

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FATS AND OILS

Twenty-third Session

Langkawi, Malaysia, 25 February – 1 March 2013

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

A. DECISIONS OF THE 34TH SESSION OF THE COMMISSION RELATED TO THE WORK OF THE COMMITTEE¹

1. The 34th Session of the Commission adopted the *Draft Amendment to the Standard for Named Vegetable Oils: Inclusion of Palm Kernel Olein and Palm Kernel Stearin*, the *Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk: Draft Criteria to Assess the Acceptability of Substances for Inclusion in a List of Acceptable Previous Cargoes* and *Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk: Draft and Proposed Draft Lists of Acceptable Previous Cargoes* and agreed to discontinue the work on *Amendment to the Standard for Olive Oils and Olive Pomace Oils: Linolenic Acid Level* as proposed by the Committee. The discussion at the Commission was as follows:

Draft Amendment to the Standard for Named Vegetable Oils: Inclusion of Palm Kernel Olein and Palm Kernel Stearin

2. The Delegation of Egypt expressed the view that the reference to crude oils should be clarified as the standard was intended to cover edible oils.

3. The Delegation of Malaysia, speaking as Chair of the Committee on Fats and Oils (CCFO), clarified that the term “crude” is used in relation to many oils obtained through mechanical procedures described in Section 2.2.2 of the Standard for Named Vegetable Oils, and recalled that the Committee had unanimously agreed to forward the draft amendment for adoption.

4. The Commission adopted the Draft Amendment as proposed by the CCFO and noted the reservation of the Delegation of Egypt.

Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk: Draft Criteria to Assess the Acceptability of Substances for Inclusion in a List of Acceptable Previous Cargoes

5. The Delegation of Colombia proposed that the third criterion should read “The substance should not be or contain a known food allergen” deleting the second part of the sentence “unless the identified food allergen can be adequately removed by subsequent processing of the fat or oil for its intended use” as it was not clear what process would be used to remove the allergen.

6. The Commission adopted the Draft Criteria as proposed by the CCFO and noted the reservation of the Delegation of Colombia.

¹ REP11/CAC paras 42 – 52, 150, 151 and Appendices III and VII

Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk: Draft and Proposed Draft Lists of Acceptable Previous Cargoes

7. The Delegation of the United States expressed its opposition to the adoption of the Draft and Proposed Draft Lists and proposed to return them to the Committee on Fats and Oils for the following reasons; the Committee had worked for almost 20 years without achieving consensus on the development of the lists; at the last CCFO session, the discussion in the in-session working group and the plenary reflected deep division among delegates and indicated that consensus could not be reached; the lack of criteria for the evaluation of substances has been a significant problem in finalising the lists; for this reason, the FAO/WHO Technical Meeting developed criteria which were used to elaborate the final criteria just adopted at the present session, however, the proposed list of substances does not meet these criteria, and in particular the second criterion, as they lack an ADI or the existing ADI is limited only to flavour use and is not applicable to contaminants from previous cargoes; this raises concern because the basis for developing criteria was to use them to evaluate the substances for inclusion in the lists. The Delegation pointed out that failure to adopt these lists would not disadvantage countries lacking the resources to perform their own safety assessment, since lists of acceptable cargoes are already effectively maintained by several organisations and publicly available. The Delegation indicated that should the Commission adopt the lists, the CCFO should be requested to take up as an immediate priority a review of all the substances against the criteria.

8. Several delegations supported this view and expressed concern with the maintenance of the lists and the fact that several substances on the lists did not meet the criteria which had just been adopted.

9. The Delegation of Malaysia, speaking as Chair of the Committee on Fats and Oils, recalled that there had been ample opportunity for countries to discuss this issue, that the points raised by the United States were thoroughly discussed and that many delegations supported the advancement of the lists for the following reasons: they would benefit especially developing countries as they lack the technical competence and resources to develop their own lists; these substances were currently used as acceptable previous cargoes in fats and oils trade and recognised as safe; national trade lists are developed only with input at national level as compared to a Codex list developed at the international level; and the absence of international harmonisation could result in barriers to trade. The Delegation also recalled that the CCFO had been given the mandate of developing the lists of acceptable previous cargoes when the Code of Practice was adopted with the Lists of Banned Immediate Previous Cargoes (1999) and that the 62nd Session of the Executive Committee had recommended that the CCFO should complete its work by 2011, and therefore strongly supported the adoption of the lists.

10. Many delegations supported the adoption of the lists for the above reasons. It was noted that very limited changes had been made to existing lists developed by other bodies over the years and therefore it was not expected that frequent updates would be needed. It was also noted that the Code specified that the list was subject to review and possible amendments to take into account scientific developments (Note (3) to the Draft Lists.

11. The Representative of WHO recalled that it was not possible for JECFA to evaluate all substances on the lists, and proposed that the Committee should use the criteria to assess the acceptability of the substances, with the understanding that if concerns were identified, specific advice could be requested on a case-by-case basis to FAO/WHO with the support of adequate data.

12. The Commission adopted the Draft List at Step 8 and the Proposed Draft List at Step 5/8 and directed the Committee on Fats and Oils to review the lists against the criteria adopted at the present session as a matter of priority, to identify the most critical substances for review by JECFA, taking into account the limitations of JECFA resources and the availability of data.

13. The Committee is **invited** to consider how to proceed on the review of the lists in view of the recommendations of the Commission.

Amendment to the Standard for Olive Oils and Olive Pomace Oils: Linolenic Acid Level

14. The Delegation of Malaysia, speaking as the chair of the Committee on Fats and Oils, said that CCFO had not reached consensus on this issue in spite of great efforts and had agreed to discontinue work as recommended by the 62nd Session of CCEXEC. The Commission noted that CCFO would reconsider the issue if new data became available.

15. The Commission agreed to discontinue the work.

B. MATTERS ARISING FROM OTHER CODEX COMMITTEES AS RELATED TO THE WORK OF THE COMMITTEE

32nd and 33rd Sessions of the Committee on Methods of Analysis and Sampling (CCMAS)²

16. The Committee agreed to insert the editorial corrections proposed by ISO in CRD 22 and by AOCS in CRD 29. The Committee also agreed that methods of analysis for relative density should be Type I as in general methods of analysis relevant to physical property would be empirical.

17. One observer pointed out that IUPAC methods were no longer available and that they were used for the analysis of relative density in named animal fats and named vegetable oils. The Committee agreed to request the Committee on Fats and Oils (CCFO) whether relative density would still be necessary or it would be possible to use apparent density only instead, or whether CCFO could propose alternative methods of analysis for these provisions in case that CCFO felt that the provisions were needed.

18. The Committee also noted that the IUPAC method for erythrodiol+uvaol content in olive oils was no longer available and asked the CCFO to consider how to proceed as regards the determination of erythrodiol+uvaol, noting that the International Olive Council was currently conducting studies on methods for these substances.

19. In reply to the question whether the methods for heavy metals should be presented according to the criteria, as in the case of natural mineral waters, the Committee agreed to encourage committees to use the criteria approach.

20. The Committee agreed to endorse the updates of the references for several methods for fats and oils proposed by AOCS and ISO. It was further agreed to ask the Committee on Fats and Oils to review the methods for relative density in several standards and for erythrodiol+uvaol in olive oils and olive pomace oils as the current IUPAC methods were no longer available (see Annex).

5th Session of the Committee on Contaminants in Foods (CCCF)³

21. The Committee considered the request from CCFO on whether halogenated solvents could be considered as contaminants for inclusion in the GSCTFF. The Committee concluded that halogenated solvents could be considered as processing aids and therefore did not fall within the remit of the CCCF. The Committee also noted that solvents were only allowed for the production of olive pomace oils according to the *Standard for Olive Oils and Olive Pomace Oils* (CODEX STAN 33-1981) and that the presence of these solvents in olive oil and virgin olive oils would be considered as contaminants. The Committee agreed to request CCFO to consider whether the use of halogenated solvents in the production of olive pomace oils were necessary in view of the potential health concerns associated with these compounds and the consequential general trend to reduce their industrial use.

² REP11/MAS paras 44 – 47 and REP12/MAS para. 45

³ REP11/CF para. 11

Annex

**METHODS OF ANALYSIS OR PROVISIONS TO BE CONSIDERED
BY THE COMMITTEE ON FATS AND OILS⁴**

COMMODITY	PROVISION	METHOD	PRINCIPLE
Named Animal Fats	Relative Density		
Named Vegetable Oils	Relative Density	IUPAC 2.101 with appropriate conversion factor	Pycnometry
Olive Oils and Olive Pomace Oils	Erythrodiol +uvaol content	IUPAC 2.431	GC
Olive Oils and Olive Pomace Oils	Relative Density	IUPAC 2.101, with the appropriate conversion factor	Pycnometry

⁴ REP12/MAS Appendix III