

# codex alimentarius commission



FOOD AND AGRICULTURE  
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**Agenda Item 3**

**CX/FO 05/19/3**

## **JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

### **CODEX COMMITTEE ON FATS AND OILS**

**Nineteenth Session**

**London, United Kingdom, 21– 25 February 2005**

## **DRAFT STANDARD FOR FAT SPREADS AND BLENDED SPREADS**

### **COMMENTS AT STEP 6**

The following comments have been received from European Community, IFMA in response to CL 2003/7-FO and from Australia, Brazil, Canada, European Community, United States of America, IFMA in response to CL 2004/1-FO.

### **Part I Comments in response to CL 2003/7-FO (on sections other than Section 4: food additives)**

#### **European Community**

The European Community would like to present the following comments on the **draft standard for fat spreads**:

##### **Section 3.1.2 (Blended spreads):**

The minimum percentage of 3% milk fat is not acceptable. The minimum should be 10% (with a maximum of 80%), to enable fat spreads to be properly distinguished from blended spreads.

This is because the threshold must be significant and high enough for the product to count as a "blend".

##### **Section 7.3.1 (Declaration of fat content):**

As regards "blends", all fat types (milk fat but also fat of other origin) should be indicated in descending order by weight (Codex General Standard for the Labelling of Pre-packaged Foods – Rule 4.2.1.2.).

#### **IFMA (INTERNATIONAL FEDERATION OF MARGARINE ASSOCIATIONS)**

Our comments mainly concern those sections that are in square brackets or required for further discussion, according to Alinorm 03/17.

We sincerely hope that the forthcoming CCFO session will have the possibility to proceed further with this standard.

#### **2. Description**

##### **2.2. Edible Fats and Oils**

“Edible fats and oils means foodstuffs composed mainly of **{tri}** glycerides of fatty acids”.

**Ifma supports** the proposal from USA to replace “mainly of triglycerides of fatty acids” by “**glycerides of fatty acids**”, because this option enables a more flexible position in fat blend formulations.

### **3. Essential composition and quality factors**

#### **3.1.2. Blended spreads**

For the sake of consistency with the flexible system of categorization for 3.1.1., agreed upon at the 17<sup>th</sup> CCFO session, IFMA suggests to add a footnote to

b) Blended fat spreads < 80%

The footnote should say the following :

The term “blend” may, in some cases, be used in the name of the food as provided for in section 7.1.2.

### **7. Labelling**

#### **7.1. Name of the food**

A) { **For item 3.1.2.2., the name of the product may incorporate the name of the fats and oils in a generic or specific manner**}.

**Ifma can** agree to incorporate the extra sentence regarding the name of fats in a generic or specific manner, **but only if this applies also to 3.1.1.2** (e.g. sunflower margarine), **and if this remains an option and no obligation in both cases.**

B) In accordance to what is said under 7.1.1. regarding “margarines “with lower fat content, a section 7.1.2. should be added concerning the “blends” with lower fat content.

Our suggestion :

7.1.2. “In accordance with requirements acceptable in the country of retail sale, blended fat spreads defined in section 3.1.2.2. with a fat content of less than 80% may incorporate the term “blend” in the name of the food, provided that the term is qualified to make clear the lower fat content”

C) Regarding the claim “low fat”

This issue was mentioned twice at the 18<sup>th</sup> CCFO session.(as it was before at previous CCFO sessions).Alinorm 03/17 mentions that this question had been addressed at the level of horizontal Codex Committees.But according to the 22<sup>nd</sup> CAC session, Commodity Committees have the possibility to diverge from the general principles if justified and endorsed by the relevant Horizontal Committees.

Ifma would like to request deviation of the Codex Guidelines of Use of Nutrition Claims for the term “low fat” and propose that “low fat” be used for products under 41% fat.The restriction of the term “low fat” to products with max.3 % fat would deprive the consumers to make meaningful distinctions between the various fat contents of products normally high in fat.The meaning of “low fat” depends on the composition of the reference product (the 80% fat product for margarine, 3,5% fat in case of full fat milk, 20 % fat in case of full fat cocoa).

## **Part II Comments in response to CL 2004/1-FO ( Section 4: food additives)**

### **Australia**

#### **GENERAL ISSUES**

Paragraph 17 (Class 4.12 Miscellaneous): Australia agrees with the re-assignment of the six entries from the Miscellaneous Class (4.12) of the Draft Standard.

Paragraph 19 (Colours): Australia believes it is important for industry to be able to choose amongst several colours at the indicated levels. Consideration should be given the fact that there are differences in production processes all over the world, as well as differences in taste and colour preferences.

#### **Comments to Specific Additive Provisions**

Paragraph 21 (Annatto Extracts, INS No. 160b): Australia has a domestic maximum level in the *Food Standards Code* of 20ppm and would support the adoption of similar maximum levels in the GSFA.

Paragraph 22 (Benzoates, INS Nos. 210-213 and Hydroxybenzoates, INS Nos. 214, 216, 218): Australia believes that the use of preservatives such as sorbates and benzoates with overlapping technological functions in the same product, should be maintained in order to satisfy historically different production processes and needs around the world. p-hydroxy-benzoates may be present as carry over from flavourings.

Paragraph 23 ( BHT – Butylated hydroxytoluene, INS No. 321): Australia supports levels of 200 ppm for BHA [320] and 100 ppm for BHT [321] in fats and oils for the professional manufacture of heat-treated foodstuffs in frying oil / fat and in animal fat, expressed on oil / fat individually or in combination with BHT, gallates.

Paragraph 26 (Gallate, Propyl, INS No. 310): Australia supports a level of 200 ppm for propylgallate [310] for the professional manufacture of heat-treated foods, in frying fat / oil, in animal fat / oil expressed on fat / oil individually or in combination with BHT and BHA.

Paragraph 29 (Propylene glycol, INS No. 1520): Propylene glycol (1520) may be present in margarines as a carryover from its use as a carrier solvent.

#### **Comments on Format for the Food Additive Provisions in the Standard**

Australia believes that the best option for the food additive provisions in the Standard would be Option C. This would provide the food industry with the potential to use a maximum of approved and safe additives, and the possibility to improve product quality through innovatio

### **Brazil**

Brazil presents the following comments on the paragraphs pointed out below:

Para	Class	Comments
14	Konjac flour (INS 425)	Brazil suggests the exclusion of this additive from Table B. <u>Justification:</u> Actually Brazil is reevaluating the use of konjac flour on different food categories since there are problems related to the ingestion of this additive.
17	Class 4.12 (Miscellaneous)	Brazil does not support the inclusion of this new functional class “anti-caking” without a technological justification. It still requests to exemplify the use of the additives related in the functional class “Propellant/packing gas”. Identified its possible usage in spray

		spreadable margarine. But, if it is confirmed, it can be considered that the technological function must be as processing aid and not as food additive.
18	Flavour enhancers (INS 620 a 635)	Brazil supports the proposal of GMP levels for flavour enhancers. <u>Justification:</u> The GMP levels have been adopted by Codex for food uses in general, according to Table 3 of norm Codex General Standard for Food Additives (GSFA).
19	Colours (INS 161g, 129, 133, 141 (i), 141 (ii), 127, 163 (ii), 132 g, 171 (i-iii), 101(i), 101(ii), 110, 102).	Brazil does not support the proposal of inclusion of these colours on Table B. <u>Justification:</u> There is no technological justification for the use of these colours in such products. Actually, the authorized colours to standardize the color are the correct ones. They are products highly consumed by the population and the use of artificial colours on these food could result in an unnecessary ingestion of colours and could be used as an appeal for the consumption of the product with high level of fat. Moreover, Brazil points out the correction of the INS from 171 (i-iii) to 172 (i-iii) and the correction of the INS 132g to 132.
21	Annatto Extracts (INS 160 b)	Brazil supports the proposal of not excluding the annatto extracts from Table B and suggests the limit of 100 mg/kg (as total bixin), without categoric restriction. <u>Justification:</u> The annatto extract (INS 160b) is allowed in Brazil with the maximum level of 100 mg/Kg (as total bixin). The additive is highly used in Brazil in fats spreads. This additive is highly known by the productive sector and also used in different categories of food such as mayonnaise, cereals, ice creams and so on.
22	Benzoates (INS 210-213)	- Brazil supports the limit of 1000 mg/kg (as benzoic acid) for benzoates (INS 210-213). <u>Justification:</u> This limit attempts the technological need.
23	Butylated Hydroxytoluene, BHT (INS 321)	Brazil supports the limit of 200 mg/kg. <u>Justification:</u> The use limit is enough to acquire the technological function. It must be qualified as “fat or oil basis”.
24	<b>Carotenes, vegetable</b> (INS 160 a (ii))	Brazil supports the GMP limit. <u>Justification:</u> The limit of 25 mg/kg is not enough to achieve the desired color in the product during all the shelf life, mainly because of the low stability of the carotenes in the product. These additives are much unstable in relation to isomerization and oxidation, causing the lost during the preparation, process, storage.
25	Carotenoids (INS 160 a(i), 160 e, 160f)	Brazil suggests listing the additives separately. Brazil supports the limit of 1000 mg/kg for each additive because the ADI is established in groups. However, their addition cannot be over 1000 mg/kg. So, Brazil agrees with this limit since it is associated with the expression “ <i>singly or combination</i> ” <u>Justification:</u> The limit of 25 mg/kg is not enough to achieve the desired color in the product during all the shelf life, mainly because of the low stability of the carotenes in the product. These additives are much unstable in relation to isomerization and oxidation, causing the lost during the preparation, process, storage.
26	Gallate, Propyl (INS 310)	Brazil supports the limit of 200mg/kg on “fat or oil basis”. Brazil is not opposed that the qualification “ <i>singly or in combination with BHA and BHT</i> ” is added.
31	Sodium diacetate (INS 262 (ii))	- <b>Brazil does not support the inclusion of this additive in the function of preservative and in proposed level.</b> <u>Justification:</u> As other preservatives are already approved, there is no need to use this additive. If it is maintained, Brazil requests a justification for its use.  - <b>Brazil does not support the inclusion of this additive on the acidity regulator function.</b> <u>Justification:</u> The use of the additive in the function of acidity regulator was

		not evaluated by JECFA. The additive was evaluated by JECFA in the technological function of “sequestrant” and “antirope agent”. Reference to JECFA: <a href="http://apps3.fao.org/jecfa/additive_specs/docs/0/additive-0391.htm">http://apps3.fao.org/jecfa/additive_specs/docs/0/additive-0391.htm</a>
32	Stearyl citrate (INS 484)	- Brazil supports the use of the additive in the emulsifier function and at the level of 100 mg/kg. <u>Justification:</u> This additive was evaluated by JECFA as emulsifier and sequestrant. Reference to JECFA: <a href="http://apps3.fao.org/jecfa/additive_specs/docs/0/additive-0426.htm">http://apps3.fao.org/jecfa/additive_specs/docs/0/additive-0426.htm</a>  - Brazil does not support the inclusion of this additive as anti-foaming function. <u>Justification:</u> This additive was not evaluated by JECFA in this function.
33	<b>Tertiary-butyl hydroquinone - TBHQ</b> (INS 319)	Brazil supports the limit of 200 mg/kg on “fat or oil basis”. <u>Justification:</u> This is the limit used by Brazil and which attempts the technological need.
35 a 38.	Format for the Food Additive Provision in the Standard	Brazil supports the option “d”, considering the hierarchic structure concept of Codex General Standard for Food Additives (GSFA) and, so, become easier to actualize Table B.

## Canada

Canada would like to thank the United States for chairing the electronic working group for food additives for the Draft Codex Standard for Fat Spreads and Blended Spreads. It is recognized that the general principles followed for the food additive section of the standard, as outlined in Paragraphs 1 and 35 a-d of the document, are consistent with the General Principles followed in establishing the General Standard for Food Additives (GSFA). Canada offers the following comments, which are numbered to correspond to the paragraph numbering of the document CL 2004/1-FO:

**Paragraphs 12 & 16.** Canada supports the inclusion of additives that are technologically-justified in fat spreads and blended spreads. Expertise regarding technological justification for use in fat spreads and blended spreads can be provided to Codex Committee on Food Additives and Contaminants (CCFAC) by Codex Committee on Fats and Oils (CCFO). Considering this, with regard to Paragraph 16, there does not appear to be any examples where one or more additives in a group, for which a group ADI has been established, have actually been excluded.

**Paragraph 17.** The proposal to change the class name “Propellant” to “Propellant/packing gas,” is supported.

**Paragraph 18.** With regard to flavour enhancers in Paragraph 18, Canada suggests that, even though they have been adopted for general use in food by the Commission, not all may be technologically justified for use in the fat spreads and blended spreads.

**Paragraph 19.** Canada supports the inclusion of canthaxanthin in the standard and notes that it is allowed in margarine standard in Canada, which was based on the current Codex margarine standard at the time of development. The maximum level of use is at levels consistent with “good manufacturing practice”.

**Paragraph 21.** Canada supports the inclusion of annatto in the standard and suggests that Maximum Levels (ML) for annatto extracts should be standardized and based on bixin or norbixin content.

**Paragraph 22.** Generally, as the GSFA provides for the use of benzoates and hydroxybenzoates in food categories 2.2.1.2 (Margarine and similar products) and 2.2.2 (Emulsions containing less than 80% fat), it seems reasonable that these preservative should be included in the standard.

Specifically, Canada supports the inclusion of benzoates in fat spreads and notes that sodium benzoate, potassium benzoate, and benzoic acid are permitted for use as preservatives in margarines in Canada at an ML of 1,000 p.p.m. if used singly or in combination with sorbic acid. Benzoates are also included in the current Codex standard for margarine.

**Paragraphs 23, 26, 33.** Canada suggests that BHA, BHT (Paragraph 23), Propyl Gallate (Paragraph 26), and possibly TBHQ (Paragraph 33) – which have separate ADIs – have combination use limits to preclude indiscriminate use of antioxidants and to provide a limit on total use levels, typically 0.02%, based on the fat or oil content of the food.

**Paragraph 32.** Stearyl citrate (Paragraph 32) and calcium disodium / disodium EDTA are considered antioxidant synergists/sequestrants and play a role in sequestering metal ions, by removing their ability to play a role in oxidation reactions leading to potential rancidity. In that respect, they could be considered technologically justified for fat spreads and blended spreads.

**Paragraph 36.** With respect to the format in the standard for the food additives section, Canada supports either 36 c) or d). Canada believes that it is important for CCFO to provide expertise to CCFAC regarding technologically justified additives and their maximum use levels in fat spreads and blended spreads for CCFAC consideration and endorsement.

## **European Community**

The European Community would like to thank the electronic working group on its work to list food additive provision for fat spreads and blended spreads. The European Community would like to make the following comments on the circular letter.

### **Point to consider in reviewing Annex I**

#### **General issues**

##### Paragraph 17.

The functions of propellant gas and packaging gas in food are different, therefore, they should be two separate functional classes. 36<sup>th</sup> CCFAC established a drafting group to revise functional classes used in the International Numbering System (INS). Codex Committee on Fats and Oils (CCFO) should take into account the outcome of that work.

##### Paragraph 19.

In some cases the use of colours can mislead consumers and many consumers find colours superfluous as additives in food. For this reason the European Community believes that colours should be used in a restrictive manner. For example, the use of brilliant blue FCF in margarine (02.2.1.2) has a bleaching effect on the natural yellow colour of this foodstuffs. The resulting white colour serves no purpose in enhancing the safety or nutritional value of the foodstuffs. Consequently, this use cannot be supported.

Furthermore, many of the colours listed have an extremely low ADI (e.g. canthaxantin 0.03 mg/kg b.w., erythrosine 0.01 mg/kg b.w.). Therefore, the European Community doesn't support any additional colours in this standard.

### **Request for comments on specific additive provisions**

##### Paragraph 21. Annatto extracts (INS 160b)

The EC would propose that if annatto extracts are kept in the standard in square brackets then the maximum level proposed should be 10 mg/kg.

##### Paragraph 22. Benzoates (INS 210-213) and hydroxybenzoates (INS 214, 216, 218)

Justification should be provided from countries that wish to use benzoic acid and its salts and hydroxybenzoates in these types of products. In the view of the European Community, sorbic acid and its salts (INS 200 – 203) are sufficient for preservation of these products.

### Paragraph 23. BHT (INS 321)

The EC would propose just one level, 100 mg/kg for the products covered by this standard. The maximum level should be expressed on fat or oil basis. The use of similar antioxidants (BHA, Propyl gallate, TBHQ) should be restricted proportionally if used in combination.

### **Format for the food additive provisions in the standard**

#### Paragraph 36

The European Community prefers the option (a) to list those additives explicitly in the standard that achieve the desired technical effect.

The European Community is of the view that the Commodity Committee should evaluate the technological justification of the use of food additives, and list the additives that really achieve the effect desired in the respective food.<sup>1</sup>

In this context, the European Community wishes to draw the attention to the conclusions of the 35<sup>th</sup> CCFAC: The Committee expressed general support for a generic table approach in addition to the specific listing of food additives and their respective use level in Commodity Standards. However, for the proper assessment of specific maximum levels, it was reaffirmed that information on the specific listing of food additives and their respective use levels was still required from Codex Commodity Committees in the endorsement process.<sup>2</sup>

## **United States**

We note that the proposed food additive provisions for the Draft Standard for Fat Spreads and Blended Spreads (Draft Standard) presented in CL 2004/1-FO were developed in accordance with the mandate of the Codex Alimentarius Commission (CAC) to its subsidiary bodies to focus on the elaboration of horizontal standards while revising the commodity standards by minimizing their provisions to essential quality factors.

### **Comments on “POINTS TO CONSIDER IN REVIEWING ANNEX 1”**

#### **General Issues:**

**Para. 16 (Grouped additives):** The United States supports the recommendation to consider food additives covered by a JECFA “group” ADI as a single entity. This is consistent with the approach taken by the CCFAC in elaborating the Codex General Standard for Food Additives (GSFA). That is, for example, individual polysorbates are encompassed under the single GSFA entry of “Polysorbates.”

**Para. 17 (Functional Classes):** The United States supports deleting Functional Effect Class 4.12 (Miscellaneous) from the Draft Standard and reassigning the six additives listed in this class to their proper Codex Functional Classes (ALINORM 03/17, Appendix IV). This action results in the introduction of a new additive functional class, “Anti-caking agent,” for fat spreads and blended spreads and also requires changing the INS class name “Propellant” to “Propellant/packing gas.”

**Para. 18 (Flavour enhancers):** The United States supports the inclusion of all flavour enhancers listed in Table 3 of the GSFA (“Additives Permitted for Use in Food in General, Unless Otherwise Specified, in Accordance with GMP”) in the list of technologically justified food additives in this

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<sup>1</sup> See European Community comments in CX/FAC 03/06 Add. I

<sup>2</sup> Alinorm 03/12A, paras 32 and 33

standard. Moreover, the US supports the removal of numerical MLs and replacement with GMP use levels for those flavour enhancers assigned an ADI “Not Specified” by JECFA.

Para. 19 (Colors): The United States recognizes that colors are technologically justified for use in fat spreads and blended spreads. Allura Red AC, Brilliant Blue FCF, Erythrosine, Indigotine, Sunset Yellow FCF, and Tartrazine are permitted in foods generally in the US, but only after having been batch-certified by the US FDA. Foods containing these colors must be labelled, respectively, as FD&C Red No. 40, FD&C, Blue No. 1, FD&C Red No. 3, FD&C Blue No. 2, FD&C Yellow No. 6, and FD&C Yellow No. 5.

Para. 20 (MLs in the GSFA): The United States strongly supports the statement interpreting the significance of a numerical ML in the GSFA.

### **Request for Comments on Specific Additive Provisions:**

Para. 21: Annatto Extracts (INS No. 160b) – The United States recognizes that removal of the additive provisions for annatto extracts from the Draft Standard, in light of the decision of the 61<sup>st</sup> JECFA to revise the status of the ADI from “full” to “temporary,” would be consistent with the decision of the CCFO (ALINORM 03/17, para.42). Nonetheless, while supporting the decision of the electronic Working Group to retain the entry for annatto extracts in Table B with the MLs from the GSFA, as it has been placed in square brackets, the US recommends that the CCFO, at this time, refrain from forwarding the provision to the CCFAC for endorsement.

Para.22: Benzoates (INS Nos. 210-213) and **Hydroxybenzoates** (INS Nos. 214, 216, 218) – Benzoates are listed in the Draft Standard with an ML of 1000 mg/kg (as benzoic acid, singly or in combination). Like benzoates, hydroxybenzoates are preservatives. The United States supports inclusion of the hydroxybenzoates into the Draft Standard with an ML of 1000 mg/kg for hydroxybenzoates (as p-hydroxybenzoic acid, singly or in combination) and recommends that the CCFO forward these provisions for benzoates and hydroxybenzoates to the CCFAC for endorsement.

Para.23: BHT (Butylated hydroxytoluene, INS No. 321): The United States supports forwarding to the CCFAC for endorsement an ML of 200 mg/kg, with the proviso that this ML is on the fat or oil basis and refers to use singly, or in combination with other antioxidants.

Para.24: Carotenes, vegetable (INS No. 160a(ii)): The United States supports forwarding to the CCFAC for endorsement an ML of GMP for the use of Carotenes, vegetable.

Para.25: Carotenoids (INS Nos. 160a(i), 160e, 160f): Given that carotenoids have been assigned a grouped numerical ADI by JECFA, the United States supports assigning a numerical ML for the use of carotenoids in the draft standard. However, “beta-apo-8’-carotenic acid, methyl or ethyl ester” INS 160f) is an unapproved color additive in the US.

Para.26: Gallate, Propyl (INS No. 310): Maximum Levels of 200 mg/kg (fat or oil basis) for GSFA categories 2.2.1.2 and 2.2.2 were forwarded by the 36<sup>th</sup> CCFAC to the CAC for adoption at step 8. The US recommends that the CCFO forward to the CCFAC for endorsement an ML of 200 mg/kg (fat or oil basis), i.e., “singly or in combination” for propyl gallate.

Para.27: Guaiac Resin (INS No. 314): The United States has no regulations authorizing the use of Guaiac resin in fat spreads and blended spreads.



**Para.28: Isopropyl citrates** (INS No. 384): This additive is listed in the food additive provisions of the current Draft Standard as an antioxidant synergist and the CAC has already adopted the GSFA provisions for its use with an ML of 200 mg/kg in categories 2.2.1.2 (Margarine and similar products) and 2.2.2 (Emulsions containing less than 80% fat). While “antioxidant synergist” is a sub-class of antioxidant in the INS, the GSFA, however, lists isopropyl citrates using the main INS terms (which are to be used for labelling purposes) of “antioxidant, preservative, sequestrant.” Therefore, the United States recommends that the CCFO refer to the functionality of isopropyl citrates in fat spreads and blended spreads as an antioxidant, for consistency with the GSFA and INS. The United States can also support the use of isopropyl citrates at levels not to exceed 200 mg/kg.

**Para.29: Propylene glycol** (INS No. 1520): The United States understands that propylene glycol becomes a component of fat spreads and blended spreads as a result of carry-over from its processing aid use as a carrier solvent for flavours or colours. Therefore, the US recommends that the CCFO not include propylene glycol or other processing aids among its food additive provisions for fat spreads and blended spreads.

**Para.30: Silicon dioxide** (INS No. 551): Silicon dioxide is listed in Table 3 of the GSFA, which has been adopted by the CAC. Additives in Table 3 may be used at GMP levels in food, in general. The United States permits silicon dioxide in foods generally, as an anticaking agent. CL 2004/1-FO (para. 30) reports that silicon dioxide is suitable as an anticaking agent to maintain the free flow of fat spreads and blended spreads sold in curls and granular form and can serve as an anti-spattering agent for salt-free margarines. The United States recommends that a provision for the use of silicon dioxide at GMP be included in the food additive provisions in the standard for fat spreads and blended spreads, along with the new Functional Class of Anticaking agent and be forwarded to the CCFAC for endorsement.

**Para.31: Sodium diacetate** (INS No. 262(ii)): The United States regards sodium diacetate as generally recognized as safe for use as a preservative (antimicrobial) and as an acidity regulator (pH control agent) at levels not to exceed 1000 mg/kg in fats and oils. The US supports forwarding a maximum level of 1000 mg/kg to CCFAC for endorsement.

**Para.32: Stearyl citrate** (INS No. 484): This additive is not listed in the current Draft Standard. The GSFA contains an adopted provision of 100 mg/kg (fat or oil basis) in category 2.2.1.2 for use as an emulsifier, a sequestrant, and an anti-foaming agent. The United States permits stearyl citrate as an antioxidant, sequestrant, surface-active agent, and emulsifier in margarine and in fats and oils at GMP use levels and considers use of stearyl citrate as an antifoaming agent to be that of a processing aid. The US proposes that the CCFO recommend that the CCFAC endorse the entry of stearyl citrate with an ML of 100 mg/kg (fat or oil basis) into the standard for fat spreads and blended spreads.

**Para.33: TBHQ** (Tertiary-butyl hydroquinone, INS No. 319): According to CL 2004/1-FO (para.33), TBHQ is useful as an alternative to or supplement to hydrogenation for increasing the oxidative stability of fats and oils. The GSFA contains a draft provision (Step 6) for the use of TBHQ in category 2.0 with an ML of 200 mg/kg (fat or oil basis). The Draft Standard contains an ML of 200 mg/kg for TBHQ, singly or in combination with BHA, without the additional qualifier “fat or oil basis”. The United States permits the use of TBHQ in foods generally, when the total level of antioxidant does not exceed 200 mg/kg (fat or oil basis; singly, or in combination with other antioxidants). The United States recommends that the CCFO forward the ML of 200 mg/kg in the standard for fat spread and blended spreads to the CCFAC for endorsement, with the proviso that the ML is on the fat or oil basis and the use of TBHQ is singly, or in combination with other

antioxidants.

**Para.34: Thiodipropionates** (INS Nos. 388 and 389): Dilaurylthiodipropionate (INS No. 389), listed in the Draft Standard, and thiodipropionic acid (INS No. 388) are grouped as thiodipropionates. According to CL 2004/1-FO (para.33), they are used to decompose hydrogen peroxide, formed during lipid oxidation, into stable end products. The United States considers the use of thiodipropionates to be generally recognized as safe for use in foods, when the total level of antioxidant does not to exceed 200 mg/kg (fat or oil basis; singly, or in combination with other antioxidants). The CAC has already adopted the GSFA provisions (200 mg/kg) for thiodipropionates (categories 2.2.1.2 and 2.2.2). The CCFO should recognize these provisions when it forwards its request for endorsement to the CCFAC and include the proviso that the MLs are given on the fat or oil basis and the use is singly, or in combination with other antioxidants.

#### **Comments on “FORMAT FOR THE FOOD ADDITIVE PROVISIONS IN THE STANDARD”**

The United States considered the pros and cons of the four options of paragraph 36 of the CL and proposes the following format for Section 4 (Food additives) of the Codex standard on fat spreads and blended spreads:

### **4. FOOD ADDITIVES**

#### **4.1 Flavours**

Natural flavours and their identical synthetic equivalents and other synthetic flavours, except those which are known to present a toxic hazard.

#### **4.2 Additive Functional Effects**

Only additives with the following functional effects are technologically justified for use in fat spreads and blended spreads:

Colours	Emulsifiers
Preservatives	Stabilizers and thickeners
Acidity regulators	Antioxidants
Antioxidant synergists	Flavour enhancers
Sweeteners	Anti-caking agents
Propellants/packing gases	

#### **4.3 Food Categories of the General Standard for Food Additives [XOT 192 - 1995]**

Only additives with functional effects listed in Section 4.2 and listed below are technologically justified for use in fat spreads and blended spreads:

- (i) Additives in Tables 1 and 2 of the General Standard -  
Provisions for use shall be consistent with those elaborated in food categories:  
2.2.1.2 – Margarine and similar products  
2.2.2 – Emulsions containing less than 80% fat
- (ii) Additives in Table 3 of the General Standard.

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Importantly, when an additive listed in a cited food category of the GSFA cannot be technologically justified for use in fat spreads or blended spreads or an ML for a GSFA provision is not

technologically justifiable, this approach allows the CCFO to forward its view, assessment, and recommendation to the CCFAC for consideration. Thus, explicit identification in the standard of deviations from provisions of the GSFA would be unnecessary. Moreover, this approach (consistent with paragraph 36d of the CL) will provide greater flexibility and options for the use of additives within the agreed functional effect classes than the formats described in paragraphs 36a-c of the CL. The approach is also consistent with the CAC's view that commodity committee standards reference general standards. For all format options, the obligation to use additives according to GMP and to adhere to the Codex General Principles for the Use of Food Additives and the Preamble of the General Standard for Food Additives remains.

## **IFMA**

<b>1. GENERAL ISSUES</b>
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### **15. The GSFA Food Category System**

There have been modifications to the FCS that were adopted by the 27 th CAC Session ( Alinorm of 27/41, para. 26).

Category 02.0 “ Fats and Oils, and Fat Emulsions” has been amended in the following way :

- 02.0 Fats and oils, and fat emulsions
  - 02.1 Fats and oils essentially free from water
    - 02.1.1. Butter oil, anhydrous milkfat, ghee
    - 02.1.2. Vegetable oils and fats
    - 02.1.3. Lard, tallow, fish oil, and other animal fats
  - 02.2 Emulsions mainly of type water-in-oil
    - 02.2.1. Emulsions containing at least 80% fat
      - 02.2.1.1. Butter and concentrated butter
      - 02.2.1.2. Margarine and similar products
      - 02.2.1.3. Blends of butter and margarine
    - 02.2.2 Emulsions containing less than 80% fat
  - 02.3 Fat emulsions mainly of type oil-in-water mixed and / or flavoured products bases on fat emulsions
  - 02.4 Fat-based desserts excluding dairy-based dessert products of food category 01.7

The main difference with the previous version is the division of 02.2.1. into three subcategories : butter (02.2.1.1.), margarine ( 02.2.1.2.) and blends (02.2.1.3.).

In item 4, the food descriptors 02.0, 02.2, 02.2.1.2., 02.2.1.3. and 02.2.2. should be mentioned under all additive class headings ( refer to suggested Amendments to section 4 under 4.1. colours).

### **16. No comment**

### **17. Class 4.12 ( Miscellaneous)**

Ifma agrees with the introduction of the new class of “anti-caking” agent and changing the classname

“propellant” to “propellant / packaging gas” and to eliminate the class “miscellaneous”.

## 18. Flavours enhancers:

**Ifma agrees with the use of Flavours enhancers at GMP levels. The GMP levels have been adopted by Codex Commission for food uses in general, according to Table 3 of GSFA.**

## 19.

Ifma agrees to include the following colours at the indicated limits to table B :

- (101 i –ii) Riboflavin	50 ppm
- (102) Tartrazine	50 ppm
- (110) Sunset Yellow FCF	20 ppm
- (127) Erythrosine	3 ppm
- (129) Allura red	50 ppm
- (132) Indigotine	50 ppm
- (133) Brilliant blue FCF	50 ppm
- (141 i – ii) Chlorophylls, copper complexes	50 ppm
- (161 g) Cantaxantin	1 ppm
- (163) Grape skin extr	delete
- (160 d) Lycopene	GMP
- (161 b) Carotenoids mix incl. Lutein	GMP

## 20. No comment

## 2. SPECIFIC COMMENTS

### 21. Annatto Extracts ( 160b )

Ifma suggests not to exclude Annatto extract from Table B. This colour is currently used in yellow fat spreads together with Curcumin up to 10 ppm in the EU. Brazil uses Annatto extracts in many food categories like mayonnaise, cereals, ice cream, and fat spreads up to 100 ppm. Ifma suggests a level of 100 ppm without category restriction . The categories will be mentioned under the heading “colors”.

### 22. Benzoates ( 210 – 213) Hydroxybenzoates ( 214, 216, 218)

Ifma supports the inclusion of these additives in Table B. They are used in many countries as preservative for margarines / spreads . The acid being slightly soluble in water, most times the Na salt is used together with the acid. The parahydroxybenzoates are used as well as preservatives. 1000 ppm is the level needed to obtain the desired effect.

### 23. BHT ( 321)

Ifma suggests to include BHT at a level of 200 ppm, which is sufficient to obtain the technological effect on “ fat or oil basis”, in accordance with Alinorm 04/27/41 para 27.

### 24. Carotenes , vegetable ( 160 a ii)

Ifma supports the GMP limit. 25 ppm is insufficient to maintain the colour during shelflife, because of the low stability of the Carotenes in the product. 160a(ii) is very unstable during the preparation process and storage of product.

### 25. Carotenoids ( 160 a(i), 160e, 160f)

Ifma supports the limit of 1000 ppm, singly or in combination , because of the numerical ADI. 25 ppm is insufficient to achieve the desired effect of colouring during shelflife, because of the instability of

Carotenoids.

**26. Propylgallate ( 310)**

Ifma supports the level of 200 ppm on “fat or oil basis”, singly or in combination with BHA and BHT. This level is used in EU countries and in Brazil as it was approved in the 27<sup>th</sup> CAC meeting ( Alinorm 04/27/41 para 27).

**27. Guaiac resin ( 314 )**

No comment.

**28. Isopropyl citrates ( 384 )**

Ifma supports the use of 384 at max. 200 ppm . It is an antioxidant synergist protecting vitamins. The function “antioxidant” synergist should be applied to the same categories as the other function.

**29. Propylene glycol ( 1520 )**

Ifma agrees that there is no need to include 1520 in Table B. It is present in margarines / fat spreads via carry-over from its use as carrier solvent for flavours.

**30. Silicon dioxide ( 551 )**

Silicon dioxide should be maintained in Table B as an anticaking agent at GMP level. It maintains the free flow of fat spreads sold in curls and granular form and can serve as an antispattering agent for salt-free margarines.

**31. Sodium diacetate ( 262 ii)**

Ifma supports the use of 262 ii as an acidity regulator at 1000 ppm. The additive could also be used as preservative, as an antimicrobial.

The GMP level is not advisable, because the ADI is 0 – 15 mg / kg.

**32. Stearyl citrate (484)**

Ifma supports the use of this additive as an emulsifier at 100 ppm ( fat or oil basis ). JECFA evaluated 484 as an emulsifier and sequestrant, but not as an antifoaming agent. The food categories should be specified under the heading “emulsifier”.

**33. TBHQ ( 319)**

Ifma supports the limit of 200 ppm on “fat or oil basis”, as endorsed at the 27<sup>th</sup> CAC meeting ( Alinorm 04/27 41 para 27).

**34. Thiodipropionates ( 388, 389 )**

No comment.

<b>3. FORMAT FOR THE FOOD ADDITIVE PROVISIONS IN THE STANDARD</b>
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**36.**

Ifma supports option d, which reflects the hierarchical structure of the food category system, and will not demand periodic revisions of the additives section in the Standard.