

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Item 6

CX/FA 24/54/9 Add.1

March 2024

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD ADDITIVES

#### Fifty-fourth Session

#### PROPOSED DRAFT REVISION TO THE CLASS NAMES AND

#### THE INTERNATIONAL NUMBERING SYSTEM FOR FOOD ADDITIVES (CXG 36-1989)

Replies to CL 2024/23-FA of Chile, European Union, Philippines, and International Food Additives Council (IFAC)

#### Chile

Chile appreciates the opportunity to send comments through this circular to document CX/FA 24/54/9 and greatly appreciates the work done by Belgium and the members of the electronic working group.

Chile has comments on the following paragraph:

#### Addition of phycocyanin produced by bacteria, used as a blue colour

**5. The EWG strongly recommends not to include phycocyanin produced by bacteria, for use as a blue colour, as long as there is a lack of proof of authorization, including an official name, in a country. The text of CL 2023/45- FA (requests for the inclusion of new additives may be made by Codex members that authorize the additive for use in that country) as well as earlier discussions on blue microalgae extract of last year need to be taken into account. The name "Phycocyanin" is also not specific enough. Without scientific assessment, it can't be estimated if the colour is similar to that in spirulina extract (INS 134). The question whether the additive should be listed in a subcategory or not is therefore not possible to answer at this point in time.**

- Chile will evaluate the initially proposed name of "phycocyanin" addressing the comment that it needs to be more specific.

- Chile will provide the scientific information requested by the EWG regarding the color of pure phycocyanin produced by bacteria, and of purified phycocyanin from spirulina extract (INS 134), that allows answering the question of whether the additive should be listed in a subcategory or not.

- Chile has doubts about the authorization in a country for the inclusion of phycocyanin to be accepted, since Chilean regulations accept an additive if it has been previously authorized by Codex, so it would not be possible to comply with this prior authorization point in our country.

However, if phycocyanin is found to be authorized in another country, it could be included? In this case, should we send this year, when information is requested again to add SIN numbering, the country in which phycocyanin is accepted as an additive to comply with this point?

#### European Union

#### *Mixed Competence*

#### *European Union Vote*

The European Union and its Member States (EUMS) would like to thank Belgium for chairing the electronic Working Group and preparing the discussion paper CX/FA 24/54/9.

The EUMS would like to submit the following comments:

- The EUMS support the changes to the INS list as presented in the Annex to CX/FA 24/54/9.
- The EUMS support not to include the function of carrier for sodium ascorbate (INS 301) as INS 301 already contains the function of antioxidant that fits the use in nutrient preparations. The use of INS 301 as a carrier in nutrient preparations is not recognised in the EU.
- The EUMS also support not to include phycocyanin produced by bacteria for use as a blue colour until proper authorization, including an official name, is substantiated by a Codex Member.

## Philippines

The Philippines stands in support of the proposed changes and/or additions to the INS at Step 3, as reflected in CX/FA 24/54/9 Annex by virtue of the electronic Working Group chaired by Belgium, which will update the identified food additives in relation to their functional class and/or technological purpose.

### Reason:

The food additives Glycolipids (INS 246), Buffered vinegar (INS 267), Oat lecithin (INS 322a), and Carbomer (INS 1210), along with their respective functional classes and technological purposes, have undergone comprehensive evaluation by the EFSA Panel on Food Additives and Flavourings (FAF). Based on scientific opinions provided by EFSA, it has been concluded that these additives pose no safety concerns when used at their proposed levels.

Similarly, the food additive Low-acyl clarified gellan gum (INS 418(ii)) has been assessed by the Joint FAO/WHO Expert Committee on Food Additives (JECFA), specifically regarding its functional classes as a Gelling agent, Stabilizer, and Thickener. The 87th JECFA report confirmed the safety of its proposed use in Formulas for Special Medical Purposes for Infants (FSMP).

Furthermore, the functional class "gelling agent" has been identified as one of the technological functions of Carob bean gum (INS 410) based on the 82nd JECFA - Chemical and Technical Assessment (CTA) 2016. Additionally, the functional class "preservative" was reflected for Sodium thiosulfate (INS 539) in the JECFA database, justifying its proposed inclusion to the INS.

Additional functional classes and/or technological purposes for Mannitol (INS 421), Sodium sesquicarbonate (INS 500(iii)), and Starch sodium octednyl succinate (INS 1450) have been included to be consistent with relevant Codex texts and Commodity standards as discussed and proposed by the EWG.

Regarding Calcium sulfate (INS 516), the proposal for inclusion of the functional class "colour" offers an alternative to Titanium Dioxide (TiO<sub>2</sub>) as a white food colorant, considering its physical and chemical properties, as discussed in CX/FA 24/54/9.

It is important to note that inclusion of the above-mentioned food additives to the INS "does not imply approval by Codex for use as food additives" which "may include those additives that have not been evaluated by the JECFA or not yet included in the General Standards for Food Additives (CXS 192-1995)" as per section 1 of the CXG 36-1989. Therefore, inclusion of these additives should be subject to specific JECFA assessments related to their functional classes and technological purposes.

## IFAC

IFAC strongly supports the addition of glycolipids (INS 246) with the functional class and technological purpose of preservative. IFAC requested the addition of glycolipids to the JECFA Priority List at the 53rd Session of the Codex Committee on Food Additives and also requested its addition to the INS List in response to CL 2023/45-FA.