

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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ORGANIZATION



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Agenda Item 4 (a)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON MILK AND MILK PRODUCTS

Sixth Session

Auckland, New Zealand, 26 – 30 April 2004

PROPOSED DRAFT STANDARDS FOR [SWEETENED CONDENSED SKIMMED MILK WITH VEGETABLE FAT/BLEND OF SWEETENED CONDENSED SKIMMED MILK WITH VEGETABLE FAT], [EVAPORATED SKIMMED MILK WITH VEGETABLE FAT/BLEND OF EVAPORATED SKIMMED MILK WITH VEGETABLE FAT] AND [SKIMMED MILK POWDER WITH VEGETABLE FAT/BLEND OF SKIMMED MILK POWDER WITH VEGETABLE FAT]

(At Step3)

Comments from Canada, New Zealand, Poland and European Commission
in response to CL 2002/30-MMP, Part B

CANADA

ALINORM 03/11, Appendix VIII

Proposed Draft Standard for [Sweetened Condensed Skimmed Milk with Vegetable Fat/Blend of Sweetened Condensed Skimmed Milk with Vegetable Fat]

Canada does not support the proposed names for this product. We believe from the description of the product in Section 2, that this product is not made from sweetened condensed skim milk but is made from a blend of skimmed milk with vegetable fat that is condensed and sweetened. Canada would therefore support the following common names, in order of preference:

- Sweetened Condensed Blend of (Skimmed) Milk and Vegetable Fat; or
- Sweetened Condensed (Skimmed) Milk and Vegetable Fat.

(Skimmed) has been placed in brackets because it is not clear whether the final product is always made using a skimmed product since the description mentions that milk fat can be replaced wholly or partially by a vegetable fat source.

ALINORM 03/11, Appendix IX

Proposed Draft Standard for [Evaporated Skimmed Milk with Vegetable Fat/Blend of Evaporated Skimmed Milk with Vegetable Fat]

Canada does not support the proposed names for similar reasons as outlined above. Canada would support the following common names, in order of preference, to replace the present proposals:

- Evaporated Blend of (Skimmed) Milk and Vegetable Fat; or
- Evaporated (Skimmed) Milk and Vegetable Fat

ALINORM 03/11, Appendix X

Proposed Draft Standard for [Skimmed Milk Powder with Vegetable Fat/Blend of Skimmed Milk Powder with Vegetable Fat]

Canada does not support the proposed names for similar reasons as outlined above, Canada would support the following common names, in order of preference, to replace the present proposals:

- Dry Blend/Powdered of (Skimmed) Milk and Vegetable Fat; or
- (Skimmed) Milk Powder and Vegetable Fat

General Comments for the three standards identified in CL 2002/30-MMP, Part B:

Section 3.2 Permitted Ingredients

Canada supports the addition of “Nutrients” as permitted ingredients along with a statement that references the Codex General Principles for the Addition of Essential Nutrients for Foods (CAC/GL 09-1987) and adds, “Maximum and minimum levels for vitamins A, D and, where appropriate, other nutrients, should be laid down by national legislation according to the needs of each individual country including, where appropriate, the prohibition of the use of particular nutrients, in accordance with the General Principles for the Addition of Essential Nutrients for Foods (CAC/GL 09-1987).”

Section 7.2 Declaration of Fat Content

Canada supports the removal of square brackets around this section with the following amendments: “A statement shall appear on the label as to presence of edible vegetable fat and/or edible vegetable oil. Where required by the ingredient naming requirements of the country of sale, this statement shall include the common name of the vegetable from which the fat or oil is derived.”

Section 7.3 Declaration of Milk Protein

Canada questions why the milk products for protein adjustment would not be declared in the list of ingredients.

Section 7.5 Advisory Statement

Canada recommends to remove the square bracket and amend the text in the brackets as follows: “[Where required for corresponding dairy products by the country of sale, a statement shall appear on the label to indicate that the product is not suitable for infants. For example, “NOT SUITABLE FOR INFANTS”]”

NEW ZEALAND

New Zealand suggests the composition of [Partly Skimmed Milk Powder with Vegetable Fat/ Blend of Partly Skimmed Milk Powder with Vegetable Fat] should specify a minimum content of milk fat. Similar products should also be included in the other two proposed draft standards.

All three standards should include products with a lower total fat content, for example in the case of powders, products with a total fat content less than 26%.

New Zealand supports the inclusion of the text in square brackets in section 7.5 of all three standards.

POLAND

Proposed Draft Standard for [sweetened condensed skimmed milk with vegetable fat /blend of sweetened condensed skimmed milk with vegetable fat]
(ALINORM 03/11, Appendix VIII)

scope and 7.1 (name the food)

We consider that proposed names for the products in which milk components are substituted by non-milk components are in contradiction with the general principles covered by Codex Standard 206-1999 *Codex General Standard for the use of dairy terms*. In our opinion using dairy terms for food other than traditional products should not be allowed. According to that we propose not to use term “milk” just for purpose of distinguishing the above mentioned products from traditional ones.

In the case of butter the traditional names were respected and the general principle has not been broken (e.g. blend, blend spread).

3.3 Composition

We propose: Minimum total fat 7 % (m/m).

4. Food additives

According to the national legislation based on the UE law it is not allowed to use the following food additives in condensed milk:

E 333 – Calcium citrates;

E 170 – Calcium carbonates;

E 508 – Potassium chloride.

Moreover we propose limits for phosphates (E 339, E 340, E 341, E 450, E 451, E 452) in condensed milk as follows:

in condensed milk when content of solid parts is less than 28% the maximum limit of the above mentioned substances is 1g/kg.

in case when content of solid parts is more than 28% the concentration of phosphates should not be more than 1,5 g/kg.

5.1. Heavy metals

We propose to set the following limits for heavy metals:

Pb- not more than 0,10 mg/kg;

Cd - not more than 0,02 mg/kg;

Hg - not more than 0,01 mg/kg;

As - not more than 0,20 mg/kg.

7.2 Declaration of fat content

We propose to remove the square brackets in last paragraph – in our opinion last sentence is necessary.

Proposed Draft Standard for [evaporated skimmed milk with vegetable fat / blend of evaporated skimmed milk with vegetable fat]
(ALINORM 03/11, Appendix IX)

scope and 7.1 (name of the food)

We consider that proposed names for the products in which milk components are substituted by non-milk components are in contradiction with the general principles covered by Codex Standard 206-1999 *Codex General Standard for the use of dairy terms*. In our opinion using dairy terms for food other than traditional products should not be allowed. According to that we propose not to use term “milk” just for purpose of distinguishing the above mentioned products from traditional ones.

In the case of butter the traditional names were respected and the general principle has not been broken (e.g. blend, blend spread).

3.3 composition

We propose to set minimum total fat content as 6 % (m/m) and minimum milk solids-not-fat as 20 % (m/m).

5.1. Heavy metals

We propose to set the following limits for heavy metals:

Pb- not more than 0,10 mg/kg;

Cd - not more than 0,02 mg/kg;

Hg - not more than 0,01 mg/kg;

As - not more than 0,20 mg/kg.

7.2 Declaration of fat content

We propose to remove the square brackets in last paragraph – in our opinion last sentence is necessary.

Proposed Draft Standard for [skimmed milk powder with vegetable fat / blend skimmed milk powder with vegetable fat]
(ALINORM 03/11, Appendix X)

Scope and 7.1 (Name of the food)

We consider that proposed names for the products in which milk components are substituted by non-milk components are in contradiction with the general principles covered by Codex Standard 206-1999 *Codex General Standard for the use of dairy terms*. In our opinion using dairy terms for food other than traditional products should not be allowed. According to that we propose not to use term “milk” just for purpose of distinguishing the above mentioned products from traditional ones.

In the case of butter the traditional names were respected and the general principle has not been broken (e.g. blend, blend spread).

4. Food additives

According to the Polish legislation the content of phosphates used as acidity regulators (E 339, E 340, E 450, E 451, E 452) and as anti-caking agents (E 341 (iii), E 343 (iii)) in milk powder and skimmed milk powder is limited to 2,5 g/kg.

Moreover we propose to forbid using the following substances:

- Potassium chloride (E 508) in milk powder and skimmed milk powder,
- E 319 (TBHQ) at all.

5.1. Heavy metals

We propose to set the following limits for heavy metals:

Pb- not more than 0,20 mg/kg;

Cd - not more than 0,03 mg/kg;

Hg - not more than 0,01 mg/kg;

As - not more than 0,20 mg/kg.

EUROPEAN COMMISSION

General Comment:

The EC cannot agree with the proposed product designations for products in which milkfat is replaced by vegetable fats. These designations are in conflict with the Codex General Standard for the Use of Dairy Terms (Codex Standard 206-1999). We refer in particular to sections 4.6.3 and 4.6.4. of this Standard where it is stated: “*If the final product is intended to substitute milk, a milk product or composite milk product, dairy terms shall not be used*”. For the time being, these designations are still between square brackets. The titles and the sections “Name of the Food” (7.1) of the relevant Standards have to be modified.

1. Proposed Draft Standard For [Sweetened Condensed Skimmed Milk With Vegetable Fat/Blend of Sweetened Condensed Skimmed Milk With Vegetable Fat] (ALINORM 03/11, Appendix VIII).

Description: The recombining process as stated should be amended to include the addition of vegetable fat.

2. Proposed Draft Standard For [Evaporated Skimmed Milk With Vegetable Fat/Blend of Evaporated Skimmed Milk with Vegetable Fat] (ALINORM 03/11, Appendix IX).

Description: The recombining process as stated should be amended to include the addition of vegetable fat.

General Comment: Given that the products described in Appendix VIII are essentially sweetened versions of those in Appendix IX, perhaps the two proposed Draft Standards could be combined into one.

3. Proposed Draft Standard For [Skimmed Milk Powder With Vegetable Fat/Blend of Skimmed Milk Powder With Vegetable Fat] (ALINORM 03/11, Appendix X).

Taking into consideration the eligible ingredients and the nature of the manufacturing process i.e. blending evaporated milk solids with vegetable fat and then drying the resulting blend, perhaps a more appropriate name for the Draft Standard would read “Proposed Draft Standard For a [Blend of Milk Solids and Vegetable Fat in Powder form] ”.

Accordingly the sections on Scope and Description would also require amendment to reflect the change in the name of the Standard.

General Comment: The Scope should be expanded to include sweetened products.