

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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ORGANIZATION



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Agenda Item 4(b)

CX/PFV 06/23/9–Add. 1
October 2006

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON PROCESSED FRUITS AND VEGETABLES**

23rd Session

Arlington, VA (Washington DC metro area), U.S.A.,

16 – 21 October 2006

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PROPOSED DRAFT CODEX STANDARD FOR JAMS, JELLIES AND MARMALADES

(AT STEP 3)

Comments from Australia, Brazil, Cuba, Switzerland, and the United States

AUSTRALIA

Australia believes that the work of all Codex Committees should adhere to the key priority espoused in the Strategic Framework of Codex, namely to:

- *provide essential guidance for member countries through the continued development of international standards and guidelines relating to food safety and hygiene, nutrition, labelling and import/export inspection and certification systems and for the practical application of the concepts of equivalence and mutual recognition.*

Australia considers that Codex commodity standards should be based on sound science and essentiality criteria, provide maximum flexibility and should avoid wherever possible establishing quantitative limits for quality. Quality provisions are fundamentally driven by commercial and market requirements and Codex standards should not constitute a barrier to trade.

- As stated previously, Australia considers that Codex commodity standards should provide essential product definitions and maximum flexibility, should be based on criteria of essentiality, and should not constitute a barrier to trade. Australia believes that the definitions contained in the proposed draft standard have the potential to restrict innovation in these products and may constitute a technical barrier to trade.
- Australia produces a number of non-fruit jams, jellies and marmalades, for example chilli jam and onion marmalade, which would not be allowed for in the currently proposed standard.
- The review of the Jam standard has been initiated with a view to simplifying the standard and making the acceptance of Codex standards by Governments easier (Alinorm 99/27, paras. 6-9). Australia believes that the introduction of a positive list of vegetables into the proposed definition for fruit overly complicates the standard and makes it unnecessarily prescriptive.
- Furthermore, whilst Australia appreciates that traditionally the standard has aimed to cover products that are clearly aimed as a breakfast product for use on toast or bread and normally derived from citrus fruits, it should be noted that this is not clearly stated anywhere in the standard and as such Australia considers that this should not be assumed and that the standard should not attempt to define an acceptable usage for these products. Moreover, the definition of what constitutes a “breakfast” product has not been established and may differ vastly between countries.
- Australia therefore requests the Committee give consideration to amending the proposed draft standard to allow for current and future innovation in these products by adopting definitions that cater for the broad range of fruits and vegetables that may be used to produce jams, jellies and marmalades (see comments under Section 2.2).

2.1 Product Definitions

“Extra” / “High Fruit” Products

- Australia believes definitions for “Extra” and “High fruit” products are unnecessarily prescriptive. The term “Extra” is particularly confusing and misleading to consumers. Australia believes these definitions are unnecessary and should not be included in an international standard.

2.2 Other Definitions

Fruit

- As stated above, Australia considers that the proposed definition for fruit has the potential to impede innovation in these products because it restricts products to a positive list. Australia supports a definition that allows innovation in these products and caters for the broad range of fruits and vegetables that may be used to produce jams, jellies and marmalades.
- Furthermore, Australia believes that the quality provisions included in the proposed definition for fruit are misplaced and should be moved to Section 3.1.1 Basic Ingredients.

2.3 Styles

- As noted by the Codex Secretariat in their comments, Australia considers that this section is unnecessary since there are no presentation styles defined within the standard. Furthermore, Australia believes that provisions for styles do not impact upon food safety and therefore should not be included in the standard. Australia therefore suggests deleting this section of the draft.

3. Essential Composition and Quality Factors

3.1.1 Basic Ingredients

- As stated above, Australia considers that the quality provisions included under the definition for fruit in the proposed standard should be moved to Section 3.1.1 Basic Ingredients. Moreover, Australia considers that, in addition to fresh fruit, fruit that has been processed or preserved should be permitted as a source of raw material, as allowed for in the pre-existing standard for jams and jellies (Codex Stan 79-1981). Australia therefore supports the text in square brackets for provision (a) under this section of the standard, with the following amendments:

*“Fruit as defined in Section 2.2 and that is ~~fresh, frozen~~, substantially sound, wholesome and clean which is of suitable ripeness but free from deterioration and containing all the essential characteristics except that it has been trimmed, sorted and otherwise treated to remove blemishes, bruises, toppings, tailings, cores, pits (stones) and may or may not be peeled. **Fruit may be fresh, frozen, canned, concentrated or otherwise processed or preserved.**”*

3.1.2 Fruit Content

(a) Jam and Jelly

- Some Australian ginger jam products (labelled as ‘ginger marmalade’) are produced with a ginger content of 11%. Australia therefore supports a minimum fruit content for ginger of 11%.

(c) Marmalade

- The Australia New Zealand Food Standards Code does not set minimum fruit content and endocarp levels for marmalades and Australia considers that quantitative provisions should only be included to support fair trade in produce and must allow for global variability and innovation. Australia considers that the proposed minimum levels for fruit content and endocarp are reflective of traditional marmalades and do not allow for the range of innovative marmalade products that are increasingly available. For example, Australian manufacturers produce a lime marmalade which would not meet the proposed levels by virtue of the fruit itself. Australia considers the levels under consideration to be restrictive, with the potential to impede innovation in these products, and looks forward to discussing them in greater detail at the meeting.

3.3.1 General Requirements

- Australia considers that the provision contained in square brackets against paragraph (a) may be deleted given the inclusion of the amendments proposed for paragraph (a) under Section 3.1.1. Basic Ingredients (see comments under Section 3.1.1).

4. Food Additives

- In general Australia believes that additive permissions listed in commodity standards should not duplicate permissions included in the General Standard for Food Additives (GSFA). Australia therefore generally supports the inclusion of a general statement referring to the GSFA under the food additives section of standards developed by the CCPFV.
- Whilst the position outlined above is Australia's general position, Australia notes the decision made at the last session of the CCPFV to keep a list of individual provisions for food additives subject to endorsement by the CCFA and inclusion in the GSFA, until the CCFA has resolved the issue of the relationship between Codex commodity committees and the GSFA.
- In adopting this approach and as suggested by the Codex Secretariat in their comments, Australia believes that the Committee should take into account provisions of the GSFA when considering food additive provisions in individual commodity standards.

4.3 Acidity Regulators

- With regard to sodium hydroxide, Australia believes that the statement "*in jams, jellies and marmalades only*" is superfluous and should be deleted.

4.4 Firming Agents

- Australia considers that Calcium carbonate (INS 170i) is misplaced under this section. Australia considers that the technological function of this additive in the products covered by this standard is as an acidity regulator. Moreover, Australia notes that calcium carbonate is not listed as a firming agent in the GSFA. Australia therefore suggests that the provision for calcium carbonate be moved to Section 4.3.

4.6 Preservatives

- Under the Australia New Zealand Food Standards Code, the preservatives listed in the proposed draft Standard are only permitted to be specifically added to reduced sugar jams and related products. Since this standard does not cover these products, Australia questions the inclusion of these provisions, with the exception of the provision for sulphur dioxide as residual carry over.

4.8 Colours

- Under the Australia New Zealand Food Standards Code, the following colours are permitted to 290mg/kg singly or in combination: Quinoline Yellow (INS 140), Sunset Yellow FCF (INS 110), Ponceau 4R (INS 124), Allura Red AC (INS 129), Brilliant Blue FCF (INS 133), Fast Green FCF (INS 143). Australia therefore requests that the Committee consider modifying the provisions for these colours to "*290mg/kg singly or in combination*".

8.1 Name of the Product

8.1.4

- As stated above, there are an increasing number of products in Australia that are labelled as "marmalades" but which do not contain citrus fruits. Australia is a significant producer of ginger marmalade products and agrees with the labelling exemptions in Section 8.1.4 which allow products labelled as "ginger marmalade" not to contain citrus products as required by the definition.
- Australia considers that ginger marmalade is only one example of non-citrus fruit marmalades and thus suggests instead of such individual permissions, a broader permission for innovative non-citrus fruit marmalades be introduced.
- Australia proposes to amend 8.1.4 as follows:

*"Jam made from **non-citrus fruits, including but not limited to** ginger, pineapple, or figs, with or without the addition of citrus fruits may be called "**xxx marmalade**" (e.g., "ginger marmalade", "~~pineapple marmalade~~" or "~~fig marmalade~~" etc) if this is the customary name in the country of sale".*

8.1.2 and 8.1.5

- Australia considers that the two separate provisions contained in 8.1.2 and 8.1.5 may lead to confusion. Furthermore, Australia considers that the reference to "marmalades which are not made exclusively from oranges" under clause 8.1.5 has the potential to restrict innovation and product development. For example, Australian manufacturers produce marmalades that are made from citrus fruits other than oranges.

Australia notes the clarification provided by the chair of the Working Group on these two provisions. Since these provisions are intended to be complementary requirements, Australia suggests that the provision contained in 8.1.5 be re-positioned to form a sub-section of 8.1.2. The detail of this new 8.1.2.1 provision for orange marmalades will need to be considered in light of the outcome of the debate on fruit content for marmalades (see comments under Section 3.1.2 (c)).

BRAZIL

Paras 1 to 8 – Brazil has no comments.

Para. 9 – Brazil agrees with the new definition in square brackets ought the term “or both” remains in the text and the term “unconcentrated” not be part of it. Brazil would like to know the technical justification for using only unconcentrated fruit pulp in the production of jams as this may lead to a technical barrier to future innovation and trade from countries where concentrated tropical fruit pulps are more common.

Brazil suggests the addition of the terms “still with parts of the fruit pulp” to the definition of jams as this is the main characteristic of the product.

The **Section 2.1 Product definition** should be: “Jam is the spreadable product *still with parts of the fruit pulp*, prepared by boiling whole fruit or pieces of fruit, fruit pulp or puree *or both*, made from *concentrated or* unconcentrated fruit pulp of one or more kinds of fruit.”

Paras. 10 to 16, in combination to Paras. 24 to 27 and 53 to 58 – Brazil suggests that the relevance of the continued use of terms like “extra”, “high” and “high fruit” should be clarified before any definition of terms.

As CODEX Standards are also to facilitate commerce, Brazil agrees that these terms could be unnecessary, though; and that local or regional definitions should be avoided to the adoption of a harmonized and more technical definition, based on total fruit quantity.

Brazil agrees that the information on single fruit quantity could lead to the disclosure of proprietary information of the product, but considering the very simple list of ingredients of a jam and the easy to get this information through composition analysis, Brazil suggests that this should be taken into consideration to the adoption of the term “total fruit quantity”, as in the definition of jam and jelly in this proposed draft more than one kind of fruits can be used or stated to be used in a single product.

COMMENTS TO ANNEX I

Section 1 to Section 9 – Brazil has no comments, but suggests that the previous comments about Paras. 10 to 16, in combination to Paras. 24 to 27 and 53 to 58 be considered.

Section 2.2 – Other Definition – Brazil suggests the inclusion of the terms “peppers from *Capsicum* genus” to the list of vegetables recognized as suitable in making jams, as these products are suitable to be made and common in Brazil.

COMMENTS TO ANNEX II of CX/PFV 06/23/9 – PROPOSED DRAFT CODEX STANDARD FOR JAMS, JELLIES AND MARMALADES (AT STEP 3).

Brazil has no comments.

CUBA

General comments on the Proposed Draft:

The Standard does not include the option of producing jams and marmalades without gelling agents; a practice carried out in some countries that complies with the fruit and sugar content set in this Proposed Draft Standard. There is an international tendency towards the development of natural products. On the other hand, some countries produce jams and marmalades with a lower content of sugar and soluble solids (30 % minimum soluble solids) made without gelling agents (liquid jams and marmalades, viscous products) to be consumed as desserts, which are not taken into consideration in the drafting of this Standard, and are not designed for diabetic use or as low sugar products.

The Standard limits the concept of jams, jellies and marmalades to products that are to be consumed during breakfast as spreads on toast, which is also a limitation imposed on the consumption of this type of food products.

Products intended for the confectionery industry were excluded, but could have been covered by this Standard.

What will the countries do that include these products without gelling agents in their industry practices, countries that traditionally sell and even export these products to regions such as the European Economic Community (EEC)?

Besides these general comments on the Proposed Draft, we present the following comments on each part of the Proposed Draft Standard:

Section 1 – SCOPE

- **Regarding the use of the term “conserve/preserve” (Spanish: “conserva”) to represent jams:** Although this term is used in some countries as a name for this type of fruit conserve, its application is not correct in this case since a conserve is a “nourishing substance **preserved in a hermetically sealed container, which can be stored for a long time: *meat conserve, vegetable conserve*”¹.**
- The inclusion in the Standard of products intended for the bakery industry should be reconsidered. These products can be accommodated in the text in order to produce a more general Standard, taking advantage of the time invested in the standardization of these types of products.

Section 2.1 – Product Definitions**Jam:**

- We propose deleting the second paragraph of the definition enclosed in brackets. Jams are not only intended to be consumed as spreads; it would be more general to use the term “dessert” or “sweet” since some countries practice the direct consumption of this product.
- **In the definition of Extra Jam:** We propose: “is the product prepared with fruit(s) pulp and/or puree, unconcentrated or concentrated.” Remove the brackets.
As expressed by some countries, it is not practical to limit the production of these products to unconcentrated fruit(s) pulp and/or puree.
- Regarding the use of the terms “Extra Jam” and “Extra Jelly”, we have no objection to retaining them.
- We support the proposal of increasing the number of tropical fruits in the production of jams.
- There should be no limitations for the mixing of some fruits in the production of jams and jellies of any type. This practice does not hinder the quality of the finished product.

Marmalade:

- Although, according to what is explained, the Standard has traditionally established these products to be used at breakfast with toast, and that normally they are obtained from citric fruits; we disapprove of the exclusion of other fruits (non-citric, tropical and non-tropical) as well as establishing the habit of consumption in the Standard. Many countries produce marmalades from all kinds of fruits. This limitation to citric fruits in the Standard constitutes a barrier to trade and to industry practices.
- The presence of peel must be an optional requirement for each country: so, we approve the amendment that states that “some or all of the peel may be removed from the finished product.”

Fruit:

- If a definition is included for fruit which includes vegetables, it would be necessary to include all vegetables that can be used to make these products without the limitation of naming just a few.
- We support the inclusion of the use of “frozen fruit” as a source of raw material and dried.

Fruit Pulp:

- We accept the suggestion of adding the term “fleshy”.

Sugars:

- They do not have to be included (glucose syrup and fructose) if they are already covered by the Codex Standard for Sugars.

Section 3.1.1 – Basic Ingredients

- We approve the text as is, including the use of frozen fruit.

Section 3.1.2 – Fruit Content

- The regulation regarding the minimum fruit content should be retained to protect the interests of the consumer.

Section 3.1.3 – Other Permitted Ingredients

- Do not repeat the use of citrus fruit juice and citrus peel since it is already permitted under the definition of the product.
- According to what was explained for **Liquid pectin**, delete **Vinegar** and the **Natural Flavours**.

¹ *Diccionario Larousse Español* (Larousse Spanish Dictionary)

Section 3.2 – Soluble Solids

- We support the minimum level of 60 % for soluble solids, taking into consideration that the preservation of the product is assured, and that it agrees with the tendency and/or necessity of reducing sugar intake.

Section 3.3.2 – Defects and Allowances for Jams

- The general provision stating that products should largely be free of defects such as the ones mentioned should be retained in the text.

Section 4 – Food Additives

- Keep the complete list in this Section.

Section 4.8 – Colours

- A technological rationale should be asked from countries regarding the use of so many colours for these products. Only the necessary ones should be retained.

Section 8.1 – Name of the Product

- We reiterate the proposal of not utilizing the term “conserve” for jams.

Section 8.2 – Fruit Quantity and Sugar Declaration

- This requirement should be optional for each country. Some countries include a declaration of the content of soluble solids on the label, so it could be considered optional.

COMMENTS ON ANNEX II, CODEX SECRETARIAT - SUGGESTIONS:**Section 1 (b) – Scope**

- Define sweetener as “a non-sugar substance which imparts a sweet taste to a food” and assign a number to it according to the Class Names and the International Numbering System for Food Additives.

Section 3.2 – Other Styles

- This is not necessary and must be deleted from the text of the Standard.

Section 3.4 – Lot Acceptance

- We agree with the proposed wording for both texts.

Section 4 – Food Additives

- Keep an individual list for food additives subject to endorsement by the Codex Committee on Food Additives, for inclusion in the General Standard for Food Additives (GSFA).

Section 7.1.1 – Minimum Fill

- Provisions for flexible or rigid containers should be included.

SWITZERLAND

Switzerland agrees with most of the proposed amendments. However, we do have some specific comments that we have outlined as follows:

1. SCOPE**1.1 Non-carbohydrate sweeteners**

Switzerland agrees that further discussion is needed as regards the use of the term "Non-carbohydrate sweeteners". The Committee should take into account the terms used by the Codex Committee on Food Additives especially in the General Standard for Food Additives as well as the terms used by the Codex Committee on Food Labelling.

2. DESCRIPTION

This Standard applies to jams, jellies and marmalades made from fruits and vegetables recognised as suitable in making jams. In accordance with other Codex Standards and to clarify the kind of basic ingredients used, *Switzerland would like to propose the inclusion of the Latin names of the genus of the fruits and vegetables mentioned in this section.*

2.1 Product definition**Definition of Jam**

Switzerland believes that there is merit in including the terms used in the definition given in square brackets. The merged definitions could read as follows:

Jam

"Is the product brought to a suitable gelled consistency, made from whole fruit and/or pieces of fruit, and/or fruit pulp and/or fruit puree, of one or more kinds of fruit, which is mixed with sugars as defined in Section 2.2, with or without the addition of water."

Definition of Jelly and Extra Jelly

There are also two definitions given for Jelly and Extra Jelly. The kinds of products meant for the second definition for Jelly and Extra Jelly are not clear. The Scope clearly indicates that jams, jellies and marmalades have important contents of sugar (also see Scope 1.1. (c) This standard does not apply to reduced sugar products or those with a very low sugar content). For this reason, and due to the fact that additives are not normally mentioned in product definitions, *Switzerland proposes the deletion of the second definition given in square brackets.*

List of forbidden fruits and vegetables in mixed "Extra Jam" and "Extra Jelly" products

The product definitions for "Extra Jam/ High fruit Jam" and "Jelly and Extra Jelly" contain lists of fruits and vegetables, which may not be mixed with others in the manufacture of extra jam and extra jelly. The possibility to label a product as "Extra" or not depends, as defined in Subsection 3.1.2. (b), on the fruit content. The reason for forbidding the mixture of fruits and vegetables mentioned under subsection 2.1 "Extra Jam" with other fruits is not very clear and in our opinion, it is neither based on reasons of health protection nor on the prevention of misleading the consumer. *We would therefore propose the deletion of this requirements under the subsection 2.1 "Extra Jam" and "Jelly and Extra Jelly".*

3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

3.1.3 Other permitted ingredients

Flavour e.g. Natural mint flavour, natural cinnamon flavour vanillin

Flavours e.g. Natural mint flavours are listed under this section and not in the section on food additives. Switzerland believes that flavours should be listed as additives under section 4. This would be consistent with the other standards developed by this committee e.g. Codex standard for canned apple sauce (Codex Stan 17-1981, Rev.1-2001), Codex Standard for Canned Stone Fruits (Codex Stan 242-2003) or the draft Codex Standard for Pickled Fruits and Vegetables, (currently at step 6).

We therefore propose that the following flavours: natural mint flavour, natural cinnamon flavour, vanillin be mentioned under section 4 additives. Vanilla extracts and vanilla used as spices should be maintained under this section.

3.1.3 Other permitted ingredients - natural fruit essences

Natural fruit essences are listed under "other permitted ingredients". However, the kind of products covered by the "natural fruit essences" is not clear. We wonder whether this term refers to the "essential oils" of fruits which are already mentioned by the term "essential oil" listed under "other permitted ingredients". In case this term refers to natural fruit flavours, Switzerland believes that it should be amended to read "*natural flavours*".

UNITED STATES

The United States of America supports the efforts and activities of the Codex Committee on Processed Fruits and Vegetables (CCPFV) in developing standards to facilitate international trade. The U.S. wishes to remind the CCPFV that the standards being developed must not be biased towards a particular country or regional practices rather they should reflect international trade practices. Hence, the CCPFV should always be guided by Statutes of the Codex Alimentarius Commission and paying close attention to Article I (a) "*protecting the health of the consumers and ensuring fair practices in the food trade*".

One of the goals of reconvening the CCPFV was to revise and simplify the existing processed fruits and vegetables standards. A comparison between the existing codex standards and those currently being revised by the CCPFV indicate that the resultant is more complicated- contrary to the mandate given and the original intent. The inability of the standardization experts participating in the CCPFV standardization process to advance the development of the proposed Codex standards for Jams Jellies and Marmalade and for Certain Canned Vegetables is a clear indication of the complicity and complexity of the standards.

The U.S. draws attention of the CCPFV of the lack of progress on the development of the Draft Codex Standard for Jams, Jellies and Marmalade but not for the lack of effort. For the past two CCPFV sessions very little progress was made mainly due to insistence by some countries and geographic regions to include their regional/cultural product variations, requirements and regulatory measures in the text.

It is therefore advisable that the CCPFV take review its decision to combine and revise both standards against established international industry processing practices to validate this effort. In addition, before the CCPFV agrees to the revision and merging of a standard, it is necessary that the CCPFV evaluate the existing standard to identify whether the entire standard or sections of the standards that require revision.

The U.S. recommends that the CCPFV suspends work on the proposed Draft Codex Standard for Jams, Jellies and Marmalade and review the existing Codex standards for Jams, Fruit Preserves and Jellies (Codex Stan 79-1981), and for Citrus Marmalade (Codex Stan. 80-1981) to identify whether an entire or partial revision and the merging is necessary.

Specific Comments

2.1. Product Definitions

The U.S. recommends that the names of regional/cultural products and their requirements such as extra jam, extra jelly and jelly marmalade be maintained in Section 8 on Labeling and omitted from Section 2 on Description. The existing product definitions in the Codex standards for Jams, Fruit Preserves and Jellies (Codex Stan 79-1981), and for Citrus Marmalade (Codex Stan. 80-1981) are broad enough to facilitate all the versions of jams, jellies and marmalade. Therefore the U.S. recommends:

- Maintain the Product Definitions sections in both existing standards.
- The specific product names are mainly for labeling purposed and should be maintained in Section 8 of the standard. In addition, the Codex General Standard for the Labeling of Prepackaged Foods [Codex Stan 1-1985 9 Rev 1- 1991] allows such specific labeling.

Section 2.1 (Product definitions) defines "Extra Jam/High Fruit Jam" as being made from unconcentrated fruit pulp. The word "unconcentrated" is highlighted yellow and is in brackets. The U.S. wishes to draw to the attention of the CCPFV that the use of concentrated fruit pulp in jam is a widely accepted practice and is allowed by U.S. standards. Therefore, no distinction should exist between jam made from fruit puree or whole fruit as long as the required amount of fruit is used in the formula.

Definition of Marmalade: Though there are other products marketed as marmalade, the U.S wishes to inform the CCPFV of the definition of marmalade that is most widely accepted and used by industry, consumers, and regulators:

"The jelly like product **made from the properly prepared peel and juice**, with or without the pulp, **of citrus fruit**, with sugar or with sugar and dextrose, by cooking with water. **It contains, embedded in the mass, pieces of the fruit peel.**"

Section 2.2 (Other definitions) defines "Fruit" to be either fresh or frozen. The word "frozen" is highlighted yellow and is in brackets. The U.S. notes that U.S. standards allow the use of frozen fruit in jam.

Definition of Sugars: in the United States and in many other countries glucose/corn syrup is widely used in the production of jams and jellies and it imparts unique characteristics that consumers have come to expect. Therefore, the U.S. recommends that glucose/corn syrup be included as an example, following "Sugars as defined in the Codex Alimentarius on Sugars" to avoid any confusion in the application of the standard.

3.1.2. Fruit Content

In support of consistency and user friendliness of this Codex standard, the U.S. recommends that the wording on this section be retained from the existing standard (Codex Stan 79-1981) and (Codex Stan. 80-1981).

The proposed requirements in the draft are quite prescriptive regarding fruit percentage requirements, which is fruit dependent. Extra jam and extra jelly are required to have a minimum of 45 percent versus parts, by weight, fruit ingredient. It is important to note that the fruit percentage should be expressed prior to processing (i.e., cooking) to achieve the required soluble solids content, i.e., 65 percent.

Mixture of Fruits: The new sentence –“ *When fruits are mixed together, the minimum content must be reduced in proportion to the percentage used*” is replacing Section 3.2.2 in Codex Stan 79-1981 on the Mixture of Fruits is unclear. The U.S. recommends that the previous text language be retained since it enhances clarity.

Section 3.1.2 (b) states "Products meeting the requirements of section 3.1.2(b) could also be called Jam and Jelly." The latter statement is highlighted yellow and is in brackets. The U.S. supports this statement because U.S. standards require 45% fruit in jam and jelly and notes that products referred to "jam" and "jelly" in 3.1.2(a) do not meet U.S. standards for these foods. The U.S. also questions the appropriateness of the word "extra" because it does not appear to adequately describe the food and may not provide meaningful information to consumers.

3.1.3. Optional Ingredients

The listing of optional ingredients and their restricted use outlined prohibits industry innovation and new product development. Differences in taste and preferences among countries and cultures, have led to new optional ingredients such as pieces of hot pepper, ginseng roots other cultural herbs and spices in jams and jellies. Therefore, the U.S. recommends:

1. The use of the optional ingredients listed be left to GMP, and not be prescribed within the very limited scope as in the proposed standard, and
2. The text of this section be written in a form that allows the use of cultural/regional optional ingredients

The U.S. does not support restricting optional ingredients, however, the table in Section 3.1.3 (Other Permitted Ingredients) lists "alcoholic drinks" as an ingredient permitted in all jam, jelly and marmalade products. This is not a customary practice in the U.S. and not allowed in the U.S. standards. Therefore, the U.S. requests further clarification for permitting "alcoholic drinks", its use is unclear and is not defined in the standard.

The table contained in Section 3.1.3 (Other Permitted Ingredients) lists red beetroot juice and red fruit juice. The U.S. domestic standard does not permit added color/colorings in jams or jellies. The U.S. suggests that "red beet juice" be called "beet juice." The U.S. also suggests that "red fruit juice" be defined.

3.2. Soluble Solids

The proposed standard requires that the soluble solids content for the finished product "*shall in all cases not be lower than 60 percent.*" Compared to 65% in the Codex standards for Jams, Fruit Preserves and Jellies (Codex Stan 79-1981), and for Citrus Marmalade (Codex Stan. 80-1981). The U.S. is unaware of any consumer and/or industry complaints or scientific reasons that the soluble solids content of 65 percent for finished product is too high or an undesired characteristic of the products.

The U.S. is concerned that product with 60 percent soluble solids content would be of poor quality and of a reduced shelf life- for higher percentage of soluble solids content provides spoilage protection by reducing water activity in the product. Therefore the U.S. recommends retaining the soluble solids content at 65 percent.

In addition, the proposed standard states that the refractometer tolerance shall be +/- 3 refractometric degrees. The U.S. recommends a tolerance of - 0.5 refractometric degrees. Current refractometer equipment should be capable of meeting this tolerance.

3.3 Quality Criteria

3.3.1. General Requirements

Paragraph (a) should be moved to Section 2.2. Other Definitions for it only defines the physical properties of the fruits that can be used in the making of jams, jellies and marmalade.

3.3.2. Defects and Allowances for Jams

The U.S. is concerned that the current text on defects in the proposed draft standard allows for subjective interpretation of defects that may become technical barrier to trade. Subjective interpretations are contrary to the Codex principle of common international interpretation of the standards and do not facilitate transparency in international trade. The U.S. recommends that the CCPFV identify the maximum defects allowed as done in the existing standard.

Section 4. Food Additives

The tables contained in Section 4 (Food Additives) lists antifoaming agents, acidity regulators, firming agents, antioxidants, preservatives, thickening and gelling agents and colors are too long and further complicates the text. The U.S. suggests that the following statement replace the current tables found in Section 4:

"Antifoaming agents, acidity regulators, firming agents, preservatives, thickening and gelling agents and colors used in accordance with Table 1 and 2 of the Codex General Standard for Food Additives (GSFA) in food category 04.1.2.5 (Jams, jellies and marmalades), or listed in Table 3 of the GSFA are acceptable for use in foods conforming to this standard."

8. Labeling

Some of the texts in this section are new and not found within the text of the Codex General Standard for the Labeling of Prepackaged Foods. The U.S. recommends that this entire section of the text be written in accordance with the following section from the Codex General Standard for the Labeling of Prepackaged Foods [CODEX STAN 1-1985 9 Rev 1 1991].

4. Mandatory labeling

4.2 List of ingredients

4.2.1.2. All ingredients shall be listed in descending order of ingoing weight (m/m) at the time of manufacture of the food.

8.3 - Fruit Quantity and Sugar Declaration

The potential requirement of labeling fruit content per 100 grams is similar to Quantitative Ingredient Declaration (QUID) labeling, which the U.S opposes. We believe that this information discloses proprietary information and provides unnecessary label information not related to health and safety.