These proposals are based upon a consensus approach taking into account the following information:
 - Information on corresponding Codex commodity standards and the use of food additives in those commodity standards is provided for each food category;
 - Historical discussions on the provision in previous sessions of CCFA; and
 - Comments provided by eWG members.
6. These recommendations are based on the “weight of evidence”; that is, comments containing justifications were given more weight than comments with no supporting justification.
7. A full compilation of comments submitted for Appendix 5 (All remaining draft and proposed draft provisions in the GSFA with the exception of: colours not addressed in parts ii and iii, and provisions for which CCFA is awaiting guidance from other Codex Alimentarius Committees or JECFA) to the three circulars are available at [CCFA54 meeting page](#).

¹⁸ REP 23/FA, para. 118(v).

Category No. 02.1.3 (Lard, tallow, fish oil, and other animal fats)

Corresponding commodity standards: CODEX STAN 19-1981 and **CODEX STAN 211-1999:** Antifoaming agents, antioxidants and colours used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CXS 192-1995); and **CODEX STAN 329-2017:** Antioxidants, sequestrants, antifoaming agents, and emulsifiers used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CXS 192-1995)

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
TRISODIUM CITRATE	331(iii)	GMP		7	Acidity regulator, Emulsifier, Emulsifying salt, Sequestrant, Stabilizer	-Discontinue provision at Step 7 -As no additional information was provided on use in non-standardized foods, maintain adopted provision.
TRISODIUM CITRATE	331(iii)	GMP	522, XS329	2021	Acidity regulator, Emulsifier, Emulsifying salt, Sequestrant, Stabilizer	

Category No. 12.9.1 (Fermented soybean paste (e.g. miso))

Corresponding commodity standards: CODEX STAN 298R-2009: Lists specific acidity regulators, antioxidants, colours, flavours enhancers, preservatives, stabilizers and sweeteners

Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
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BENZOATES	210-213	1000		3	Preservative	Adopt at 1000 mg/kg; Add Note 13 "As benzoic Acid"
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Category Nos. 12.9.2 (Soybean sauce)

12.9.2.1 (Fermented soybean sauce)

12.9.2.2 (Non-fermented soybean sauce)

12.9.2.3 (Other soybean sauce)

Corresponding commodity standards: None

Chair's Note: CXS 298R-2009 was mistakenly associated with FC 12.9.2.1 in the first circular. As correctly noted in the member comments, CXS 298R-2009 is not associated with FC 12.9.2.1. Comments associated with CXS 298R-2009 are not included in this comment compilation.

Food Category No.	Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
12.9.2	BENZOATES	210-213	1000	13		Preservative	Collapse all provisions into single provision in parent FC 12.9.2 (Soybean sauce) and Adopt at 1000 mg/kg with Note 13 "As benzoic acid".
12.9.2.1	BENZOATES	210-213	1000		-3	-Preservative	
12.9.2.2	BENZOATES	210-213	1000		-3	-Preservative	
12.9.2.3	BENZOATES	210-213	1000		-3	-Preservative	

Category Nos. 14.1.4 (Water-based flavoured drinks, including "sport", "energy", or "electrolyte" drinks and particulated drinks);

14.1.4.1 (Carbonated water-based flavoured drinks);

14.1.4.2 (Non-carbonated water-based flavoured drinks, including punches and ades), and

14.1.4.3 (Concentrates (liquid or solid) for water-based flavoured drinks)

Corresponding commodity standards: None

Food Category No.	Additive	INS	Max Level (mg/kg)	Notes	Step / Adopted	INS Functional Class	Final eWG Proposal
14.1.4.1	PROPYLENE GLYCOL	1520	3000		7	Carrier, Emulsifier, Glazing agent, Humectant	Maintain existing provisions in sub-categories. Hold provisions and request clarification from JECFA on whether the JECFA exposure assessment considered the use of the additive in these food categories and at what use level.
14.1.4.2	PROPYLENE GLYCOL	1520	3000		7	Carrier, Emulsifier, Glazing agent, Humectant	
14.1.4.3	PROPYLENE GLYCOL	1520	200,000		7	Carrier, Emulsifier, Glazing agent, Humectant	

NOTES:

Note 3: For use in surface treatment only.

Note 13: As benzoic Acid.

Note 522: For use in products conforming to the Standard for Edible Fats and Oils not Covered by Individual Standards (CXS 19-1981) and Named Animal Fats (CXS 211-1999).