



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Fifty-fifth Session

DISCUSSION PAPER ON THE WORKING PRACTICES AND ENGAGEMENT PLAN TO AVOID DIVERGENCE BETWEEN THE GSFA, COMMODITY STANDARDS AND OTHER RELATED CODEX TEXTS

(Prepared by China as author, and Australia, Brazil, Canada, the European Union, Senegal and the United States of America as co-authors)

Background

1. The Codex Committee on Food Additives (CCFA) has worked since its 42nd session in 2010 to achieve full alignment between the *General Standard for Food Additives* (CXS 192-1995) (herein referred to as GSFA); and the food additive provisions contained in the Codex commodity standards.
2. The aim of the alignment work is to systematically align the food additive provisions of the commodity standards with those of the GSFA, with the overarching principle that the GSFA be the single reference point for food additives in the Codex Alimentarius and should therefore take into account any food additive provisions in the commodity standards.¹
3. To ensure that new divergence on food additive provisions between the GSFA and commodity standards do not arise, CCFA52(2021) agreed to establish an Electronic Working Group (EWG) on Alignment to consider, as one of its terms of reference: Whether the information in the Procedural Manual (PM) is sufficient or if amendments are required to ensure future divergence does not occur, taking into account the information document titled *Guideline on Avoiding Future Divergence of Food Additive Provisions in the GSFA with Commodity Standards*.²
4. It was agreed by the EWG on Alignment to the CCFA53(2023), that the ultimate aim of the alignment work is to complete the alignment of all the commodity standards such that no further alignment work is required. For this work to be completed, it is imperative that no further misalignment of food additive provisions is introduced in commodity standards. This is the case for commodity standards irrespective of whether they have already been aligned with the GSFA, are waiting to be aligned with the GSFA or are new commodity standards.
5. At CCFA54(2024) a discussion paper was presented by China as author, with Canada and the European Union (EU) as co-authors, that identified the outstanding issues with respect to avoiding future divergence between the GSFA, commodity standards and other texts.³
6. CCFA54 agreed that the existing challenges be considered in a broader manner with a focus on the future when the ongoing work on alignment is completed, and the relationship between the work of the CCFA and that of the Commodity Committees.⁴
7. The Codex Secretariat called the attention of CCFA to the existing mechanisms in the PM that could assist in addressing the challenge of divergence between food additive provisions in the commodity standards and the GSFA. These mechanisms could provide an opportunity for CCFA to ensure that divergence of food additive provisions in commodity standards and the GSFA was significantly minimized.⁵

¹ CX/FA 23/53/6 Appendix 6

² REP21/FA Paragraph 107, [Information Documents | CODEXALIMENTARIUS FAO-WHO](#)

³ REP24/FA Paragraphs 138-139.

⁴ REP24/FA Paragraph 141.

⁵ REP24/FA Paragraphs 143- 144.

8. CCFA54 agreed to the following goals for the work on alignment⁶:
- to strengthen the GSFA as the single reference for food additives;
 - to minimise the incorporation of specific food additive provisions in commodity standards as much as possible; and
 - to ensure that the alignment work is completed, with any future specific food additive provisions developed by Commodity/Regional Committees being incorporated into the GSFA.
9. Furthermore, CCFA54 agreed to request China as author, and Australia, Brazil, Canada, the EU, Senegal and the USA as co-authors, to:
- develop working practices, including consideration of a guidance document, for the endorsement and incorporation of food additive provisions considered by Regional/Commodity Committees in order to ensure that the necessary timely changes are made to the GSFA. These working practices would be in accordance with the PM.
- These working practices would include information on how Commodity Committees make proposals to the CCFA and how CCFA will incorporate these into the GSFA.
- develop an engagement plan. The engagement plan would include how CCFA interacts with the Commodity/Regional Committees.
10. CCFA54 noted this might be a two-year period plan and it might be possible to establish an EWG on this matter by CCFA56 based on the discussions held during CCFA55.

Principles

11. The following principles are proposed to underpin this work.
- (i) That the GSFA be strengthened as the single reference in Codex for food additives.
 - (ii) That no further divergence of food additive provisions in the GSFA with commodity standards are created, such that the work on alignment can be completed.
 - (iii) That the incorporation of *specific* food additive provisions in commodity standards should be minimised as much as possible, with only the general reference to the GSFA being optimal.⁷
 - (iv) That all food additive provisions in the commodity standards continue to require endorsement by CCFA, consistent with the PM, before their adoption by CAC.
 - (v) That the GSFA is amended concurrently with the endorsement of food additive provisions in commodity standards.
 - (vi) That CCFA engage collaboratively with the Commodity/Regional Committees on food additive provisions to ensure timely and appropriate outcomes.

Incorporation of a general reference in commodity standards and amendments to the GSFA

12. The procedures included in the PM foresee that the primary approach to be considered by Commodity Committees regarding food additive provisions is the incorporation of a general reference to the GSFA associated with proposals for additions or amendments of the GSFA⁸. In cases where it is justified that this approach is not appropriate, provisions may be included in commodity standards. In such cases, the CCFA endorse all food additive provisions that arise from the Commodity and Regional Committees⁹ and is involved at the earliest suitable time in the elaboration of Codex standards and related texts¹⁰. Whereas in the past, food additive provisions have been primarily included in commodity standards and subsequently included in the GSFA through a retrospective alignment process, in the future, new food additive provisions should be

⁶ REP24/FA Paragraphs 149-150.

⁷ An example of a general reference to the GSFA is as follows: “[Food additive functional class] used in accordance with Tables 1 and 2 of the *General Standard of Food Additives* in food category x.x.x.x [FC name] or listed in Table 3 of the GSFA are acceptable for use in foods conforming to this standard.” (Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 92)

⁸ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 59

⁹ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 62.

¹⁰ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 56.

included in the GSFA in accordance with paragraph 59¹¹ of the PM in order to facilitate an efficient process that does not create further divergence.

Process for the development of commodity standards and amendments to the GSFA

13. This process applies to the development of all new and proposed changes to existing food additive provisions relating to a commodity standard(s). However, for adopted provisions contained in commodity standards that have not yet been aligned, the alignment procedure undertaken through the WG on Alignment, would continue to be used. The existing alignment work plan will therefore not be affected.

14. In the development of commodity standards, Commodity/Regional Committee may decide that an amendment to the GSFA is not required, for example where the existing GSFA provisions are appropriate.

15. On the other hand, Commodity/Regional Committees may wish to revise or develop new food additive provisions for existing or new commodity standards that require an amendment to the GSFA. In doing so, there should be early and effective coordination between the Commodity/Regional Committee and CCFA to ensure that the GSFA is appropriately amended.

16. Amendments of the GSFA in line with the needs identified by the Commodity/Regional Committee should enable the use of a general reference to the GSFA in almost all cases, with the relevant provision in the GSFA being clarified by the use of Notes, as appropriate. This will ensure prevention of future divergence. As part of the general reference, the commodity standard may also list the functional classes¹² to provide further information on the intended uses. In complex situations, a functional class table may be required. Where appropriate, Commodity/Regional Committees may wish to explicitly include text stating that “no food additives are permitted in products in foods conforming to this standard”.

Collaboration between Committees and Commodity/ GSFA experts

17. It is highly desirable that experts (i.e. expert(s) on the commodity and expert(s) on the GSFA) are involved to facilitate the timely development of the food additive section in Commodity/Regional Standard and the amendment to the GSFA. This collaboration builds upon the recent experience involving a GSFA expert successfully assisting CCNFSDU in their understanding of the GSFA.

18. The GSFA and commodity experts would facilitate the Committees (Commodity/Regional Committee or CCFA) to exchange information at an early stage in the process and would enhance the efficiency of the work and will thus minimise the back-and-forth dialogue between the Committees. The experts could be from the country(s) that is/are drafting the commodity/regional standard and would provide advice as appropriate.

19. Two options for the development of food additive provisions relating to commodity/regional standards are presented below:

Option 1 - Commodity/Regional Committee prepares the first draft of the provisions

20. The development of amendments to the GSFA would be undertaken primarily by the Commodity/Regional Committee with the initial draft commodity standard and the proposed amendments to the GSFA being submitted to the CCFA for consideration and endorsement.

21. CCFA would review the safety of the proposed additives provisions, and the other considerations listed in the *Procedures for consideration of the entry and review of food additive*¹³. CCFA would endorse the proposed uses or provide suggestions to the Commodity/Regional committee, as appropriate.

22. If CCFA were to agree to all aspects, then the food additive section of the Commodity standards would be endorsed and both the commodity standards and the amendment to the GSFA would be advanced for adoption by CAC once the Commodity/Regional Committee has completed their work in developing the Commodity standard. Where CCFA has suggestions, then the Commodity/Regional Committee would respond to the information referred from CCFA, and present revised provisions to the next session of CCFA for subsequent endorsement.

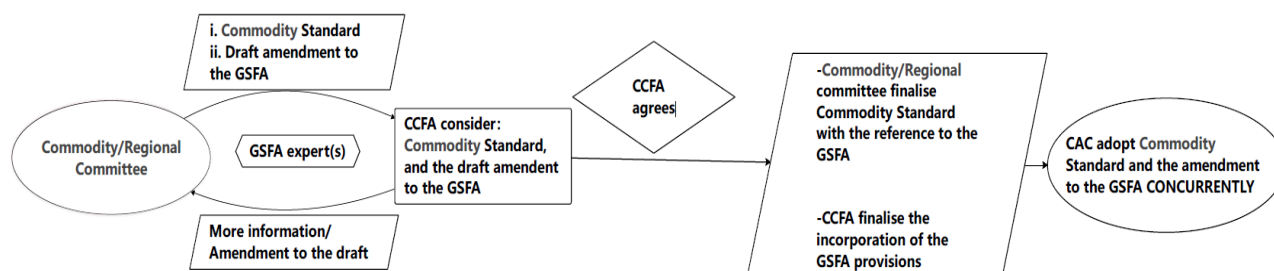
¹¹ Commodity committees shall examine the General standard for food additives (GSFA) (CXS 192-1995)² with a view towards incorporating a reference to the general standard. All proposals for additions or amendments to the GSFA in order to establish a reference to the GSFA shall be referred to the Committee on Food Additives (CCFA). The CCFA shall consider such proposals for endorsement. Revisions of a substantive nature that are endorsed by the CCFA will be referred back to the commodity committee in order to achieve consensus between both committees at an early stage of the step procedure.

¹² Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 92.

¹³ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraphs 112-128.

23. In order to minimize the iterative exchange between the Committees that may be required before agreement is reached and the food additive provisions endorsed, there would be collaboration between Commodity/Regional Committee and GSFA experts wherever possible. The experts would work together to draft the food additive provisions, including the appropriate GSFA food category and notes, thereby facilitating efficiency and reducing the timeframe for the development of the pertinent provisions in the GSFA.

24. In summary, the Commodity/Regional Committee would have primary responsibility for the development of the GSFA food additive provision(s) relevant to the specific commodities, noting that CCFA has to endorse the provisions. Whereas the Commodity/Regional Committee are more familiar with the Commodity under consideration, a comprehensive technical understanding of the GSFA is required that would be provided by collaboration with a GSFA expert(s). The involvement of GSFA experts would reduce the risk of having to proceed through iterations (back-and-forth between the Commodity Committees and CCFA) that may result in delaying the development of Codex standards. The flowchart for Option 1 is provided below.



Option 2 – CCFA prepares the first draft of the provisions

25. The development of amendments to the GSFA would be undertaken primarily by CCFA based on a request and the provision of all relevant information by the Commodity/Regional Committees.

26. The Commodity/Regional Committee would submit the information required by the CCFA in support of their request using a set list of standardised questions in a form to be developed. The information required is outlined in para 112-115 of the PM¹⁴.

27. The information would then be used by one country or a small CCFA WG to consider their safety and to draft the necessary food additive provisions in the GSFA. This drafting work would be undertaken with a *general* mandate being agreed each year by CCFA (e.g. terms of reference of the WG). This general mandate would give the country/ WG authority to consider all the requests provided by the Commodity/Regional Committee and proceed to develop the proposed amendments to the GSFA prior to the plenary session.

28. To develop the amendment to the GSFA, in simple cases, the country/ WG should be able to fully reflect the request(s) from the Commodity/Regional Committee without the involvement of Commodity experts. However, for complex cases, there would be collaboration between GSFA experts and Commodity expert(s) wherever possible in order to minimize the iterative exchange between the Committees, and ensure the amendments to the GSFA appropriately reflects the request received. This collaboration for complex amendments could be done by hosting a joint virtual WG meeting involving experts from both CCFA and Commodity/Regional Committees. [Further consideration should be made as to whether the proposed amendments would be presented to a physical working group prior to their consideration by the CCFA plenary.]

29. The drafted provisions would then be presented to CCFA for agreement. In cases where further information, or clarification, is required from the Commodity/Regional Committee, this would be requested by CCFA before the food additive provisions in the commodity standard are endorsed.

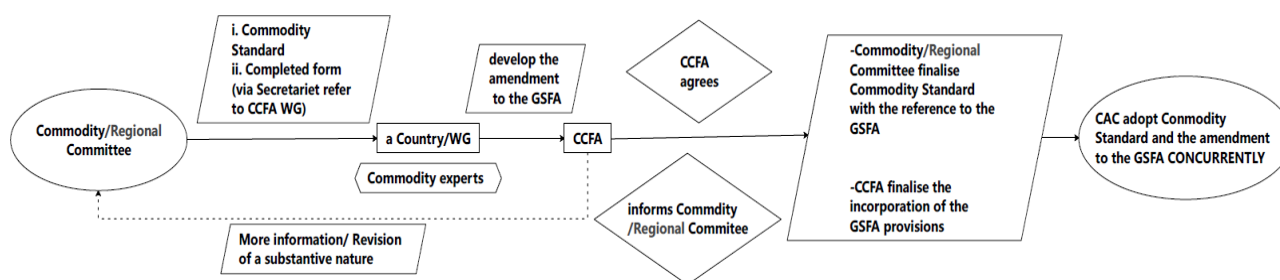
30. Once CCFA agrees, the Commodity/Regional Committee will be informed of the amendments to the GSFA, although formal agreement by the Commodity/Regional Committee would not normally be required because the amendments of the GSFA reflects the request received from the Commodity/regional committee. However, where the changes proposed by CCFA food additive provisions are of a substantive nature, these would be referred back to the Commodity/Regional Committee for their further consideration.¹⁵

31. In summary, CCFA would have primary responsibility for the development of the food additive provision(s) based on a request and information provided by a Commodity/Regional Committee. This option has the advantage that CCFA has the comprehensive technical understanding of the GSFA that may not be

¹⁴ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraphs 112-115.

¹⁵ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraph 59.

available to the Commodity/Regional Committees. This option would follow the procedures described in the *Guidelines for the inclusion of specific provisions in Codex standards and related texts*¹⁶. The flowchart for Option 2 is provided below.



DISCUSSION

32. Both option 1 and option 2 represent practical ways in which GSFA food additive provisions, relating to Commodity/Regional Standards, could be developed. Option 2 is considered more efficient because much of the drafting work requires a detailed knowledge of the GSFA and this detailed knowledge mainly resides with the CCFA.

RECOMMENDATIONS

33. CCFA55 is invited to consider proceeding with either Option 1 or Option 2 as representing the future working practices for the "Incorporation and Endorsement of Food Additive Provisions for Commodity and Regional Committees". This option will be further refined as a stand-alone working practices document which would include Annex 1 on Key Considerations.

34. If CCFA55 agree to Option 2, then a document with a set or list of standardized questions should be further developed. The information requested should include that listed in para 112-115 of the Procedural Manual¹⁷.

35. Based on the decision in paragraph 33, CCFA55 noted that the draft Communication and Engagement Plan (Annex 2) will be further developed.

ANNEXES

1. Key Considerations for the development of the Commodity Standard and for the amendment of the GSFA (Draft)
2. Communication and Engagement Plan (Draft)

¹⁶ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraphs 109-128.

¹⁷ Procedural Manual, 29th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraphs 112-115.

Annex 1

KEY CONSIDERATIONS FOR THE DEVELOPMENT OF THE COMMODITY STANDARD AND FOR THE AMENDMENT OF THE GSFA**(Draft)**General reference to the GSFA

1. In developing the commodity standard, a general reference to the GSFA should be suitable in all cases, with the relevant provision in the GSFA being clarified by the use of Notes, as appropriate. The commodity standard may also list the functional classes to provide further information on the intended uses. In complex situations, a functional class table may be required. Developing a specific list of food additives in commodity standards should be avoided as much as possible.

Food categories

2. It is important to identify the food category in which the commodity belongs. In some cases, there is a one-to-one relationship between the commodity standard and the GSFA. However, the description of commodities in the commodity standard does not always correspond to a GSFA food category. In considering amendments to the GSFA, this difference in the scope of the commodities covered by the standards should be addressed by the use of exclusion notes (XS notes) to ensure the scope of the food additive provisions are no broader than necessary. In some cases, new food categories may need to be elaborated (or condition notes may be appropriate).

Determination of applicable functional classes and further restrictions

3. The Commodity/Regional Committee should determine whether it is necessary to specify the functional classes and if so, what functional classes are appropriate for the different foods captured by the standard. Where functional classes are identified, the Commodity/Regional Committee should identify whether ALL food additives of that functional class are permissible or whether there should be further restrictions on the food additives that may be used within a functional class. This is important in determining the appropriate scope of food additives to be considered by CCFA. The general reference in the commodity standards should be amended to reflect applicable functional classes and further restrictions, as appropriate.

4. The Commodity/Regional Committee should also determine if there are other factors that would cause certain food additives to be inappropriate. For example, it may be that calcium-containing additives would be detrimental to the processing of a food, or sodium-containing additives detrimental to the taste, and therefore should not be permitted. This type of consideration can be important especially for group food additives, where not all individual food additives under a group header with a similar functional class would be appropriate.

Functional Class Tables

5. For simple commodity standard(s) a list of functional classes should suffice. However, for complex standards that capture a wide variety of foods or processes a functional class table may serve as a helpful reference to help the reader clarify what types of food additives may be used. Also, where a standard relates to many food categories of the GSFA, an indication of the applicable GSFA food categories would be helpful.

Key Considerations for the Amendment of the GSFA

6. The approach to incorporation should be broadly consistent to that taken for new and revised amendments procedure to the GSFA, using the *Guidelines for the inclusion of specific provisions in Codex standards and related texts – food additives*¹⁸. This is especially the case for the safety aspects which need to be fully considered because in contrast to Alignment, which is a retrospective exercise, incorporation is for amended and new provisions for which the safety aspects may have not been previously considered. In addition, if the Commodity/Regional committee does not have the appropriate technical expertise, consideration of technological justification could be performed by the CCFA.

7. The approach should also utilise the *Guideline to Commodity Committees on the Alignment of Food Additive Provisions*¹⁹. For example, the addition of appropriate functional class notes, any other conditional notes, XS notes, Table 3 notes and amendments to the references to commodity standards in Table 3. However, the term “incorporation” should be used and not alignment as alignment refers to food additive provisions that have already been adopted into Commodity Standards.

¹⁸ Procedural Manual, 28th edition. SECTION 2 ELABORATION OF CODEX STANDARDS AND RELATED TEXTS. Paragraphs 109-128.

¹⁹ https://www.fao.org/fileadmin/user_upload/codexalimentarius/committee/docs/INF_CCFA_e_01.pdf

COMMUNICATION AND ENGAGEMENT PLAN**(Draft)**Introduction

1. The overarching principle to be applied is that the GSFA should be the single reference point for food additives in the Codex Alimentarius and should therefore take account of any food additive provisions in the commodity standards.²⁰ It should also be noted that the general reference to the GSFA in the commodity standards should be suitable in all cases, with the relevant provision in the GSFA being clarified by the use of Notes, as appropriate.

Why does there need to be a communication and engagement plan?

2. The success of effective incorporation of food additive provisions into the GSFA is dependent on a good understanding of the work of CCFA. The Commodity/Regional Committees need to be aware of, and understand, the process(es) that should be used for incorporation and collaboration with CCFA, and how CCFA supports the work of the Commodity/Regional Committees.

3. This communication and engagement plan is intended to be used to facilitate the implementation of the incorporation process.

Initiatives for enhancing the understanding of Commodity/Regional Committee

4. To ensure that the Commodity/Regional Committees have a good understanding, the initiatives outlined below should be considered.

(i) Matters Referred

5. Matters Referred items represent a mechanism used by the Codex Secretariat to refer relevant issues and questions to other Codex Committees by way of an agenda paper. This mechanism could be used to describe the new incorporation process, once it is agreed, to all relevant Commodity/Regional Committees. A short oral introduction by the Codex Secretariat should also be done in order to highlight the process. It might also be used by Commodity/Regional Committees to inform the CCFA of issues relating to food additives.

(ii) Presentation to the Commodity/Regional Committees

6. These presentation(s) would be delivered face-to-face at a side event for all the relevant Commodity/Regional Committees to describe the new incorporation process.

(iii) Webinar

7. An online seminar could be held in which presentation(s) are delivered that describe the new incorporation process. The presentation(s) may be same as those delivered face-to-face at the Committees, and could be recorded and published on the Codex website to inform members of Committees at a future time of their convenience. A live webinar or webinars could also be considered to facilitate questions and answers.

²⁰ CX/FA 23/53/6 Appendix 6