

CODEX ALIMENTARIUS COMMISSION



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Organization of
the United Nations



World Health
Organization

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Agenda Item 4b

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Forty-Ninth Session

Macao SAR, China, 20-24 March 2017

ALIGNMENT OF THE FOOD ADDITIVE PROVISIONS OF COMMODITY STANDARDS AND RELEVANT PROVISIONS OF THE GENERAL STANDARD FOR FOOD ADDITIVES (GSFA)

Comments of Canada, European Union, Japan, Malaysia, Russian Federation, Thailand, African Union, and IDF

Canada

Canadian Editorial Comments on CX/FA 17/49/6, Appendix 3

Issue	Canada's Recommendation	Applicable provisions (FC)
Applying note 63 "for non-standardized food and breaded or batter coatings in products conforming to the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish and Fish Fillets – Breaded or in Batter (CODEX STAN 166-1989)" to a new provision would introduce a new use in non-standardized foods.	<p>Instead of Note 63, a note similar to C166 should be used. Use New Note HH instead of 63: "For use in breaded or batter coatings in products conforming to the <i>Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish and Fish Fillets – Breaded or in Batter (CODEX STAN 166-1989)</i>."</p> <p>Note: if provisions are to be included for use in non-standardized foods as well, New Note HH could be written as follows: "For products conforming to the <i>Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish and Fish Fillets – Breaded or in Batter (CODEX STAN 166-1989)</i>: for use in breaded or batters coatings only."</p>	<ul style="list-style-type: none"> Ammonium alginate (09.2.2) Ammonium hydrogen carbonate (09.2.2) Calcium alginate (09.2.2) Potassium alginate (09.2.2)
Note 306 is effectively the same as (XS189, XS222, XS236, XS312, XS315). The proposal is to revise Note 306 to be (XS189, XS222, XS236) and to add in the exclusionary Notes XS312 and XS315	To be consistent with the alignment process (e.g., treatment of Note 29), exclusionary Notes should be fully laid out. Thus, delete Note 306, and add in all relevant XS Notes.	<ul style="list-style-type: none"> Ascorbic acid, L- (09.2.1)
Note CC "For use as an antioxidant for raw frozen molluscs only, conforming to the <i>Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008)</i> " could be read as excluding use in non-standardized foods, for which the provision currently applies.	To avoid confusion, revise Note CC to "For products conforming to the <i>Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008)</i> : for use as an antioxidant for raw frozen molluscs only."	<ul style="list-style-type: none"> Ascorbic acid, L- (09.2.1) Butylated hydroxyanisole (09.2.1) Butylated hydroxytoluene (09.2.1) Calcium ascorbate (09.2.1) Citric acid (09.2.1) Citric and fatty acid esters of glycerol (09.2.1) Erythorbic acid (09.2.1) Ethylene diamine tetra
<u>Specific to sulfites</u> : Note CC as proposed, because of the exclusionary "only", is contradictory	<u>Sulfites</u> : the above proposed revision removes the contradiction with Notes 139 and Note GG.	

Issue	Canada's Recommendation	Applicable provisions (FC)
to Note 139 ("for use in mollusks, crustaceans, and echinoderms only"), as well as Note GG (which describes a rule for the use of sulfites in foods conforming to CS92 and CS95).		acetates (09.2.1) <ul style="list-style-type: none"> • Lecithin (09.2.1) • Nitrous oxide (09.2.1) • Sodium ascorbate (09.2) • Sodium erythorbate (09.2.1) • Sulfites (09.2.1)
Note 95 "for use in surimi and fish roe products only" is contradictory to Note C166. This issue specifically affects carotenoids (FC 09.2).	Revise Note 95 to "For non-standardized foods: for use in surimi and fish roe products only."	<ul style="list-style-type: none"> • Carotenoids (09.2) • Calcium carbonate (09.2.1) • Canthaxanthin (09.2.1) • Caramel IV (09.2) • Carmines (09.2.1; 09.2.2) • Disodium 5'-guanylate (09.2.1) • Disodium 5'-inosinate (09.2.1) • Disodium 5'-ribonucleotides (09.2.1) • Indigotine (09.2.1) • Monosodium L-glutamate (09.2.1) • Ponceau 4R (09.2.2) • Riboflavins (09.2.1) • Sunset yellow FCF (09.2.1)
<p>The use of Notes BB ("For non-standardized food and for minced fish flesh only in products conforming to the Standard for Quick Frozen Blocks of Fish Fillets, Minced Fish Flesh and Mixtures of Fillets and Minced Fish Flesh (CODEX STAN 165-1989)") and CC together, where each has an "only" term limiting the applicable foods, is confusing, and seemingly contradictory. Also, Note BB includes reference to non-standardized foods, but Note CC does not.</p> <p><u>Specific to citric acid in FC 09.2.1:</u> to avoid the apparent contradictions, by modifying these notes in order to remove reference to standardized foods and the confusing "only" terms would affect the appropriateness of deleting Note 61 "for use in minced fish only", and Note 257 "for use in shrimps and prawns only," as their deletions would expand the uses in non-standardized foods.</p>	<p>In addition to the aforementioned proposed modification to Note CC, remove the reference to non-standardized foods in Note BB and remove the use of any incidences of the term "only" that could be interpreted as meaning exclusive use. Revise Note BB to: "For products conforming to the <i>Standard for Quick Frozen Blocks of Fish Fillets, Minced Fish Flesh and Mixtures of Fillets and Minced Fish Flesh</i> (CODEX STAN 165-1989): for use in minced flesh only."</p> <p>Removing reference to non-standardized foods in the Note does not preclude the use of the additive in non-standardized foods. By default, all additives can be used in non-standardized foods, unless otherwise specified.</p> <p><u>Specific to citric acid:</u> As a consequence of the above, new Notes would be needed to capture the limited uses in non-standardized foods. Therefore, add Note JJ to reflect the limitations previously expressed by Notes 61 and 257: "For non-standardized foods: for use in minced fish, shrimps and prawns only".</p>	<ul style="list-style-type: none"> • Citric acid (09.2.1) • Carob bean gum (09.2.1) • Carrageenan (09.2.1) • Guar gum (09.2.1) • Methyl cellulose (09.2.1) • Pectins (09.2.1) • Potassium dihydrogen citrate (09.2) • Processed eucheuma seaweed (09.2.1) • Sodium carboxymethyl cellulose (09.2.1) • Sodium dihydrogen citrate (09.2) • Trisodium citrate (09.2) • Xanthan gum (09.2.1)

Issue	Canada's Recommendation	Applicable provisions (FC)
(Incidentally, the use of Notes 61 and 257 together is contradictory because of the use of "only").		
The combination of notes BB and F166 ("For non-standardized foods and for use in minced fish flesh only in products conforming to the <i>Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets – Breaded or in Batter</i> (CODEX STAN 166-1989)") is similarly confusing to the combination of Notes BB and CC.	Revise Note BB as suggested above, and revise Note F166 to remove reference to non-standardized foods and to make the note specific to products conforming to CS 166. Revise Note F166 to the following: "For products conforming to the <i>Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets – Breaded or in Batter</i> (CODEX STAN 166-1989): for use in minced fish flesh only."	<ul style="list-style-type: none"> • Potassium dihydrogen citrate (09.2) • Sodium dihydrogen citrate (09.2) • Trisodium citrate (09.2)
Note 331 "for general use in non-standardized foods only" can be deleted as a result of this alignment exercise. This has usually been the proposal of the eWG, except for gum Arabic in FC 09.2.2.	Delete Note 331 from the provision for gum Arabic in FC 09.2.2	<ul style="list-style-type: none"> • Gum Arabic (09.2.2)
New Note 229 permits use in non-standardized food and describes the rules for the use of phosphates in products conforming to CS 166. It is unnecessary to describe use in non-standardized foods in this Note, as by default, use in non-standardized foods in a food category is allowed, and would instead be specifically restricted by the use of Notes.	Delete the reference to non-standardized foods in New Note 299, and make the note specific to the rule for phosphates in products conforming to CS 166.	<ul style="list-style-type: none"> • Phosphates (09.2.2)
New Note 306: for consistency in formatting, NN306 should be replaced by individual exclusionary Notes	Delete Note 306 (and NN306) and replace with XS189, XS222, and XS236 Notes	<ul style="list-style-type: none"> • Sodium ascorbate (09.2)

European Union

The European Union (EU) would like to thank Australia and the United States of America for chairing the electronic Working Group and developing the discussion paper.

The EU appreciates the work on the alignment between provisions on commodity standards and relevant provisions of the GSFA. The EU recognises the complexity and the extent of this work and is supportive to the approach taken as outlined in the discussion paper.

Appendices 1, 2 and 3

The EU generally supports the chair's proposals as outlined in Appendix 1 and the proposals for the revision of the relevant food categories of the GSFA and of the food additive sections of the commodity standards as outlined in Appendices 2 and 3.

Appendix 4

Appendix 4 reproduces the information contained in CX/FA 16/48/6. The EU would like to reiterate some of its comments expressed on CX/FA 16/48/6.

Addition of XS notes

The EU appreciates the work to consider specific food additive provisions which, according to the CCPFV, are not technologically justified for certain standardised products. The EU supports the addition of "XS" notes to the draft provisions as suggested in Appendix 4.

Standards in Appendix 4 are not fully aligned with the GSFA

The EU would like to note that the proposed amendments cannot be regarded as a full alignment as it was done for other standards in the past and as it is proposed for 10 standards for frozen fish products under categories 9.2.1 and 9.2.2 since it does not address the adopted provisions in the corresponding GSFA food categories. Therefore, the Committee should consider whether it is appropriate to include now the standards to Section 2 of Table 3. In the EU's view such step would be more appropriate only when the work on the alignment for those CCPFV standards is completed.

Amendments to Section 2 of Table 3

If the Committee decides to progress with the amendments to Section 2 of Table 3 the EU has the following comment as regards the entry for category 04.2.2.4 for CS 13-1981 (CX/FA 17/49/9, page 50): “*All firming agents listed in Table 3 and certain other Table 3 additives (as indicated in Table 3) are acceptable for use in foods conforming to the standards.*”

The EU suggests deleting the word “all” for the sake of consistency with the wording already used in Section 2 of Table 3 (see e.g. category 12.2 and CS 117-1981).

Amendments to the food additive sections of CS 13-1981 and CS 57-1981

The EU offers for consideration the following wording for the food additive sections:

1. Standard for Preserved Tomatoes (CODEX STAN 13-1981)

“Firming agents listed in Table 3 of the General Standard for Food Additives (CODEX STAN 192-1995) and certain other Table 3 food additives (as indicated in Table 3) are acceptable for use in foods conforming to this Standard.”

The EU wonders whether the reference to the corresponding GSFA category is necessary taking into account that the standard permits only (certain) Table 3 additives. The wording on certain Table 3 additives is suggested for consistency with standards already aligned.

2. Standard for Processed Tomato Concentrates (CODEX STAN 57-1981)

“Only certain Table 3 food additives (as indicated in Table 3) are acceptable for use in foods conforming to this Standard.”

The suggested wording reflects that the standard allows only certain Table 3 additives. The same wording for the Table 3 additives was used in food additive sections of the standards already aligned.

Japan

Japan appreciates the efforts of Australia and the United States of America as Chair and Co-chair in preparing the report of the EWG on Alignment. Japan would like to provide the following comments. Addition is in **bold font** and deletion is in ~~strikethrough font~~.

Key individual issues

Point 2.

Although both CS 92-1981 and CS 95-1981 permit sulfites as preservative, Sodium thiosulfate (INS 539) does not have preservative function, according to the *Class names and the international numbering system for food additives* (CAC/GL 36-1989). Japan proposes that Sodium thiosulfate (INS 539) should be removed from New Note GG for ensuring consistency among the GSFA, the relevant commodity standards and the CAC/GL 36-1989. Japan's proposed text is as follows:

Note GG: For use in products conforming to the Standard for Quick Frozen Shrimps and Prawns (CODEX STAN 92-1981) and the Standard for Quick Frozen Lobsters (CODEX STAN 95-1981): Sulfur dioxide (INS 220), Sodium sulfite (INS 221), Sodium hydrogen sulfite (INS 222), Sodium metabisulfite (INS 223), Potassium metabisulfite (INS 224), **and** Potassium sulfite (INS 225) ~~and Sodium thiosulfate (INS 539)~~ as preservatives at 100 mg/kg in the edible part of the raw product, or 30 mg/kg in the edible part of the cooked product.

Point 4.

Japan supports the proposal to remove Note 37/BB.

Japan also proposes that Note 332 (For general use as a glazing agent.) should be deleted from the provision for Sodium alginate (INS 401) in Food Category 09.2.1. Note 332 could cause misunderstanding because both CS 165-1989 and CS 190-1995 allow the use of Sodium alginate as ‘humectant.’”

Point 19.

Japan supports inclusion of acidity regulator and stabilizer in alphabetical order in section J of Appendix 2.

Japan would like to propose the revision of the New Note DD to reflect the inclusion of acidity regulator and stabilizer because CS 315-2014 permits not only humectants and sequestrants but also acidity regulator and stabilizer.

Japan also notes that INS 341 (iii), INS 450(i) and INS 450(ii) as humectants are omitted from Note DD. All these food additives have humectant function according to the CAC/GL 36-1989 and the GSFA. CS 315-2014 allows to use phosphates, INS 338; 339(i)-(iii); 340(i)-(iii); 341(i)-(iii); 342(i),(ii); 343(i)-(iii); 450(i)-(iii), (v)-(vii); 451(i),(ii); 452(i)-(v); 542, as humectant, sequestrant, acidity regulator and/or stabilizer for Quick Frozen Scallop Meat and Quick Frozen Roe-on Scallop Meat Processed With Phosphates.

Japan's proposed revision of Note DD is as follows:

Note DD: For use on Quick Frozen Scallop Meat and Quick Frozen Roe-on Scallop Meat Processed with Phosphates conforming to the Standard for Fresh and Quick Frozen Raw Scallop Products (CODEX STAN 315-2014) as follows: the following phosphates at 2200 mg/kg as phosphorus for use as acidity regulators, INS 338, INS 339(i), INS 339(ii), INS 339(iii), INS 340(i), INS 340(ii), INS 340(iii), INS 341(i), INS 341(ii), INS 341(iii), INS 342(i), INS 342(ii), INS 343(i), INS 343(ii), INS 343(iii), INS 450(i), INS 450(ii), INS 450(iii), INS 450(v), INS 450(vi), INS 450(vii), INS 451(i), INS 451(ii), INS 452(i), INS 452(ii), INS 452(iii), INS 452(iv) and INS 452(v); the following for use as humectants, INS 339(i), INS 339(ii), INS 339(iii), INS 340(i), INS 340(ii), INS 340(iii), INS 341(i), INS 341(ii), INS 341 (iii), INS 450(i), INS 450(ii), INS 450(iii), INS 450(v), INS 450(vii), INS 451(i), INS 451(ii), INS 452(i), INS 452(ii), INS 452(iii), INS 452(iv), INS 452(v), and INS 542; ~~and~~ the following for use as sequestrants, INS 338, INS 339(i), INS 339(ii), INS 339(iii), INS 340(i), INS 340(ii), INS 340(iii), INS 341(i), INS 341(ii), INS 450(i), INS 450(ii), INS 450(iii), INS 450(v), INS 450(vi), INS 450(vii), INS 451(i), INS 451(ii), INS 452(i), INS 452(ii), INS 452(iii), INS 452(iv), and INS 452(v); and the following for use as stabilizers, INS 339(i), INS 339(ii), INS 339(iii), INS 340(i), INS 340(ii), INS 340(iii), INS 341(i), INS 341(ii), INS 341(iii), INS 342(i), INS 342(ii), INS 343(i), INS 343(ii), INS 343(iii), INS 450(i), INS 450(ii), INS 450(iii), INS 450(v), INS 450(vi), INS 450(vii), INS 451(i), INS 451(ii), INS 452(i), INS 452(ii), INS 452(iii), INS 452(iv), INS 452(v) and INS 542.

Malaysia

Malaysia supports the proposals contained in Appendix 2, 3 and 5.

Russian Federation

Having considered the proposals on the use of food additives in accordance with the standards for frozen fish products (Agenda 4b), as well as relevant proposals of Agenda 5a, we would like to bring Committee's attention to the following matter.

According to the legislation of the Russian Federation and the Eurasian Economic union (Belarus, Kazakhstan, Russia, Armenia, Kyrgyzstan), food additives are allowed to be used in all food categories except in unprocessed foods or plain foods (foods with unchanged matrix).

Thailand

Thailand would like to thank Australia for great work and leading the electronic Working Group (eWG) on the alignment of the food additive provisions of the commodity standards with the GSFA.

Comments:

We support proposals of the eWG on the amendments to the food additive sections of commodity standards and relevant provisions of the GSFA contained in Appendices 2, 3, 4 and 5 of CX/FA 17/49/6.

African Union

a) Consideration of the eWG proposals for the alignment of food additive provisions in the ten (10) standards for frozen fish products with GSFA provisions under food categories 9.2.1 and 9.2.2

Position: AU supports the eWG proposals for the alignment of food additive provisions in the ten (10) standards for frozen fish products with GSFA provisions under food categories 9.2.1 and 9.2.2:

b) Proposed amendments to table 1 and 2 of the GSFA in relation to the alignment of the commodity standards identified by the committee on processed fruits and vegetables (CCPFV).

Position: AU supports the eWG proposals for the alignment of food additive provisions in the respective standards for fruits and vegetables products with GSFA provisions under food categories 04.2.2.3 and 04.2.2.4

c) Proposed Amendments To The GSFA Due To Alignment Of EDTA Provisions Of The Standard For Canned Shrimps Or Prawns (Codex Stan 37-1991)

Issue: Consider eWG proposals for the amendment of table 1 and 2 of the GSFA with respect to alignment of, the provision for ethylene diamine tetra acetates (INS 385, 386) in food category 09.4 (Fully preserved,

including canned or fermented fish and fish products, including mollusks, crustaceans and echinoderms) with that in the Standard for Canned Shrimps or Prawns (CODEX STAN 37-1981). The standard lists the use of calcium disodium ethylene diamine tetra acetate (INS 385) and disodium ethylene diamine tetra acetate (INS 386) as sequestrants at 250 mg/kg.

Position: AU supports the eWG proposals on the amendment of table 1 and 2 of the GFSA on provision for ethylene diamine tetra acetates (INS 385, 386) in food category 09.4 (Fully preserved, including canned or fermented fish and fish products, including mollusks, crustaceans and echinoderms) to align with provisions of the same additive in the Standard for Canned Shrimps or Prawns (CODEX STAN 37-1981).

Rationale: Food additive provisions in all Codex commodity standards should refer to the respective provisions in the GSFA as the single reference source. This is also necessary to avoid duplication.

International Dairy Federation (IDF)

In 2016, CCFA48 agreed to consider the alignment of the standards for individual cheeses (19 standards) when the current work would be done. This Conference Room Document aims at providing more details on the preliminary work done within IDF.

In 2015, the IDF completed a body of work comparing the current additive provisions in all 29 dairy standards, including the cheese standards, (as shown below) with those provisions in the appropriate food categories of the GSFA.

1.	Milk Powder and cream powder	16.	Danbo
2.	Fermented milks	17.	Edam
3.	Blend of evaporated skimmed milk and vegetable fat	18.	Gouda
4.	Blend of skimmed milk and vegetable fat in powdered form	19.	Havarti
5.	Blend of sweetened condensed skimmed milk and vegetable fat	20.	Samsø
6.	Dairy fat spreads	21.	Emmental
7.	Evaporated milks	22.	Tilsiter
8.	Sweetened condensed milks	23.	Saint-Paulin
9.	Cream and prepared creams	24.	Provolone
10.	Edible casein products	25.	Cottage cheese
11.	Cheeses in brine	26.	Coulommiers
12.	Group standard for unripened cheese including fresh cheese	27.	Cream cheese
13.	General standard for cheese	28.	Camembert
14.	Mozzarella	29.	Brie
15.	Cheddar		

Individual comparisons are in excel spreadsheet format.

The template used for this work was the CCFA's 'decision tree' approach for alignment of food additive provisions with the GSFA developed by the eWG on Alignment and endorsed by the CCFA in 2014.

Documents used to complete the work included

- CAC's Milk and Milk Products (Second Edition)
- GSFA online (including Table 3) as of Aug/Sep 2014
- CAC/GL 36-1989 online as of Aug/Sept 2014
- FA/46 INF/01 – Table 2 from the 46th session of the CCFA

In each of the 29 spreadsheet comparisons the work identified;

- The correct INS number and name of individual additives using CAC/GL-36

- Those additives in Table 2 of the GSFA (and in Table 3 where appropriate) that were not in the commodity standard list and therefore required a note (excluding their use)
- Those additives in the commodity standard that were not included in the relevant categories of the GSFA thereby indicating a need for inclusion
- Those additives not yet adopted in the relevant categories of the GSFA (at Steps 2, 4 or 7)
- Differing maximum use levels between the GSFA and commodity standard and those not aligned on GSFA principles (additive with ADI)

If priority is given to progress the alignment of the dairy standards, or to progress some of them (e.g. just the individual cheese standards), spreadsheets, updated to include the most recent food additive provisions that have been endorsed for inclusion in the GSFA since 2015, can be made available to the eWG on Alignment with very little further work being required.