

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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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 3 (c)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON MILK AND MILK PRODUCTS

Fifth Session

Wellington, New Zealand, 8-12 April 2002

PROPOSED DRAFT REVISED STANDARD FOR WHEY POWDERS COMMENTS

The following comments were received from: Argentina, Canada, Czech Republic, Denmark, Poland, United States of America and International Dairy Federation.

3.3 COMPOSITION

ARGENTINA

We propose removing the brackets, thereby accepting the corresponding recommendations.

CANADA

Canada only supports the compositional modification of lactose in whey powder by enzymatic modification and not by removing lactose. Canada supports the removal of the word "lactose" from the last sentence of 3.3, but only if an additional sentence is added to explain the lactose modification limitations.

DENMARK

We wonder whether the compositional criterion for lactose is merely a reference value rather than a minimum content, as the text which refers to section 4.3.3 of the GSUDT no longer addresses lactose, with the consequence that lactose contents can be altered (e.g. removed, reduced or broken down).

INTERNATIONAL DAIRY FEDERATION

It is widely acknowledged that whey powders and acid whey powders with modified levels of lactose and milkfat are readily available in international markets. In order to provide for the recognition of these products within the standard, it is proposed to revise the compositional table of Section 3.3 to include reference content levels for lactose and milkfat as follows:

Whey powder:

| <i>Criteria:</i> | <i>Minimum content</i> | <i>Reference content</i> | <i>Maximum content</i> |
|-----------------------------|------------------------|--------------------------|------------------------|
| Lactose ^(a) | n.s. | 61.0% (m/m) | n.s. |
| Milk protein ^(b) | 11.0% (m/m) | n.s. | n.s. |
| Milkfat | n.s. | 2.0% (m/m) | n.s. |
| Water ^(c) | n.s. | n.s. | 5.0% (m/m) |
| Ash | n.s. | n.s. | 9.5% (m/m) |
| PH (in 10% solution) | > 5.1 | n.s. | n.s. |

Acid whey powder:

| <i>Criteria:</i> | <i>Minimum content</i> | <i>Reference content</i> | <i>Maximum content</i> |
|-----------------------------|------------------------|--------------------------|------------------------|
| Lactose ^(a) | n.s. | 61.0% (m/m) | n.s. |
| Milk protein ^(b) | 7.0% (m/m) | n.s. | n.s. |
| Milkfat | n.s. | 2.0% (m/m) | n.s. |
| Water ^(c) | n.s. | n.s. | 4.5% (m/m) |
| Ash | n.s. | n.s. | 15.0% (m/m) |
| PH (in 10% solution) | n.s. | n.s. | <= 5.1 |

(No change to footnotes (a-b-c))

As a matter of consequence, it is proposed to revise the last sentence of Section 3.3 to read as follows:

However, compositional modifications beyond the minima or maxima specified above for milk protein and water are not considered to be in compliance with the Section 4.3.3.

POLAND

We accept the following recommendations:

- minimum milk protein level of 10% m/m for whey powder,
- minimum milk protein level of 7% m/m for acid whey powder,
- maximum milkfat content of 2% m/m for whey powder,
- maximum ash content of 15% m/m for acid whey powder.

UNITED STATES OF AMERICA

The U.S. recommends including titratable acidity, removing the brackets and rewriting section 3.3 as follows:

| | Whey Powder | Acid Whey Powder |
|--|-------------|------------------|
| Maximum milkfat | 2.0 % m/m | |
| Maximum ash | | 15.0 % m/m |
| PH (in 10 % solution) | > 5.1 | < 5.1 |
| Or | | |
| Titratable Acidity (calculated as lactic acid) | < 0.35 | > 0.35 |

4 FOOD ADDITIVES**POLAND**

Bleaching agents - 928

The Polish legislation does not permit to use this additive to the food.

UNITED STATES OF AMERICA

The U.S. supports inclusion of the following bleaching agents for use in whey powders:

| INS No. | Name of the food additive | Maximum level |
|----------------|---|----------------------|
| 928 | Bleaching Agents Benzoyl Peroxide | GMP |

The U.S. recommends that, once the Codex Committee on Food Additives and Contaminants have completed their work on the Codex General Standard for Food Additives (GSFA), the specific food additive information included in this standard be deleted and a reference made to the GSFA be added to provide additive specific information.

INTERNATIONAL DAIRY FEDERATION

As stated in the “Review of Comments”, it has been recommended under 4. FOOD ADDITIVES to retain the bleaching agents INS 928 (benzoyl peroxide) and hydrogen peroxide pending their evaluation by JECFA. However, hydrogen peroxide has not been included in the Proposed Draft Revised Standard (page 12) and this error of omission should be corrected.

5 CONTAMINANTS

POLAND

-Maximum level of lead (not higher than 0,20 mg/kg) and also maximum level of cadmium, mercury, arsenic, zinc nitrates and nitrites should be established as quickly as possible by the CCFAC.

-In Poland the following maximum permitted levels of contamination of whey powder obtained from the ripening cheeses are – nitrates 70 mg NaNO₃/kg, nitrites 1,5 NaNO₂/kg.

7.1 NAME OF THE FOOD

ARGENTINA

We propose removing the brackets in the last paragraph, thereby accepting Recommendation No. 3.

CANADA

Canada questions whether the labelling of modified whey powder as permitted in 3.3 Composition, is adequately highlighted by the Codex GSUDT reference in Section 7. Labelling. We suggest that specific text be added to explain the labelling of foods that have been compositionally modified.

DENMARK

A labelling paragraph which specifies the use of qualifiers for such compositionally modified products should be included.

We can accept that the issue of “sweet whey powder” is addressed in section 7.1 and is regulated as a quality claim.

UNITED STATES OF AMERICA

The U.S. recommends removing the brackets and revising the last sentence of section 7.1 to read as follows: “ The term “sweet” can accompany the name whey powder, provided that the pH of the powder in 10 % solution exceeds 6.0 or at a titratable acidity of max 0.16 % (calculated as lactic acid), and with a minimum protein content of 11 % and a maximum ash content of 9%.”

INTERNATIONAL DAIRY FEDERATION

For purposes of clarity and consistency with the comments made above regarding Section 3.3, it is also necessary to revise the related text in Section 7.1

In addition, the implementation of the term “sweet” as an optional qualifier for whey powder is highly recommended. This designation is used frequently in international commerce and is characterized, due to the type of cheesemaking methodology, by higher levels of lactose and protein, a lower ash content and a higher pH.

Consequently, the Section 7.1 should be revised to regulate the mandatory use of a qualifier for products modified from the reference content levels found in Section 3.3. Section 7.1 should also be revised to allow for the voluntary use of “sweet” in accordance with the following:

7.1 Name of the Food

The name of the food shall be:

| | |
|-------------------------|--|
| <i>Whey Powder</i> | <i> According to the definitions in section 2</i> |
| <i>Acid Whey Powder</i> | <i> and compositions as specified in Section 3.3</i> |

The designation of products in which the fat and/or lactose contents are below or above the reference content levels specified in Section 3.3 of this Standard shall be accompanied by an appropriate qualification describing the modification made or the lactose and/or fat content, respectively, either as part of the name or in a prominent position in the same field of vision.

The term “sweet” may accompany the name whey powder, provided that the whey powder meets the following compositional criteria:

| | |
|---------------------------|--------------|
| <i>minimum lactose:</i> | <i>65%</i> |
| <i>minimum protein:</i> | <i>11%</i> |
| <i>maximum ash:</i> | <i>8.5%</i> |
| <i>pH (10% solution):</i> | <i>>6</i> |

8 METHODS OF SAMPLING AND ANALYSIS

INTERNATIONAL DAIRY FEDERATION

The methods of sampling and analysis have been endorsed or are under consideration in the corresponding IDF/ISO/AOAC Working Group: see CX/MMP 02/11.

APPENDIX

ARGENTINA

The paragraph in square brackets that begins [The term “sweet”.....] should be deleted since its incorporation in Section 7 has already been proposed.

CZECH REPUBLIC

In the Appendix to Standard we can agree with minimal content of milk protein 11,0% m/m in the composition of whey powder, in acid whey powder minimal 7,0% m/m.

Maximum ash for acid whey powder is recommended 15,0%.

The term “sweet whey” means the by-product from cheesemaking with rennet-coagulant and sweet whey powder dried product of it, without further acidification before drying. That product has lower content of ash – max 9,0%, acidity in pH > 6.

INTERNATIONAL DAIRY FEDERATION

Under **2. Processing Aids**, the inclusion of **antifoaming agents** is strongly recommended.