

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 5

CX/MMP 06/7/10  
October 2005

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

Seventh Session

Queenstown, New Zealand, 27 March - 1 April 2006

### SPECIFIC FOOD ADDITIVES LISTING FOR THE CODEX STANDARD FOR FERMENTED MILK PRODUCTS

Governments and international organizations wishing to submit comments on the Specific Food Additives Listing for the Codex Standard for Fermented Milk Products are invited to do so **no later than 31 January 2006** to: Codex Committee on Milk and Milk Products, New Zealand Food Safety Authority, 68 - 86 Jervois Quay, P.O. Box 2835, Wellington, New Zealand (Facsimile: +64 4 463 2583 or E-mail: Audrey.Taulalo@nzfsa.govt.nz), with a copy to the Secretary, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, Viale delle Terme di Caracalla, 00100 Rome, Italy (Fax No + 39.06.5705.4593; E-mail: codex@fao.org).

### REPORT OF THE WORKING GROUP ON FOOD ADDITIVE PROVISIONS FOR INCLUSION IN THE CODEX STANDARD FOR FERMENTED MILKS

#### INTRODUCTION

1. The 6<sup>th</sup> session of the Codex Committee on Milk and Milk Products (CCMMP) agreed to circulate for comment the revised draft food additive provisions for inclusion in the Codex Standard for Fermented Milks (Codex Standard 243-2003) (See CL 2004/49-MMP). The 6<sup>th</sup> CCMMP also agreed that a drafting group led by the United States with the assistance of Argentina, the European Commission, Denmark, France, Germany, India, Italy, the Netherlands, New Zealand, Spain, Switzerland and the International Dairy Federation would revise the list of food additives on the basis of the comments received and provide a document for circulation, comments and consideration at the next Session of the Committee.<sup>1</sup>

2. Comments submitted in response to CL 2004/49-MMP are collated in Annex 1 to this document.

#### BACKGROUND

3. The food additive section of the Codex Standard for Fermented Milks (Codex Standard 243-2003) identifies food additive functional classes that are technologically justified in four categories of fermented milks: plain, flavoured, heat-treated plain, and heat-treated flavoured.

4. During its deliberations, the drafting group considered comments submitted in a timely manner in response to CL 2004/49-MMP. The drafting group considered only those additives that have been evaluated by the Joint FAO/WHO Expert Committee on Food Additives (JECFA) and assigned an INS number by the Codex Alimentarius Commission. In developing this report, the drafting group strived to incorporate by reference, where possible, food additive provisions contained in the Codex General Standard for Food Additives (Codex Standard 192).

<sup>1</sup> ALINORM 04/27/11, paras 111-112

5. Although the CCMMP has previously endorsed the inclusion of provisions for the use of preservatives in heat treated flavored fermented milks, the drafting group could not reach consensus on any provisions for the use of preservatives in foods conforming to this category of fermented milk.

6. The drafting group has identified specific food additive provisions for which additional information is requested. These are identified in the recommendations below. The drafting group recommends that if information is not provided to the 7<sup>th</sup> CCMMP to address these questions, the committee should discontinue further consideration of the food additive provisions in question.

7. The recommendations contained in this report do not reflect a unanimous opinion of the drafting group. Rather, they reflect an attempt to reach consensus. Individual members of the drafting group reserve their right to provide additional comments and recommendations to the CCMMP.

## RECOMMENDATIONS

8. The drafting group recommends that the CCMMP endorse the following food additive provisions for adoption by the Codex Alimentarius Commission.

9. In some instances, the drafting group has identified specific food additive provisions for which additional information is requested with the understanding that if this information is not provided to the 7<sup>th</sup> Session of the CCMMP, the Committee should agree to discontinue further consideration of these food additive provisions.

### Recommendation 1

#### Heat Treated Fermented Milks (Flavored)

10. Only acids, acidity regulators, colors, emulsifiers, flavour enhancers, packaging gases, stabilizers, thickeners, and sweeteners used in accordance with Table 3 of the Codex General Standard for Food Additives (CODEX STAN 192) are acceptable for use in flavoured heat treated fermented milks conforming to this standard.

11. The following food additives are also acceptable for use in flavoured heat treated fermented milks.

Heat Treated Fermented Milks (Flavoured) <sup>2</sup>					
INS #	Substance	Functional Class	ML		Comments
334; 335i, ii; 336i,ii; 337	Tartrates	Acidity Regulator	2,000	mg/kg	
574	Gluconic Acid	Acidity Regulator	GMP		
100i	Curcumin	Colour	100	mg/kg	
101i,ii	Riboflavins	Colour	GMP		Request proposal for numeric ML
132	Indigotine	Colour	100	mg/kg	
150b	Caramel Class II	Colour	150	mg/kg	
150c	Caramel Class III	Colour	2,000	mg/kg	
150d	Caramel Class IV	Colour	2,000	mg/kg	
160ai,e,f	Carotenoids	Colour	100	mg/kg	
160aai	Carotenes, Vegetable	Colour	600	mg/kg	
160b	Annatto Extracts	Colour	100	mg/kg	
432-436	Polysorbates	Emulsifier	3,000	mg/kg	Request justification for the use of polysorbates as an emulsifier
473	Sucrose Esters of Fatty Acids	Emulsifier	5,000	mg/kg	
474	Sucroglycerides	Emulsifier	5,000	mg/kg	
475	Polyglycerol Esters of Fatty Acids	Emulsifier	2,000	mg/kg	
950	Acesulfame Potassium	Sweetener, Flavour Enhancer	1,000	mg/kg	Request justification for this ML

<sup>2</sup> The use of sweeteners is limited to milk-and milk derivative-based drinks energy reduced or with no added sugar.

Heat Treated Fermented Milks (Flavoured) <sup>2</sup>					
INS #	Substance	Functional Class	ML		Comments
951	Aspartame	Sweetener, Flavour Enhancer	3,000	mg/kg	Request justification for this ML
952	Cyclamates	Sweetener	250	mg/kg	
954	Saccharin	Sweetener	100	mg/kg	Request justification for this ML
955	Sucralose	Sweetener	400	mg/kg	
956	Alitame	Sweetener	100	mg/kg	
961	Neotame	Sweetener	GMP		Request proposal for a numeric ML
962	Aspartame-acesulfame	Sweetener	1,100	mg/kg	Request justification for this ML

## Recommendation 2

### Heat Treated Fermented Milks (Plain)

12. The following food additives are acceptable for use in plain heat treated fermented milks.

Heat Treated Fermented Milks (Plain)					
INS #	Substance	Functional Class	ML		Comments
260	Acetic Acid, Glacial	Acidity Regulator	GMP		
270	Lactic Acid (L-)	Acidity Regulator	GMP		
290	Carbon Dioxide	Packing Gas	GMP		
296	Malic Acid (DL-)	Acidity Regulator	GMP		
326	Potassium Lactate	Acidity Regulator	GMP		
327	Calcium Lactate	Acidity Regulator	GMP		
330	Citric Acid	Acidity Regulator	GMP		
331i	Sodium Dihydrogen Citrate	Acidity Regulator Stabilizer	GMP		
331iii	Trisodium Citrate	Acidity Regulator Stabilizer	1,500	mg/kg	
332i	Potassium Dihydrogen Citrate	Acidity Regulator Stabilizer	GMP		
332ii	Tripotassium Citrate	Acidity Regulator Stabilizer	GMP		
338;339i-iii; 340i-iii; 341i-iii; 342i,ii; 343ii,iii 450i,iii,v,vi; 451i,ii; 452i,ii,iv,v; 542	Phosphates	Acidity Regulator	200	mg/kg	
355-357, 359	Adipates	Acidity Regulator	GMP		Request proposal for numeric ML and justification for the use of adipates as an acidity regulator.
500ii	Sodium Hydrogen Carbonate	Acidity Regulator	1,500	mg/kg	
504i	Magnesium Carbonate	Acidity Regulator	GMP		
504ii	Magnesium Hydrogen Carbonate	Acidity Regulator	GMP		
507	Hydrochloric Acid	Acidity Regulator	GMP		
528	Magnesium Hydroxide	Acidity Regulator	GMP		
574	Gluconic Acid	Acidity Regulator	GMP		
575	Glucono delta-Lactone	Acidity Regulator	GMP		
941	Nitrogen	Packing Gas	GMP		
400	Alginic Acid	Stabilizer Thickener	5,000 mg/kg Singly or in combination.		
401	Sodium Alginate	Stabilizer Thickener			
402	Potassium Alginate	Stabilizer Thickener			
403	Ammonium Alginate	Stabilizer Thickener			
404	Calcium Alginate	Stabilizer Thickener			
406	Agar	Stabilizer Thickener		5,000	mg/kg

<b>Heat Treated Fermented Milks (Plain)</b>					
<b>INS #</b>	<b>Substance</b>	<b>Functional Class</b>	<b>ML</b>		<b>Comments</b>
407	Carrageenan	Stabilizer Thickener	5,000	mg/kg	
407a	Processed Euchema Seaweed	Stabilizer Thickener	5,000	mg/kg	
410	Carob Bean Gum	Stabilizer Thickener	5,000	mg/kg	
412	Guar Gum	Stabilizer Thickener	5,000	mg/kg	
413	Tragacanth Gum	Stabilizer Thickener	GMP		
414	Gum Arabic	Stabilizer Thickener	5,000	mg/kg	
415	Xanthan Gum	Stabilizer Thickener	5,000	mg/kg	
417	Tara Gum	Stabilizer Thickener	GMP		
418	Gellan Gum	Stabilizer Thickener	GMP		
440	Pectins (Amidated and Non-Amidated)	Stabilizer Thickener	10,000	mg/kg	
461	Methyl Cellulose	Stabilizer Thickener	GMP		
463	Hydroxypropyl Cellulose	Stabilizer Thickener	GMP		
464	Hydroxypropyl Methyl Cellulose	Stabilizer Thickener	GMP		
465	Methyl Ethyl Cellulose	Stabilizer Thickener	GMP		
466	Sodium Carboxymethyl Cellulose	Stabilizer Thickener	GMP		
470	Salts of Oleic Acid (Ca, K, Na)	Stabilizer	GMP		
471	Mono- and Di-glycerides	Stabilizer	5,000	mg/kg	
472a	Acetic and Fatty Acid Esters of Glycerol	Stabilizer	GMP		
472c	Citric and Fatty Acid Esters of Glycerol	Stabilizer	GMP		
472b	Lactic and Fatty Acid Esters of Glycerol	Stabilizer	GMP		
1200	Polydextrose	Stabilizer Thickener	50,000	mg/kg	
1400	Dextrins, White and Yellow, Roasted Starch	Stabilizer Thickener	50,000	mg/kg	
1401	Acid Treated Starch	Stabilizer Thickener	50,000	mg/kg	
1402	Alkaline Treated Starch	Stabilizer Thickener	50,000	mg/kg	
1403	Bleached Starch	Stabilizer Thickener	50,000	mg/kg	
1404	Oxidized Starch	Thickener	50,000	mg/kg	
1405	Enzyme Treated Starch	Thickener	50,000	mg/kg	
1410	Mono Starch Phosphate	Stabilizer Thickener	50,000	mg/kg	
1412	Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg	
1413	Phosphated Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg	
1414	Acetylated Distarch Phosphate	Thickener	50,000	mg/kg	
1420	Starch Acetate	Stabilizer Thickener	50,000	mg/kg	
1422	Acetylated Distarch Adipate	Stabilizer Thickener	50,000	mg/kg	
1440	Hydroxypropyl Starch	Thickener	50,000	mg/kg	
1442	Hydroxypropyl Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg	
1450	Starch Sodium Octenyl Succinate	Stabilizer Thickener	50,000	mg/kg	

**Recommendation 3**Fermented Milks (Flavoured)

13. Only acids, acidity regulators, colours, emulsifiers, flavour enhancers, packaging gases, stabilizers, sweeteners, and thickeners, used in accordance with Table 3 of the Codex General Standard for Food Additives (CODEX STAN 192) are acceptable for use in flavoured fermented milks conforming to this standard.

14. The following food additives are also acceptable for use in flavoured fermented milks.

Fermented Milks (Flavoured) <sup>3</sup>					
INS #	Substance	Functional Class	ML		Comment
262ii	Sodium diacetate	Acidity Regulator	GMP		Request proposal for numeric ML
334; 335i, ii; 336i,ii; 337	Tartrates	Acidity Regulator Stabilizer	2,000	mg/kg	
574	Gluconic Acid	Acidity Regulator	GMP		
120	Carmines	Colour	150	mg/kg	
132	Indigotine	Colour	150	mg/kg	
150b	Caramel Class II	Colour	150	mg/kg	
150c	Caramel Class III	Colour	2,000	mg/kg	
150d	Caramel Class IV	Colour	2,000	mg/kg	
160ai,e,f	Carotenoids	Colour	100	mg/kg	
160aii	Carotenes, Vegetable	Colour	600	mg/kg	
160b	Annatto Extracts	Colour	100	mg/kg	
163ii	Grape Skin Extract	Colour	100	mg/kg	
432-436	Polysorbates	Emulsifier	3,000	mg/kg	Request justification for the use of polysorbates as an emulsifier
472e	Diacetyltartaric and Fatty Acid Esters of Glycerol	Emulsifier Stabilizer,	10,000	mg/kg	
473	Sucrose Esters of Fatty Acids	Emulsifier	5,000	mg/kg	
474	Sucroglycerides	Emulsifier	5,000	mg/kg	
950	Acesulfame Potassium	Sweetener Flavour Enhancer	500	mg/kg	
951	Aspartame	Sweetener Flavour Enhancer	GMP		Request proposal for a numeric ML
952	Cyclamates	Sweetener	250	mg/kg	
954	Saccharin	Sweetener	200	mg/kg	Request justification for this ML
955	Sucralose	Sweetener	GMP		Request proposal for a numeric ML
956	Alitame	Sweetener	100	mg/kg	
961	Neotame	Sweetener	GMP		Request proposal for a numeric ML
962	Aspartame-acesulfame	Sweetener	1,100	mg/kg	Request justification for this ML

**Recommendation 4**Fermented Milks (Plain)

15. The following food additives are acceptable for use in plain fermented milks.

Fermented Milks (Plain) <sup>4</sup>				
INS #	Substance	Functional Class	ML	
331iii	Trisodium Citrate	Stabilizer	1500	mg/kg
334; 335i,ii; 336i,ii;	Tartrates	Stabilizer	GMP	

<sup>3</sup> The use of sweeteners is limited to milk-and milk derivative-based drinks energy reduced or with no added sugar.

<sup>4</sup> "The use of stabilizers and thickeners is restricted to reconstitution and recombination and if permitted by national legislation in the country of sale to the final consumer".

Fermented Milks (Plain) <sup>4</sup>				
INS #	Substance	Functional Class	ML	
337				
338;339i-iii; 340i-iii; 341i-iii; 342i,ii; 343ii,iii; 450i,iii,v,vi; 451i,ii; 452i,ii,iv,v; 542	Phosphates	Stabilizer	2,200	mg/kg
401	Sodium Alginate	Stabilizer Thickener	GMP	
405	Propylene Glycol Alginate	Thickener	5,000	mg/kg
406	Agar	Stabilizer Thickener	5,000	mg/kg
407	Carrageenan	Stabilizer Thickener	5,000	mg/kg
407a	Processed Euchema Seaweed	Stabilizer Thickener	5,000	mg/kg
410	Carob Bean Gum	Stabilizer Thickener	GMP	
412	Guar Gum	Stabilizer Thickener	GMP	
415	Xanthan Gum	Stabilizer Thickener	GMP	
416	Karaya Gum	Stabilizer Thickener	200	mg/kg
417	Tara Gum	Thickener	GMP	
418	Gellan Gum	Thickener	GMP	
425	Konjac Flour	Thickener	GMP	
440	Pectins (Amidated and Non-Amidated)	Stabilizer Thickener	GMP	
466	Sodium Carboxymethyl Cellulose	Stabilizer Thickener	GMP	
1400	Dextrins, White and Yellow, Roasted Starch	Stabilizer Thickener	50,000	mg/kg
1401	Acid Treated Starch	Thickener	50,000	mg/kg
1402	Alkaline Treated Starch	Stabilizer Thickener	50,000	mg/kg
1403	Bleached Starch	Stabilizer Thickener	50,000	mg/kg
1404	Oxidized Starch	Stabilizer Thickener	50,000	mg/kg
1405	Enzyme Treated Starch	Thickener	50,000	mg/kg
1410	Monostarch Phosphate	Stabilizer Thickener	50,000	mg/kg
1412	Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg
1413	Phosphated Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg
1414	Acetylated Distarch Phosphate	Thickener	50,000	mg/kg
1420	Starch Acetate	Stabilizer Thickener	50,000	mg/kg
1422	Acetylated Distarch Adipate	Stabilizer Thickener	50,000	mg/kg
1440	Hydroxypropyl Starch	Thickener	50,000	mg/kg
1442	Hydroxypropyl Distarch Phosphate	Stabilizer Thickener	50,000	mg/kg
1450	Starch Sodium Octenyl Succinate	Stabilizer Thickener	50,000	mg/kg

**Comments submitted in response to CL 2004/49-MMP**

Comments from: Argentina, Australia, Cuba, Czech Republic, European Community, Japan, Malaysia, Nigeria, Switzerland and United States of America

***General***

---

**ARGENTINA**

We suggest deleting the comment “**Non-Heat Treated**” from tables 1 and 2, as the name “**Fermented Milks**” itself implies that the food was not subject to any heat treatment (CODEX STAN 243-2003).

Where several functional effects are listed for the same additive, should it have different limits according to its functional effect, if necessary, we suggest indicating the maximum limit for each of these functional effects.

***Stabilizers***

We suggest limiting the use of **Tartrates** for all subcategories, as they are additives with their ADI assigned; their use according to GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

There are different limits of use for **Phosphates** in the different subcategories. There are no grounds to justify these differences; further, the proposed limits are high in some cases. The ADI of these additives is 70 mg/kg body weight, expressed in phosphorus. We suggest expressing the limit in P<sub>2</sub>O<sub>5</sub>.

Where salts are included and there are others under the GMP status and the same functional effect, we suggest listing them all provided that they are used in the processing of these products.

We suggest including the functional effect **Acidifier** for additives which, besides acting as acidity regulators, they have this functional effect, as it was authorised in the Standard for Fermented Milks.

**AUSTRALIA**

Some additives with GMP levels listed in the CL 2004/49-MMP tables have JECFA ADIs and therefore the users (industry, government) should consider maximum numerical levels as a fallback if the Codex Committee on Food Additives and Contaminants rejects GMP for these additives.

The sorbitans (491-2) and polyoxyethylenes (433-436) groups of additives are similar and others are regulated as processing aids under different names. Australia suggests that all be considered as additives in fermented milks.

Annex 1 includes bromelain (1101iii) – Australia supports this inclusion. However, the Codex (and also Australian) labelling provisions allow for declaration as enzyme (1101) or protease (1101). Considering the labelling situation, we suggest that all proteases, or even all enzymes with INS numbers, could be included even if not usually used in fermented milk products.

Bulking agents are not generally used in fermented milk products; however, the Australian generic approach is to permit them in all processed food as there is no “health” concern.

**CUBA**

Sobre la Lista consideramos lo siguiente:

No está justificado el uso de conservantes en productos que han sufrido tratamiento térmico.

No aprobamos el uso de sulfitos. El uso de aditivos debe estar justificado para un fin tecnológico.

**CZECH REPUBLIC**

According to practice of fermented milk producers in the Czech Republic we are sending next position on Specific Food Additive Listing for the CA Standard for Fermented Milks CL 2004/49 - MMP:

Food Additive List

Food additive list for Codex standard for fermented milks is relatively wider than it used in the Czech Republic.

Plain fermented yoghurts

Plain fermented yoghurts or similar products have been produced (if technologically necessary) with

- a) milk powder or whey concentrate powders
- b) modified starch E 1422, E 1442
- c) food gelatine

It means ad b), c) mostly low-fat yoghurts in order to reach the consistency of products.

Stabilizers and Thickeners

Used in flavoured fermented products:

Carrageenan E 407, 5 000 mg/kg max.  
 carob beenn gum E 410, GMP  
 guar gum E 412, GMP  
 xanthan gum E 415, GMP  
 pectines E 440, GMP  
 acetylated distarch adipate E 1422, GMP  
 hydroxypropyl distarch phosphate E 1442, GMP

Emulsifiers

mono- and diglycerides of fatty acids E 471, GMP  
 fatty acids esters E 472 b, f, GMP

Colours

curcumin E 100, 150 mg/kg max.  
 carmines E 120, 150 mg/kg  
 caramel colour E 159c, 2 000 mg/kg  
 caramel colour E 150d, 2000 mg/kg  
 carotenoids E 160 ai, e, f, 200 mg/kg  
 carotenes E 160 aii, GMP  
 beet red E 162, GMP  
 anthocyanine E 163 (according CA 163 ii "grape skin extract "only)

Sweeteners

acesulfame potassium E 950, 1 000 mg/kg max.  
 aspartame E 951, 3 000 mg/kg max.  
 cyclamates E 952, 250 mg/kg  
 saccharin E 954, 200 mg/kg  
 sucralose E 955, 400 mg/kg

Packing gases

carbon dioxide E 290, GMP  
 nitrogen E 950, GMP (if useful)



**JAPAN**

Recommended Food Additives not included in CL2004/49-MMP for fermented milks (Japan)

Functional Class	INS#	Name of Food Additive	Maximum use level		Identify product that food additive is to be used in			
					Non-Heat treated		Heat treated	
					Plain	Flavored	Plain	Flavored
Colours	160c	PAPRIKA OLEORESINS	500	mg/kg		x		X
Colours	160d	LYCOPENE	500	mg/kg		X		X
Colours	163i	ANTOCYANINS	GMP			X		X
Sweeteners	420	SORBITOL AND SORBITOL SYRUP	GMP			X		X
Sweeteners	421	MANBITOL	GMP			X		X
Sweeteners	953	ISOMALTITOL	GMP			X		X
Emulsifiers	322	LECITHIN	1	g/kg		X		X
Emulsifiers	410	CAROB BEAN GUM	GMP			X		X
Emulsifiers	415	XANTHAN GUM	GMP			X		X
Emulsifiers	440	PECTINS	GMP			X		X
Emulsifiers	472b	LACTIC AND FATTY ACID ESTERS OF GLYCEROL	GMP			X		X
Flavour Enhancers	459	BETA-CYCLODEXTRIN	0-5	mg/kg/day (ADI)		X		X
Flavour Enhancers	968	ERYTHRITOL	GMP			X		X
Acids	270	LACTIC ACID	GMP			X	X	X
Acids	296	DL-MALIC ACID	GMP			X	X	X
Acids	297	FUMARIC ACID	GMP			X	X	X
Acids	300	ASCORBIC ACID	GMP			X	X	X
Acids	325	SODIUM LACTATE	NOT SPECIFIED			X	X	X
Acids	330	CITRIC ACID	GMP			X	X	X
Acids	331iii	TRISODIUM CITRATE	GMP			X	X	X
Acids	334	L(+)-TARTARIC ACID	0-30	mg/kg/day (ADI)		X	X	X
Acids	574	GLUCONIC ACID	NOT SPECIFIED			X	X	X
Acidity Regulators	296	DL-MALIC ACID	GMP			X	X	X
Acidity Regulators	301	SODIUM ASCORBATE	GMP			X	X	X
Acidity Regulators	327	CALCIUM LACTATE	GMP			X	X	X
Acidity Regulators	330	CITRIC ACID	GMP			X	X	X
Acidity Regulators	331	SODIUM CITRATE	GMP			X	X	X
Acidity Regulators	331iii	TRISODIUM CITRATE	GMP			X	X	X
Acidity Regulators	350ii	SODIUM DL-MALTATE	GMP			X	X	X
Acidity Regulators	450iii	TETRA-SODIUM PYROPHOSPHATE	MTDI 70			X	X	X
Acidity Regulators	500ii	SODIUM HYDROGEN CARBONATE	1.5	g/kg		X	X	X
Stabilizers	460i	MICROCRYSTALLINE CELLULOSE	NOT SPECIFIED		X	X	X	X
Stabilizers	460ii	POWDERED CELLULOSE	GMP		X	X	X	X
Stabilizers	509	CALCIUM CHLORIDE	NOT SPECIFIED		X	X	X	X
Stabilizers	900a	PORYDIMETYLSILOXANE	50	mg/kg	X	X	X	X
Thickeners	417	TARA GUM	GMP		X	X	X	X
Thickeners	418	GELLA GUM	GMP		X	X	X	X
Thickeners	340i	POTASSIUM DIHYDROGEN PHOSPHATE	8800	mg/kg	X	X	X	X

Functional Class	INS#	Name of Food Additive	Maximum use level		Identify product that food additive is to be used in			
					Non-Heat treated		Heat treated	
					Plain	Flavored	Plain	Flavored
Thickeners	340ii	DIPOTASSIUM HYDROGEN PHOSPHATE	8800	mg/kg	X	X	X	X
Thickeners	340iii	TRIPOTASSIUM PHOSPHATE	8800	mg/kg	X	X	X	X
Thickeners	1414	ACETYLATED DISTARCH PHOSPHATE	GMP		X	X	X	X
Preservatives	306	MIXED TOCOPHEROL CONCENTRATE	GMP					X
Preservatives	307	D-ALPHA-TOCOPHEROL	GMP					X
Preservatives	307b	TOCOPHEROL COBCENTRATE, MIXED	GMP					X
Preservatives	307c	DL-ALPHA-TOCOPHEROL	GMP					X

## NIGERIA

No African Country was considered in the drafting group led by the United States. We believe that Africa being a major consumer of fermented milk products ought to have been represented in the drafting group which could have made it more transparent, credible and acceptable as required by any international standard.

The categorization of food additives for fermented milk should be consistent with the provisions of the codex objectives of consumers' protection to facilitate detection, control of fraudulent practices and implementation of food safety standards.

The side effects and safety margin of the various additives were neither specified nor rated.

Also of concern is the cost of additives being considered; would the developing countries be able to afford these additives at cost effective prices? If not the unsatisfactory consequences in respect to international trade in fermented milk for the developing countries are obvious, as it will create additional constraints to global trade.

Finally we will appreciate being kept posted on future developments on this issue.

## SWITZERLAND

### Wrong functional class assigned

Wrong functional class assigned and therefore not permitted in fermented milks:

INS #	Substance	Functional class according to JECFA evaluation
181	TANNIC ACID	clarifying agent, flavouring agent, flavour adjunct
342i	AMMONIUM DIHYDROGEN PHOSPHATE	Buffering agent, dough conditioner, leavening agent
365	SODIUM FUMARATE	flavour enhancer, buffering agent, acidulant
541i	SODIUM ALUMINIUM PHOSPHATE, ACID	raising agent
636	MALTOL	flavouring agent
900	POLYDIMETHYLSILOXANE	antifoaming agent, anticaking agent

### Additives to delete

541 ii is only considered as emulsifier not as acidity regulator. To our knowledge it is not used in fermented milks.

542 is considered as emulsifying agent and anticaking agent; moisture retaining agent; sequestrant. Therefore we doubt its use in fermented milks.

342 ii di-ammonium hydrogen phosphate we have no knowledge of its use in fermented milks.

1101 iii Bromelain is a proteinase, the use of a proteinase in dairy products can lead to bitterness. Therefore Switzerland proposes to delete Bromelain from the list of additives for fermented milks, especially fermented milks not heat treated after fermentation.

Because of their low ADI, their allergenic potential and the possibility to use other colours instead, Switzerland is of the opinion, that the following colours should be deleted:

INS #	Substance
102	TARTRAZINE
104	QUINOLINE YELLOW
110	SUNSET YELLOW
120	CARMINES
122	AZORUBINE
123	AMARANTH
124	PONCEAU 4R
128	RED 2G
129	ALLURA RED AC
133	BRILLIANT BLUE FCF
151	BRILLIANT BLACK
155	BROWN HT
160b	ANNATTO
161g	CANTHAXANTHIN

### *Non-Heat Treated Fermented Milks (Plain)*

#### EUROPEAN COMMUNITY

The European Community is of the view that no food additives are necessary in plain fermented milks which are not heat-treated. Therefore, the EC does not support any of the listed food additives.

#### JAPAN

Recommended Food Additives not included in CL2004/49-MMP for fermented milks (Japan)

Recommended points as newly or added are emphasize words (see below).

INS#	Functional Class	Name of Food Additive	Maximum use level	Remark
460i	Stabilizers	MICROCRYSTALLINE CELLULOSE	NOT SPECIFIED	newly
460ii	Stabilizers	POWDERED CELLULOSE	GMP	newly
509	Stabilizers	CALCIUM CHLORIDE	NOT SPECIFIED	newly
900a	Stabilizers	PORYDIMETYLSILOXANE	50 mg/kg	newly
417	Thickeners	TARA GUM	GMP	newly
418	Thickeners	GELLA GUM	GMP	newly
340i	Thickeners	POTASSIUM DIHYDROGEN PHOSPHATE	8800 mg/kg	added
340ii	Thickeners	DIPOTASSIUM HYDROGEN PHOSPHATE	8800 mg/kg	added
340iii	Thickeners	TRIPOTASSIUM PHOSPHATE	8800 mg/kg	added
1414	Thickeners	ACETYLATED DISTARCH PHOSPHATE	GMP	newly

#### MALAYSIA

Malaysia proposes to include Lactic Acid INS 270 and Citric Acid INS 330 at GMP as both acids functions as acidity regulator in Non-Heat Treated Fermented Milks (Plain).

The table for non heat treated fermented milks (plain) should have the remark that the use of stabilizers and thickeners “is restricted to reconstitution and recombination and if permitted by national legislation in the country of sale to the final consumer”.

#### SWITZERLAND

Switzerland would like to draw the attention to the fact that within the same table some additives are listed several times with different maximum use levels (e.g. 338, 339i-iii, 340i-iii, ...; 8800 mg/kg or 10500 mg/kg). Only one use level should be maintained. While calculating the appropriate use level, the ADI as well as other sources of the base element of the additive should be taken in consideration. Example: The phosphorous content of INS 442 is to be included in the ADI for phosphates (338, 339 etc).

**UNITED STATES OF AMERICA**

The US can support the proposed stabilizers and thickeners.

***Non-Heat Treated Fermented Milks (Flavoured)*****AUSTRALIA**

Phosphates (338; 339i-iii; 340i-iii; 341i-iii; 342i,ii; 343ii,iii; 450i,iii,v,vi; 451i,ii; 452i,ii,iv,v; 542) are specified at 8800mg/kg and 10500mg/kg. Australia would appreciate clarification of the differences in levels.

Australian national legislation lists the following (additional) food additives as permitted:

<b>INS #</b>	<b>Functional Class</b>	<b>Substance</b>	<b>ML</b>
103	Colour	ALKANET (& ALKANNIN)	GMP
141	Colour	CHLOROPHYLLS COPPER COMPLEXES	GMP
160c	Colour	PAPRIKA OLEORESINS	GMP
160d	Colour	LYCOPENE	GMP
161a	Colour	FLAVOXANTHIN	GMP
161b	Colour	LUTEIN	GMP
161c	Colour	KRYPTOXANTHIN	GMP
161d	Colour	RUBIXANTHIN	GMP
161e	Colour	VIOLAXANTHIN	GMP
161f	Colour	RHODOXANTHIN	GMP
164	Colour	SAFFRON, CROCETIN, CROCIN	GMP
261	Acidity Regulator	POTASSIUM ACETATE OR DIACETATE	GMP
262	Acidity Regulator	SODIUM ACETATES	GMP
264	Acidity Regulator	AMMONIUM ACETATE	GMP
322	Emulsifier	LECITHIN	GMP
325	Acidity Regulator, Bulking Agent	SODIUM LACTATE	GMP
326	Acidity Regulator, Bulking Agent	POTASSIUM LACTATE	GMP
327	Acidity Regulator	CALCIUM LACTATE	GMP
328	Acidity Regulator	AMMONIUM LACTATE	GMP
329	Acidity Regulator	MAGNESIUM LACTATE	GMP
330	Acidity Regulator	CITRIC ACID	GMP
333	Acidity Regulator, Stabiliser	CALCIUM CITRATE	GMP
349	Acidity Regulator	AMMONIUM MALATE	GMP
350	Acidity Regulator	SODIUM MALATES	GMP
351	Acidity Regulator	POTASSIUM MALATES	GMP
352	Acidity Regulator	CALCIUM MALATES (I.E. 352I, 352II)	GMP
353	Acidity Regulator	METATARTARIC ACID	GMP
366	Acidity Regulator	POTASSIUM FUMARATE	GMP
367	Acidity Regulator	CALCIUM FUMARATE	GMP
368	Acidity Regulator	AMMONIUM FUMARATE	GMP
381	Acidity Regulator	FERRIC AMMONIUM CITRATE	GMP
409	Thickener, Stabiliser	ARABINOGALACTAN (LARCH GUM)	GMP
420	Sweetener, Emulsifier	SORBITOL	GMP
421	Sweetener	MANNITOL	GMP
422	Sweetener	GLYCERIN	GMP
472a	Stabiliser	ACETIC AND FATTY ACID ESTERS OF GLYCEROL	GMP
472c	Stabiliser	CITRIC AND FATTY ACID ESTERS OF GLYCEROL	GMP
481	Emulsifier, Stabiliser	SODIUM LACTYLATE	GMP
482	Emulsifier, Stabiliser	CALCIUM LACTYLATE	GMP
518	Firming Agent	MAGNESIUM SULPHATE	GMP
577	Firming Agent	POTASSIUM GLUCONATE	GMP
953	Sweetener	ISOMALT	GMP
957	Also a Flavour Enhancer	THAUMATIN	GMP
961	Sweetener	NEOTAME	GMP
962	Sweetener	ASPARTAME-ACESULPHAME	1100mg/kg
1105	Preservative	LYSOZYME	GMP
1405	Stabiliser, Thickener	ENZYME TREATED STARCHES	GMP

Australian national legislation permits the following food additives at GMP (i.e. no maximum limit specified):

INS #	Substance	ML
100	CURCUMINS	GMP
120	CARMINES	GMP
150a,b,c,d	CARAMELS	GMP
160a,e,f	CAROTENES, B-APO-8'CAROTENAL, METHYL OR ETHYL ESTERS OF B-APO-8'CAROTENOIC ACID	GMP
163	ANTHOCYANINS (INCLUDES BLACK CURRANT AND GRAPE SKIN EXTRACT)	GMP
334, 335, 336, 337	TARTRATES	GMP
338-343	PHOSPHATES	GMP
355, 357	ADIPATES	GMP
405	PROPYLENE GLYCOL ALGINATE	GMP
432-436	POLYSORBATES	GMP
442	AMMONIUM SALT OF PHOSPHATIDIC ACID	GMP
450-452	PHOSPHATES	GMP
472e	DIACETYLTARTARIC AND FATTY ACID ESTERS OF GLYCEROL	GMP
473	SUCROSE ESTERS OF FATTY ACIDS	GMP
477	PROPYLENE GLYCOL ESTERS OF FATTY ACIDS	GMP
481	SODIUM LACTYLATES	GMP
482	CALCIUM LACTYLATES	GMP
491 & 492	SORBITAN ESTERS OF FATTY ACIDS	GMP
900a	POLYDIMETHYLSILOXANE	GMP
951	ASPARTAME	GMP
955	SUCRALOSE	GMP

#### EUROPEAN COMMUNITY

The EC does not support the use of these colours in fermented milks due to their low ADI.	123 amaranth, 127 erythrosine, 128 red 2G, 161g canthaxantin
The EC does not support this use, propylene glycol is not a colour but used as a carrier in flavours. Therefore, it may be present in the fermented milk but only through the carry over.	1520 propylene glycol
This additive is not contained in the GSFA. It should be verified if JECFA has evaluated its safety, if not, it should not be contained in the list.	383 calcium glycerophosphate
The EC questions the need for these food additives in flavoured non-heat treated fermented milks.	338 to 452 and 542 phosphates, 405 propylene glycol alginate, 425 konjac flour, 442 phosphaticid acid, ammonium salt, 476 polyglycerol esters of interesterified ricinoleic acid, 541i sodium aluminium phosphates, 900a polydimethyl siloxane

**JAPAN**

Recommended Food Additives not included in CL2004/49-MMP for fermented milks (Japan)

Recommended points as newly or added are emphasize words (see below).

INS#	Functional Class	Name of Food Additive	Maximum use level		Remark
160c	Colours	PAPRIKA OLEORESINS	500	mg/kg	newly
160d	Colours	LYCOPENE	500	mg/kg	newly
163i	Colours	ANTOCYANINS		GMP	newly
420	Sweetners	SORBITOL AND SORBITOL SYRUP		GMP	newly
421	Sweetners	MANBITOL		GMP	newly
953	Sweetners	ISOMALTITOL		GMP	newly
322	Emulsifiers	LECITHIN	1	g/kg	newly
410	Emulsifiers	CAROB BEAN GUM		GMP	added
415	Emulsifiers	XANTHAN GUM		GMP	added
440	Emulsifiers	PECTINS		GMP	added
472b	Emulsifiers	LACTIC AND FATTY ACID ESTERS OF GLYCEROL		GMP	added
459	Flavour Enhancers	BETA-CYCLODEXTRIN	0-5	mg/kg/day(ADI)	newly
968	Flavour Enhancers	ERYTHRITOL		GMP	added
270	Acidity Regulatours	LACTIC ACID		GMP	newly
296	Acidity Regulatours	DL-MALIC ACID		GMP	newly
297	Acidity Regulatours	FUMARIC ACID		GMP	newly
300	Acidity Regulatours	ASCORBIC ACID		GMP	newly
301	Acidity Regulatours	SODIUM ASCORBATE		GMP	newly
325	Acidity Regulatours	SODIUM LACTATE		NOT SPECIFIED	newly
327	Acidity Regulatours	CALCIUM LACTATE		GMP	newly
330	Acidity Regulatours	CITRIC ACID		GMP	newly
331	Acidity Regulatours	SODIUM CITRATE		GMP	newly
331iii	Acidity Regulatours	TRISODIUM CITRATE		GMP	added
350ii	Acidity Regulatours	SODIUM DL-MALTATE		GMP	newly
500ii	Acidity Regulatours	SODIUM HYDROGEN CARBONATE	1.5	g/kg	newly
574	Acidity Regulatours	GLUCONIC ACID		NOT SPECIFIED	newly
460i	Stabilizers	MICROCRYSTALLINE CELLULOSE		NOT SPECIFIED	added
460ii	Stabilizers	POWDERED CELLULOSE		GMP	added
509	Stabilizers	CALCIUM CHLORIDE		NOT SPECIFIED	newly
900a	Stabilizers	PORYDIMETYLSILOXANE	50	mg/kg	added
340i	Thickners	POTASSIUM DIHYDROGEN PHOSPHATE	8800	mg/kg	added
340ii	Thickners	DIPOTASSIUM HYDROGEN PHOSPHATE	8800	mg/kg	added
340iii	Thickners	TRIPOTASSIUM PHOSPHATE	8800	mg/kg	added

**MALAYSIA**

Malaysia proposes to include Lactic Acid INS 270 and Citric Acid INS 330 at GMP as both acids functions as acidity regulator in Non-Heat Treated Fermented Milks (Flavored).

Malaysia supports the food additive listing as in Annex 1 for non-heat treated and heat-treated fermented milks (plain and flavoured).

**UNITED STATES OF AMERICA**

The US generally supports the proposed colors, sweetener, emulsifier, flavour enhancers, acids, acidity regulator, stabilizer thickener, and packaging gases with a few exceptions.

Colours

Because of unresolved safety reasons, we do not support the inclusion of quinoline yellow (104), azorubine (122), amaranth (123), Ponceau 4R (124), red 2G (128), chlorophylls (140), copper complex chlorophyll (141i, 141ii), brilliant black PN (151), brown HT (155), grape skin extracts (163ii), or iron oxides (172i, 172ii, 172iii). We recommend that the CCMMP discontinue further consideration of these colors for inclusion in this standard.

We note that in order for the following colors to be safely added to food sold in the United States of America, they must be batched certified by the US Food and Drug Administration: tartrazine (FD&C Yellow No. 5), sunset yellow (FD&C Yellow No.6), erythrosine (FD&C Red No. 3), allura red AC (FD&C Red No. 40), indigotine (FD&C Blue No. 2), brilliant blue FCF (FD&C Blue No. 1), and fast green FCF (FD&C Green No. 3).

We note that propylene glycol (152) is listed as a color, this is incorrect. According to the Codex INS system, propylene glycol is used as an humectant,

wetting agent, or dispersing agent, all of which are additive technical classes not included in the standard (CX/MMP 04/6/10). We recommend that the CCMMP discontinue further consideration of this provision for propylene glycol.

Neither calcium tartrate (354) nor calcium glycerophosphate (383) have been assigned full ADIs by JECFA. Therefore, we recommend that the CCMMP discontinue further consideration of these additives.

The single entry for adipic acid (355) appears to be an error, since adipic acid is covered under the provisions for adipates (355-357, 359). We recommend that provision for adipic acid be discontinued and adipic acid be considered within the context of the provisions for adipates.

The JECFA revised the specifications of identity for diacetyltartaric and fatty acid esters of glycerol (472e) to include tartaric, acetic and fatty acid esters of glycerol (mixed) (472f). The CAC subsequently revoked INS number 472f. Therefore, we recommend that the CCMMP discontinue all provisions for 472f.

The US does not support the inclusion of any provisions for the use of cyclamates (952). Cyclamates are specifically prohibited for use in foods in the United States because of safety concerns. We recommend that the CCMMP discontinue further consideration of cyclamates in this standard.

### ***Heat-Treated Fermented Milks (Plain)***

---

#### **ARGENTINA**

##### ***Stabilizers***

Although the use of **Polydextrose** (INS 1200) is authorised in accordance with GMP and **Maltitol** (INS 965) and **Xylitol** (INS 967) do not have an ADI assigned; taking into account the laxative effect they have from a certain concentration, we suggest analyzing the real technological need for the use and, eventually, assign a condition for the use.

##### ***Emulsifiers***

The use of emulsifiers is not authorised for this subcategory of Fermented Milks. We suggest deleting **Mono and Diglycerides** (INS 471) and **Salts of Myristic, Palmitic and Stearic Acid** (INS 470) from the list of additives.

##### ***Acidity Regulators***

The use of **Calcium Malate** (INS 352ii) and **Adipates** (INS 357 and 359) should be limited to this subcategory, as their use in accordance with GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

**Citric Acid** (INS 330) is listed twice. We suggest including it as GMP unless there is technological justification to specify another limit of use that is not contained in the document.

**EUROPEAN COMMUNITY**

The EC questions the need for these food additives in plain heat treated fermented milks.	405 propylene glycol alginate, 425 konjac flour, 442 phosphatic acid, ammonium salt, 334, 335i, ii, 336i, ii, 337 tartrates, 470 salts of oleic acid, 471 mono- and diglycerides, 472a acetic and fatty acid esters of glycerol, 472b lactic and fatty acid esters of glycerol, 472c citric and fatty acid esters of glycerol, 472e diacetyltartaric and fatty acid esters of glycerol, 472f tartaric, acetic and fatty acid esters of glycerol, 965 maltitol, 967 xylitol, 1200 polydextrose
---	---

**JAPAN**

Recommended Food Additives not included in CL2004/49-MMP for fermented milks (Japan)

Recommended points as newly or added are emphasize words (see below).

INS#	Functional Class	Name of Food Additive	Maximum use level	Remark
300	Acidity Regulatours	ASCORBIC ACID	GMP	newly
301	Acidity Regulatours	SODIUM ASCORBATE	GMP	newly
325	Acidity Regulatours	SODIUM LACTATE	NOT SPECIFIED	newly
327	Acidity Regulatours	CALCIUM LACTATE	GMP	newly
331	Acidity Regulatours	SODIUM CITRATE	GMP	newly
350ii	Acidity Regulatours	SODIUM DL-MALTATE	GMP	newly
500ii	Acidity Regulatours	SODIUM HYDROGEN CARBONATE	1.5 g/kg	newly
574	Acidity Regulatours	GLUCONIC ACID	NOT SPECIFIED	newly
460i	Stabilizers	MICROCRYSTALLINE CELLULOSE	NOT SPECIFIED	newly
460ii	Stabilizers	POWDERED CELLULOSE	GMP	newly
509	Stabilizers	CALCIUM CHLORIDE	NOT SPECIFIED	newly
900a	Stabilizers	PORYDIMETYLSILOXANE	50 mg/kg	newly
340i	Thickeners	POTASSIUM DIHYDROGEN PHOSPHATE	8800 mg/kg	added
340ii	Thickeners	DIPOTASSIUM HYDROGEN PHOSPHATE	8800 mg/kg	added
340iii	Thickeners	TRIPOTASSIUM PHOSPHATE	8800 mg/kg	added

**UNITED STATES OF AMERICA**

The US can support the proposed acids, acidity regulator, stabilizer thickener, and packaging gases.

***Heat Treated Fermented Milks (Flavoured)*****ARGENTINA**

We suggest clarifying that **Tanic Acid** (INS 181), because it is not clear which is the functional effect in these products.

***Thickeners / Stabilizers***

The use of **Calcium Glycerophosphate** (INS 383) should be limited to this subcategory, as its use in accordance with GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

Although the use of **Polydextrose** (INS 1200) is authorised in accordance with GMP and **Maltitol** (INS 965), **Lactitol** (INS 966) and **Xylitol** (INS 967) do not have a specified ADI; taking into account the laxative effect they have from a certain concentration, we suggest analyzing the real technological need for the use and, eventually, assigning a condition for the use.



Colours

We suggest revising the authorisation of the use and the proposed limits of the colours listed below, taking into account the technological need for the use, as –in some cases— the proposed limits are high, colours are included which have very low ADIs and could be replaced with others.

**Tartrazine** (INS 102)  
**Quinoline Yellow** (INS 104)  
**Amaranth** (INS 123)  
**Erythrosine** (INS 127)  
**Red 2 G** (INS 128)  
**Brilliant Black** (INS 151)  
**Brown HT** (INS 155)  
**Canthaxanthin** (INS 161g)  
**Grape Skin Extract** (INS 163ii)  
**Iron Oxides** (INS 172 i,ii)

We believe that the use of the colours listed below should be limited to these subcategories, as their use in accordance with GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

**Riboflavines** (INS 101 i,ii)  
**Carotenes Vegetable** (INS 160 aii)  
**Canthaxanthin** (INS 160g)

We suggest deleting **Propylene Glycol** (INS 1520), as it does not act as a colour agent. The additive acts as a humectant, which functional effect has not been authorised for Fermented Milk (CODEX STAN 243-2003).

Acidity Regulators

**Phosphoric Acid** (INS 338) does not have the functional class under which it is listed. We suggest including it under the functional class Acidifier.

**Adipic Acid** (INS 355) is listed twice. We believe that the use of this acid, of **Adipates** (INS 357 and 359) and of **Calcium Tartrate** should be limited to this subcategory, as its use in accordance with GMP is not authorized (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

Emulsifiers

The use of **Cellulose** (INS 460) should be limited to this subcategory, as its use in accordance with GMP is not authorized (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

**Acetic and Fatty Acids Esters of Glycerol** (INS 472a) and **Citric and Fatty Acids Esters of Glycerol** (INS 472c) are not listed for these subcategories of Fermented Milk. There are no grounds to justify their deletion, we suggest including them.

Preservatives

There is no technological justification for the use of **Sulfites** (INS 220 - 228) in these products. We suggest reviewing the inclusion on this list, considering that there are other additives that may be used with the same purpose.

We suggest considering the exclusion of **p-Hydroxybenzoates** (INS 214 – 216 – 218) from the list, as they have very low ADIs.

We suggest listing **Acetic Acid and its salts** (INS 260 - 263) only once, including all technologically justified functional effects for these subcategories.

As regards **Sorbic Acid and its salts** (INS 220 - 233), we wish to point out once again that the use of preservatives in fermented milk obtained with GMP is not technologically justified.

**EUROPEAN COMMUNITY**

The EC does not support the use of these colours in fermented milks due to their low ADI.	123 amaranth, 127 erythrosine, 128 red 2G, 161g canthaxantin
The EC does not support this use, propylene glycol is not a colour but used as a carrier in flavours. Therefore, it may be present in the fermented milk but only through the carry over.	1520 propylene glycol
The EC questions this use and notes that tannic acid is not considered within the GSFA as its main use is as processing aid (clarifying agent).	181 tannic
The EC questions the need for these preservatives in heat treated products.	200-203 sorbates, 210-213 benzoates, 214-218 p-hydroxybenzoates, 220 – 228, 539 sulphites, 234 nisin, 280-283 propionic acid and its salts
This additive is not contained in the GSFA. It should be verified if JECFA has evaluated its safety, if not, it should not be contained in the list.	383 calcium glycerophosphate
The EC questions the need for these food additives in flavoured heat treated fermented milks.	338 to 452 and 542 phosphates, 405 propylene glycol alginate, 425 konjac flour, 442 phosphaticid acid, ammonium salt, 471 mono- and diglycerides, 472a acetic and fatty acid esters of glycerol, 472b lactic and fatty acid esters of glycerol, 472c citric and fatty acid esters of glycerol, 472e diacetyltartaric and fatty acid esters of glycerol, 472f tartaric, acetic and fatty acid esters of glycerol, 476 polyglycerol esters of interesterified ricinoleic acid, 477 propylene glycol esters of fatty acids, 481i, 482i stearyl-2-lactylates, 541i sodium aluminium phosphates, 900a polydimethyl siloxane

**JAPAN**

Recommended Food Additives not included in CL2004/49-MMP for fermented milks (Japan)

Recommended points as newly or added are emphasize words (see below).

INS#	Functional Class	Name of Food Additive	Maximum use level		Remark
160c	Colours	PAPRIKA OLEORESINS	500	mg/kg	newly
160d	Colours	LYCOPENE	500	mg/kg	newly
163i	Colours	ANTOCYANINS		GMP	newly
420	Sweeteners	SORBITOL AND SORBITOL SYRUP		GMP	newly
421	Sweeteners	MANBITOL		GMP	newly
953	Sweeteners	ISOMALTITOL		GMP	newly
322	Emulsifiers	LECITHIN	1	g/kg	newly
410	Emulsifiers	CAROB BEAN GUM		GMP	added
415	Emulsifiers	XANTHAN GUM		GMP	added
440	Emulsifiers	PECTINS		GMP	added
472b	Emulsifiers	LACTIC AND FATTY ACID ESTERS OF GLYCEROL		GMP	added
459	Flavour Enhancers	BETA-CYCLODEXTRIN	0-5	mg/kg/day(ADI )	newly
968	Flavour Enhancers	ERYTHRITOL		GMP	added
270	Acidity Regulators	LACTIC ACID		GMP	newly
296	Acidity Regulators	DL-MALIC ACID		GMP	newly
297	Acidity Regulators	FUMARIC ACID		GMP	newly
300	Acidity Regulators	ASCORBIC ACID		GMP	newly
301	Acidity Regulators	SODIUM ASCORBATE		GMP	newly

INS#	Functional Class	Name of Food Additive	Maximum use level		Remark
325	Acidity Regulators	SODIUM LACTATE	NOT SPECIFIED		newly
327	Acidity Regulators	CALCIUM LACTATE	GMP		newly
330	Acidity Regulators	CITRIC ACID	GMP		newly
331	Acidity Regulators	SODIUM CITRATE	GMP		newly
331iii	Acidity Regulators	TRISODIUM CITRATE	GMP		added
350ii	Acidity Regulators	SODIUM DL-MALTATE	GMP		newly
500ii	Acidity Regulators	SODIUM HYDROGEN CARBONATE	1.5	g/kg	newly
574	Acidity Regulators	GLUCONIC ACID	NOT SPECIFIED		newly
460i	Stabilizers	MICROCRYSTALLINE CELLULOSE	NOT SPECIFIED		added
460ii	Stabilizers	POWDERED CELLULOSE	GMP		added
509	Stabilizers	CALCIUM CHLORIDE	NOT SPECIFIED		newly
900a	Stabilizers	PORYDIMETYLSILOXANE	50	mg/kg	added
340i	Thickeners	POTASSIUM DIHYDROGEN PHOSPHATE	880 0	mg/kg	added
340ii	Thickeners	DIPOTASSIUM HYDROGEN PHOSPHATE	880 0	mg/kg	added
340iii	Thickeners	TRIPOTASSIUM PHOSPHATE	880 0	mg/kg	added
306	Preservatives	MIXED TOCOPHEROL CONCENTRATE	GMP		newly
307	Preservatives	D-ALPHA-TOCOPHEROL	GMP		newly
307b	Preservatives	TOCOPHEROL COBCENTRATE, MIXED	GMP		newly
307c	Preservatives	DL-ALPHA-TOCOPHEROL	GMP		newly

## UNITED STATES OF AMERICA

The US generally supports the proposed colors, sweetener, emulsifier, flavor enhancers, acids, acidity regulator, packaging gases, preservatives, stabilizers, and thickeners with a few exceptions.

### Colours

Because of unresolved safety reasons, we do not support the inclusion of quinoline yellow (104), azorubine (122), amaranth (123), Ponceau 4R (124), red 2G (128), chlorophylls (140), copper complex chlorophyll (141i, 141ii), brilliant black PN (151), brown HT (155), grape skin extracts (163ii), or iron oxides (172i, 172ii, 172iii). We recommend that the CCMMP discontinue further consideration of these colors for inclusion in this standard.

We note that in order for the following colors to be safely added to food sold in the United States of America, they must be batched certified by the US Food and Drug Administration: tartrazine (FD&C Yellow No. 5), sunset yellow (FD&C Yellow No.6), erythrosine (FD&C Red No. 3), allura red AC (FD&C Red No. 40), indigotine (FD&C Blue No. 2), brilliant blue FCF (FD&C Blue No. 1), and fast green FCF (FD&C Green No. 3).

We note that propylene glycol (152) is listed as a color, this is incorrect. According to the Codex INS system, propylene glycol is used as an humectant, wetting agent, or dispersing agent, all of which are additive technical classes not included in the standard (CX/MMP 04/6/10). We recommend that the CCMMP discontinue further consideration of this provision for propylene glycol.

The US can not support the use of any preservative in fermented milks. Therefore, we recommend that the CCMMP discontinue further consideration of all preservatives (sorbates, benzoates, hydroxybenzoates, sulfites, nisin, potassium acetates, and sodium acetate) in this standard.

Neither calcium tartrate (354) nor calcium glycerophosphate (383) have been assigned full ADIs by JECFA. Therefore, we recommend that the CCMMP discontinue further consideration of these additives.

The single entry for adipic acid (355) appears to be an error, since adipic acid is covered under the provisions for adipates (355-357, 359). We recommend that provision for adipic acid be discontinued and adipic acid be considered within the context of the provisions for adipates.

The JECFA revised the specifications of identity for diacetyltartaric and fatty acid esters of glycerol (472e) to include tartaric, acetic and fatty acid esters of glycerol (mixed) (472f). The CAC subsequently revoked INS number 472f. Therefore, we recommend that the CCMMP discontinue all provisions for 472f.

The US does not support the inclusion of any provisions for the use of cyclamates (952). Cyclamates are specifically prohibited for use in foods in the United States because of safety concerns. We recommend that the CCMMP discontinue further consideration of cyclamates in this standard.

### ***Fermented Milks (Plain)***

---

#### **ARGENTINA**

##### ***Thickeners / Stabilizers***

Given that the use of **Propylene Glycol Alginate** (INS 405), in accordance with GMP, is not authorised; we suggest establishing a limit of use for this subcategory (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

In Section 4 – Food Additives, of the Codex Standard for Fermented Milks, the use of **Stabilizers and Thickeners** is restricted to reconstitution and recombination and whether it is authorised by the national legislation in the country of sale to the final consumer. We propose that this explanation be included in order to complete the information provided and maintain consistency with the above-mentioned Standard.

Although the use of **Polydextrose** (INS 1200) is authorised in accordance with GMP and **Maltitol** (INS 965) and **Xylitol** (INS 967) do not have an ADI assigned; taking into account the laxative effect they have from a certain concentration, we suggest analyzing the real technological need for the use and, eventually, assigning a condition for the use.

##### ***Emulsifiers***

The use of emulsifiers is not authorised for this subcategory of Fermented Milks. We suggest deleting **Mono and Diglycerides** (INS 471) from the list of additives.

### ***Fermented Milks (Flavoured)***

---

#### **ARGENTINA**

We suggest clarifying that **Tanic Acid** (INS 181), because it is not clear which is the functional effect in these products.

##### ***Thickeners / Stabilizers***

The use of **Calcium Glycerophosphate** (INS 383) should be limited to this subcategory, as its use in accordance with GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

Although the use of **Polydextrose** (INS 1200) is authorised in accordance with GMP and **Maltitol** (INS 965), **Lactitol** (INS 966) and **Xylitol** (INS 967) do not have a specified ADI; taking into account the laxative effect they have from a certain concentration, we suggest analyzing the real technological need for the use and, eventually, assigning a condition for the use.

##### ***Colours***

We suggest revising the authorisation of the use and the proposed limits of the colours listed below, taking into account the technological need for the use, as –in some cases— the proposed limits are high, colours are included which have very low ADIs and could be replaced with others.

**Tartrazine** (INS 102)  
**Quinoline Yellow** (INS 104)  
**Amaranth** (INS 123)  
**Erythrosine** (INS 127)  
**Red 2 G** (INS 128)  
**Brilliant Black** (INS 151)  
**Brown HT** (INS 155)  
**Canthaxanthin** (INS 161g)  
**Grape Skin Extract** (INS 163ii)  
**Iron Oxides** (INS 172 i,ii)

We believe that the use of the colours listed below should be limited to these subcategories, as their use in accordance with GMP is not authorised (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

**Riboflavines** (INS 101 i,ii)  
**Carotenes Vegetable** (INS 160 aii)  
**Canthaxanthin** (INS 160g)

We suggest deleting **Propylene Glycol** (INS 1520), as it does not act as a colour agent. The additive acts as a humectant, which functional effect has not been authorised for Fermented Milk (CODEX STAN 243-2003).

#### Acidity Regulators

**Phosphoric Acid** (INS 338) does not have the functional class under which it is listed. We suggest including it under the functional class Acidifier.

**Adipic Acid** (INS 355) is listed twice. We believe that the use of this acid, of **Adipates** (INS 357 and 359) and of **Calcium Tartrate** should be limited to this subcategory, as its use in accordance with GMP is not authorized (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

#### Emulsifiers

The use of **Cellulose** (INS 460) should be limited to this subcategory, as its use in accordance with GMP is not authorized (CAC/STAN 192-1995, Rev. 5 (2004) – Table Three).

**Acetic and Fatty Acids Esters of Glycerol** (INS 472a) and **Citric and Fatty Acids Esters of Glycerol** (INS 472c) are not listed for these subcategories of Fermented Milk. There are no grounds to justify their deletion, we suggest including them.

#### Preservatives

There is no technological justification for the use of **Sulfites** (INS 220 - 228) in these products. We suggest reviewing the inclusion on this list, considering that there are other additives that may be used with the same purpose.

We suggest considering the exclusion of **p-Hydroxybenzoates** (INS 214 – 216 – 218) from the list, as they have very low ADIs.

We suggest listing **Acetic Acid and its salts** (INS 260 - 263) only once, including all technologically justified functional effects for these subcategories.

As regards **Sorbic Acid and its salts** (INS 220 - 233), we wish to point out once again that the use of preservatives in fermented milk obtained with GMP is not technologically justified.