codex alimentarius commission

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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AGENDA ITEM NO. 4(A) **CX/FL 07/35/5**

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD LABELLING
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GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS: DRAFT REVISED ANNEX 2: TABLE 3 (PART 1 & 2)

(CL 2006/49-FL & CL 2006/12-FL, ALINORM 06/29/22 – APPENDIX III)

GOVERNMENT COMMENTS AT STEP 6

COMMENTS FROM:

COSTA RICA
EUROPEAN COMMISSION
MALAYSIA
NORWAY
PERU
SWITZERLAND
THAILAND
UNITED STATES

GUIDELINES FOR THE PRODUCTION, PROCESSING, LABELLING AND MARKETING OF ORGANICALLY PRODUCED FOODS: DRAFT REVISED ANNEX 2: TABLE 3 (PART 1 & 2) (CL 2006/49-FL & CL 2006/12-FL, ALINORM 06/29/22 – APPENDIX III)

GOVERNMENT COMMENTS AT STEP 6

COSTA RICA:

CL 2006/49-FL:

Costa Rica declares its agreement with the guidelines of the Codex Alimentarius Commission indicating that the proper procedures to approve Codex standards must be observed.

Regarding this issue, we have no objection to indicate that the additives recommended for inclusion in Table 3 must be properly authorized by the Joint FAO/WHO Expert Committee on Food Additives (JECFA), or be approved by the Codex Alimentarius Commission. However, the principles of organic production must take precedence, in the sense of giving priority to those substances originating from natural sources and that are not the cause of imbalances in the sustainable development of the world, such as is the case of Carbon Dioxide (INS No. 290), about which is important to consider its exclusions and the effects on global warming that may result from its handling and industrial residues.

Regarding Lecithin (INS No. 322), it would be important to consider that this substance, for use in organic production, must not utilize whiteners or organic solvents, unless they come from natural sources.

CL 2006/12-FL:

In view of the discussions that took place during the 34th Session of the CCFL, Costa Rica agrees that food additives to be included in the lists of table 3 must first obtain appropriate scientific backing, meaning they have been evaluated by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) with positive Acceptable Daily Intake **(**ADI) results as well as being accepted by the Codex Alimentarius Commission.

We must take into consideration that, in addition to accepting the additive, its use must comply with the organic production guidelines criteria, meaning they must not violate the principles established in those Guidelines. Therefore, in the case of substances reviewed for their use in plant origin foods, we agree to eliminate the brackets in the list of additives that indicate: [Not allowed].

In the case of additives for use in animal origin foods, and particularly in the case of Sodium Nitrite (INS Nº 250) and Potassium Nitrate (INS Nº 252), it is important to note that these substances are known to present a risk for human health as they generate nitrous N compound that have been shown to be carcinogenic in experimental animals, some of them being mutagenic and others teratogenic, as well as having high levels of their salts associated with a higher incidence of stomach and esophagus cancers. Due to the aforesaid, our position is that the use of these substances in organic foods of animal origin violates the principles of organic production and, therefore, our country does not accept their inclusion in this list.

EUROPEAN COMMUNITY:

CL 2006/12-FL:

The European Community (EC) would like to submit the following comments:

1) As regards Appendix III of ALINORM 06/29/22, the EC supports the inclusion of only the following additives in Table 3 of Annex 2 to 'Codex Guidelines' (CAC/GL 32):

INS-220	Sulphur dioxide
INS-250	Sodium nitrite
INS-252	Potassium nitrate
INS-301	Sodium ascorbate
INS-331i	Sodium dihydrogen citrate
INS-335i	Monosodium tartrate
INS-335ii	Disodium tartrate
INS-336i	Monopotassium tartrate
INS-336ii	Dipotassium tartrate
INS-410	Carob bean gum
INS-422	Glycerol

The functional uses of these additives to be allowed in organic production and the food categories in which these additives can be used are under examination.

2) The EC, in accordance with the procedure agreed during the 34th Session of CCFL (Ottawa – May 2006), envisages to submit a summary of the results of the evaluation of the substances in square brackets (cf. Appendix III and IV of ALINORM 06/29/22) against the Criteria of Section 5 of the 'Codex Guidelines'.

MALAYSIA:

CL 2006/49-FL:

3.1 Additives Permitted For Use Under Specified Conditions in Certain Organic Food Categories or Individual Food Items

The following table provides a list of those food additives ~~including carriers~~ which ~~are allowed for use~~ may be used in organic food production. The functional ~~uses~~ classes and food categories ~~and individual food items~~ for each food additive in the following table are governed by the provisions in Tables 1-3 of the General Standard for Food Additives and other standards which have been adopted by the Codex Alimentarius Commission.

1. There's no need to mention specifically ***'including carriers'*** as carriers are currently considered as one of the functional classes for food additives in the Codex Class Names and International numbering System – CAC/GL 36-1989 (N07-2005).

2. To replace the word ***'which are allowed for use'*** with the word ***'which may be used',*** so as to be consistent with uniform text that was agreed by 38th CCFAC and 29th CAC that refers the food additive section of the commodity standard to the provisions of the relevant GSFA categories, which usually read as follows:

   "Food additives listed in Tables 1 and 2 of the Codex General Standard for Food Additives in food category x.x.x.x (food category name) may be used in foods subject to this standard".

3. To replace the word ***'functional uses'*** with ***'functional classes'***, so as to be consistence with the terms used in the Codex Class Names and International numbering System – CAC/GL 36-1989 (N07-2005).

4. To delete the words ***'and individual food items'*** as individual food items are included in the food categories.

INS No.	Additive Name	Functional Use Allowed in Organic Production	Permitted for Use In Food Categories	
			Food of Plant Origin	**Food of Animal Origin**
170i	Calcium Carbonate	~~All~~ <u>As in GSFA</u>	Permitted, although exclusions of the GSFA still apply.	01.0 Dairy products and analogues, excluding products of food category 02.0
503	Ammonium Carbonate	Acidity Regulator Raising Agent	Permitted, although exclusions of the GSFA still apply.	Not permitted

1. One of the principle that was agreed upon when considering the inclusion of food additive provisions of the Codex commodity standards that have one-to-one correspondence with a GSFA food category is that ***'Food additives that have multiple functional effect classes will be entered in the GSFA without further restrictions to their functional effect'.*** Therefore the functional use of the food additives should be governed by the GSFA and not to limit to certain function only. For example, in the same table, according to the GSFA, Ammonium carbonates can also function as stabilizer. The word ALL should be deleted to avoid misinterpretation or confusion.

2. The principle to use food additives for organic food should follow that of non-organic food where the GSFA should be the single authoritative reference point for food additives. Which means only in food categories where GSFA has allowed the specific food additives to be used, the food additives can also be used in the same food category for '***organically produced'*** of the same food product. As example, currently Calcium carbonate is only adopted for use in food category 1.8.2 *Dried whey and whey products, excluding whey cheeses* in the GSFA. Therefore it should not be permitted for use in the broad food category 1.0 *Dairy products and analogues, excluding products of food category 02.0*, allowing the use in all sub-categories 1.0.

3. Need clarification on what is meant by ***'Permitted, although exclusions of the GSFA still apply'*** as it is ambiguous.

NORWAY:

CL 2006/12-FL:

Norway would like to make the following comments to the draft amendment to the Guidelines for the production, processing, labelling and marketing of organically produced foods (at step 6 of the procedure), Annex 2, Table 3.1:

The principles and the substance of the Guidelines are to a certain degree contradictive, which is exemplified by;

- a new substances should be found in the nature, should not result in or contribute to harmful effects on the environment, have the lowest negative impact on human or animal health and quality of life,
- but on the other side the substances can be used if it is impossible to produce or preserve the food in the absence of the additive/processing aid.

When evaluating these additives according to the organically principles laid down in the Codex Alimentarius (GL 32 – 1999, Rev. 1 – 2001), Norway therefore emphasize especially conditions concerning the health aspect, conditions which could have a negative impact on the environment and the consumers' expectation regarding use of additives/processing aids in organic products.

Table 1 gives an overview of additives proposed to be included in Annex 2, Table 3. The Table in Alinorm 06/29/22 also includes the columns; "Permitted for use in food categories; plant of food production and food of animal production", and they have also been commented by us, see Table 2.

Table 1: Extract of additives proposed to be included in Annex 2, Table 3

Code	Name	Functions
220	Sulphur dioxide	[All]
[250]	[Sodium nitrite]	[Colour retention agent Preservative]
252	Potassium nitrate	[Colour retention agent Preservative]
301	Sodium ascorbate	[Antioxidant]
302	Calcium ascorbate	[Antioxidant]
303	Potassium ascorbate	[Antioxidant]
331i	Sodium dihydrogen citrates	Buffering agent, sequestrant (331i), Buffer, sequestrant, emulsion stabilizer (331iii)
[335 i] [335ii]	[Monosodium tartrates] [Disodium tartrate]	[Anticaking Agent Acidity Regulator Adjuvant Antioxidant Bulking Agent Emulsifier Flour Treatment Agent Humectant Preservative Raising Agent Sequestrant Stabilizer Thickener]
[336i] [336 ii]	Potassium tartrates	[Anticaking Agent Acidity Regulator Adjuvant Antioxidant Bulking Agent Emulsifier Flour Treatment Agent Humectant Preservative Raising Agent Sequestrant Stabilizer Thickener]
[339i] [339ii] [339iii]	[monosodium ortophosphate] [Disodium ortophosohate] [trisodium ortophosphate]	Emulsifier, texturizer, buffer (339ii), Acidity regulator, sequestrant (339i), Buffer, sequestrant, emulsion stabilizer (339 iii)
[340i] [340ii] [340iii]	[monopotassium ortophosphate] [Dipotassium ortophosohate] [tripotassium ortophosphate]	[Emulsifier Stabilizer]
410	Locust bean gum (Carob bean gum)	Thickener, stabilizer, emulsifier
422	Glycerol	[Emulsifier Humectant Stabilizer Thickener]
[450i] [450iii] [450v] [450vi] [452i] [452ii] [452iv] [452v]	[Disodium diphosphate] [Tetrasodium diphosphate] [Tetrapotassium diphosphate] [Dicalcium diphosphate] [Sodium Polyphosphate] [Potassium polyphosphate] [Calcium polyphosphate] [Ammonium polyphosphate]	[Emulsifier, Stabilizer]

Code	Name	Functions
[942]	[Nitrous oxide]	[propellant]

As pointed out above, there are contradictions when deciding inclusion of a new substance. However, we have made some assessment concerning use of the proposed substances related to the food categories and functions for each new substance in Table 2.

Norwegian conclusion to each substance in Draft Revised Annex 2 – Permitted Substances, Table 3.1, can be found in Table 2, last column.

Table 2: Comments to Draft Revised Annex 2 – Permitted Substances, Table 3.1.

Code	Name	Comments categories	Comments functions	Norwegian conclusion
220	Sulphur dioxide	No comments	Should probably only be antioxidant or/and preservative	Preferable: not allowed. There are people who react allergic to this additive and the Norwegian consumers do not expect to find this additive in organic wine. However, it can under doubt be used as antioxidant or/and preservative. It should then be a maximum level.
[250]	[Sodium nitrite]	For food of animal origin: Not accepted especially for prod. Group 8.2.2. Heat-treated, 8.2.3, 8.3. and 9.2.4.1	Should not at all be used for colour retention. Could doubtfully be used as a preservative.	It is possible to produce products without these additives. This requires good hygiene, and HACCP should be in place. There are health concerns about using this additive. The Norwegian consumers do not expect to find this additive in organic products.
252	Potassium nitrate	The above mentioned categories are not included for 252	See 250	See 250
301	Sodium ascorbate	See comments to 250 and 252	See comments to 250 and 252	The use of this additive is linked to the use of nitrate/nitrite and should therefore not be used.
302	Calcium ascorbate	"	"	See 301
303	Potassium ascorbate	"	"	See 301
331i	Sodium dihydrogen citrates	No comment	No comments	It should be made by natural ingredients. It would then be a renewable resource and acceptable.
[335 i] [335ii]	[Monosodium tartrates] [Disodium tartrate]	ADI 30mg/kg bodyweight	According to GSFA, acceptable functions are "Emulsifying salt (sequestrant) and Stabilizer". These categories should therefore only be accepted.	Acceptable. However limitation of use.
[336i] [336 ii]	Potassium tartrates	See 335i/335ii	See 335i/335ii	See 335i/335ii
[339i] [339ii] [339iii]	[monosodium ortophosphate] [Disodium ortophosohate] [trisodium ortophosphate]	No comments	No comments	It is not a renewable product. Phosphate can cause harm to the environment, especially water recipients. However, it is part of our metabolisms, and do not cause specially harm to human. Maximal Tolerable Daily Intake (MTDI) 70mg/kg body-weight.
[340i] [340ii] [340iii]	[monopotassium ortophosphate] [Dipotassium	See 339i	See 339i	See 339i.

Code	Name	Comments categories	Comments functions	Norwegian conclusion
	ortophosohate] [tripotassium ortophosphate]			
410	Locust bean gum (Carob bean gum)	Have no problem with the categories	Have no problem with the functions.	It is acceptable,- however it should be preferably be made of organic seeds.
422	Glycerol	Categories should be mentioned. According to GSFA Table 3, there are many categories where glycerol could be used for plant products.		Could probably be used. If possible, this should be made from organic production.
[450i] [450iii] [450v] [450vi] [452i] [452ii] [452iv] [452v]	[Disodium diphosphate] [Tetrasodium diphosphate] [Tetrapotassium diphosphate] [Dicalcium diphosphate] [Sodium Polyphosphate] [Potassium polyphosphate] [Calcium polyphosphate] [Ammonium polyphosphate]	See 339 and 340	See 339 and 340	MTDI 70mg/kg body-weight.
[942]	[Nitrous oxide]		Should only be used as a propellant	Should be aware that nitrosamines could be produced in the body. If accepted, this should be used with care

PERU:

CL 2006/49-FL:

Peru is in general agreement with the present Circular Letter

CL 2006/12-FL:

Peru has no comments.

SWITZERLAND:

CL 2006/12-FL:

Switzerland's comments to the square brackets in Table 3 of Annex 2 are summarized as follows.

INS No.	Additive Name	Comment
220	Sulphur Dioxide	*Food of Plant Origin* Switzerland is in favour of removing the square brackets for all listed foods. *Food of Animal Origin* Switzerland proposes to permit this additive, and also INS 224 Potassium Metabisulphite.
250	Sodium Nitrite	Switzerland is in favour of removing the square brackets (for food safety reasons).

252	Potassium Nitrite	Switzerland is in favour of removing the square brackets (for food safety reasons).
301	Sodium Ascorbate	Switzerland is in favour of removing the square brackets (for food safety reasons).
331	Sodium Dihydrogen Citrate	Switzerland is in favour of removing the square brackets.
335	Monosodium Tartrate	Switzerland is in favour of removing the square brackets.
336	Monopotassium Tartrate	Switzerland is in favour of removing the square brackets.
339	Monosodium Orthophosphate	Switzerland is opposed to the inclusion of this additive. It does not comply with Paragraph 5.1 Section 5.
340	Monopotassium Orthophosphate	Switzerland is opposed to the inclusion of this additive. It does not comply with Paragraph 5.1 Section 5.
410	Carob Bean Gum	Switzerland is in favour of removing the square brackets.
422	Glycerol	Switzerland is in favour of removing the square brackets.
450/452	Disodium Diphosphate/ Sodium Polyphosphate	Switzerland is opposed to the inclusion of this additive. It does not comply with Paragraph 5.1 Section 5.

Switzerland is in favour of permitting INS 224 Potassium Metabisulphite in the same manner as Sulphur Dioxide, as these food additives have the same function.
In addition, Switzerland proposes to include following food additives in Table 3 of Annex 2:

- 153 Vegetable Carbon
- 160b Annato
- 325 Sodium Lactate
- 464 Hydroxypropyl Methyl Cellulose
- 553b Talc
- 938 Argon
- 939 Helium
- 948 Oxygen

THAILAND:

It is acceptable for us to exclude the use of any kind of nitrate/nitrite from the organically produced food, especially food of animal origin such as sausages.

In addition, the other additives listed in this part are accepted as the principles to establish those were discussed and agreed, also appeared to be consistent with the GSFA (role of exclusion) at the working group meeting prior to the 34 Session of the CCFL.

UNITED STATES:

CL 2006/49-FL:

The United States appreciates the opportunity to respond to continue discussions on revisions to CL 2006/49-FL, Annex 2, Table 3 of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods.

With respect to revised Annex 2, Table 3, the United States supports work done on the restructuring of Table 3 to be consistent with the General Standard of Food Additives, i.e. INS number, additive function, condition of use and category of food in order to provide clarity to the specific condition for use in relation to both function and food. The United States also supports the position that for any substance to be included on Table 3, such a substance must be consistent with uses set forth by the Codex Committee on Food Additives and Contaminants (CCFAC) and the Joint Expert Committee on Food Additives (JECFA).