

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: [codex@fao.org](mailto:codex@fao.org) - [www.codexalimentarius.org](http://www.codexalimentarius.org)

Agenda Item 6

CX/CAC 24/47/17 Add.1

October 2024

ORIGINAL LANGUAGE ONLY

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

Forty-seventh Session

Geneva, Switzerland, CIG

25-30 November 2024

### COMMENTS ON OTHER MATTERS RELATED TO CODEX SUBSIDIARY BODIES

#### Proposed amendment of the General Standard for Fruit Juices and Nectars (CXS 247-2005)

#### BACKGROUND

1. This document compiles the comments on the proposed amendment to *General Standard for Fruit Juices and Nectars* (CXS 247-2005): Minimum brix level for grape juice from *Vitis labrusca* or hybrids thereof, as contained in the relevant Circular Letter ([CL 2024/80-CAC](#)). The comments are those received through the Codex Online Commenting Systems (OCS)<sup>1</sup>, or via email by the time this document was issued. The comments are as shown in Appendix I.

#### EXPLANATORY NOTES ON APPENDICES I AND II

2. The comments received are presented in a table format, with two columns as follows:
  - **First column** – Presents the comments with the rationale.
  - **Second column** – Presents the provider of the comments (name of member or observer)

---

<sup>1</sup> OCS is an online tool that enables Codex Contact Points to submit comments on draft texts in a standardised way, thus providing more transparency and better management of comments on different Codex texts as requested through Circular Letters. Since its launching at CAC39 (2016), the OCS has been used for different Codex Committees.

## Appendix I

**REQUEST FOR COMMENTS ON THE PROPOSED AMENDMENT TO GENERAL STANDARD FOR  
FRUIT JUICES AND NECTARS (CXS 247-2005): MINIMUM BRIX LEVEL FOR GRAPE JUICE FROM  
VITIS LABRUSCA OR HYBRIDS THEREOF**

**COMMENTS IN REPLY TO CL 2024/80-CAC**

*Comments by Argentina, Australia, Chile, Ecuador, Egypt, European Union,  
Maldives, Türkiye, United Arab Emirates, United States of America and FIVS, ICUMSA, IFU*

COMMENT	MEMBER / OBSERVER
Argentina agrees with the values proposed in this amendment	Argentina
Australia thanks the EWG Chair for preparing this detailed report. Australia supports the proposed amendment to the General Standard for Fruit Juices and Nectars (CXS 247-2005) to accommodate the demonstrated regional variation in the Brix level for grape juice from Vitis labrusca and hybrids thereof.	Australia
Chile considers this amendment is ready for adoption, based in the work of the electronic working group and the supporting information presented.	Chile
Después de haber analizado la propuesta de enmienda no se han identificado observaciones al documento.	Ecuador
Egypt appreciates this work and agrees to adopt the proposed amendment of the minimum Brix level for grape juice from Vitis labrusca or hybrids.	Egypt
<p>The European Union (EU) would like to thank Brazil for providing additional information and explanation and for preparing this second draft for consultation.</p> <p>The EU understands that the proposed amendment to the General Standard for Fruit Juices and Nectars (CXS 247-2005) is the same as for the consultations of the electronic working group (EWG) carried out this year, i.e. Brazil is proposing to keep the Brix level of 16 °Brix for grape juices of Vitis vinifera or hybrids thereof, and adding a text with a proposed minimum Brix level of 14 °Brix for reconstituted grape juice from Vitis labrusca L. and hybrids thereof, if it comes from countries of which the production is consistently lower than 16 °Brix. The EU appreciates the information provided by Brazil but reiterates its concerns expressed in the feedback to the EWG consultations.</p> <p>The EU would like to emphasise that lowering the Brix could lead to a deterioration in the intrinsic quality of the products and complicate quality control. Achieving the 16 Brix minimum is realistic for all direct-producing grape varieties, and maintaining current thresholds is important for consumer protection. Lower sugar content, considering the global trend of climate change, could lead to early harvesting when the crop is not yet fully ripe, adversely affecting the product's intrinsic quality and flavour profile due to potentially increased acidity.</p> <p>In order to determine whether the °Brix needs to be changed, the evaluation of average °Brix for reconstituted grape juice from worldwide data sources would be needed, and not only data from a single region of a single Codex member. At this stage, worldwide data justifying a review of the standard have not been provided.</p> <p>The data provided are restricted to one region of Brazil and show that the</p>	European Union

<p>average °Brix level for juices from <i>Vitis labrusca</i> and hybrids thereof in the years of 2020-2023 in this region was higher than 16 °Brix, only the data of 2024, which are most probably not yet complete, are below. Thus, it appears that the majority of Brazil's production complies with the limit of 16 °Brix.</p> <p>The EU reiterates its view that it would be useful to have information on how would <i>Vitis vinifera</i> do under the same cultivation conditions which is an important scientific basis to justify to treat them in a different way.</p> <p>Adulteration of fruit juices and nectars is a significant issue in the industry, and lowering the minimum Brix level for <i>Vitis labrusca</i> juices could make it more difficult to detect such practices. As isotopic analyses to some extent are suitable to detect not allowed water addition, in this case it can hardly be done because grape juices usually concentrated up to about 65 °Brix, no matter if the original juice had a value of Total Soluble Solid of more than 14 or 16 °Brix. The amount of needed water during reconstitution to get grape juice of 16 (or 14) °Brix from this concentrate is than the same.</p> <p>Even if the proposed amendment would include the specification of a maximum °Brix level of concentrate of grape juice of <i>Vitis labrusca</i> or hybrids thereof that is lower than that of concentrate of grape juices from <i>Vitis vinifera</i> and hybrids thereof (what is not mentioned in the amendment), there is no method known to distinguish the grape juices from <i>Vitis vinifera</i> from those from <i>Vitis labrusca</i> properly.</p> <p>The introduction of different °Brix values would require a new method to be added to the General Standard for Fruit Juices and Nectars (CXS 247-2005) in order to differentiate between the two types of grape juices. Furthermore, the proposed lower Brix level could complicate the control of the products. Currently, it is observed that 50% of reconstituted fruit juices are produced by adding water, making O18 isotopic analysis cumbersome in determining the precise amount of added water.</p> <p>The EU is thus of the opinion that the information that is currently available does not justify the proposed amendment.</p>	
<p>Maldives would like to thank the delegation of the Brazil for the proposed amendment to improve the standard. The Maldives accept the proposed change.</p>	<p><b>Maldives</b></p>
<p>Since there is no limitation for grape juice produced directly from harvested grapes and it is possible to produce grape juice without making any amendments in the related Codex standard, Türkiye still opposes the proposed amendment of Brix value for grape juice from <i>Vitis Labrusca</i> or hybrids thereof.</p> <p>Türkiye would like to reiterate its comments which have been already submitted as an EWG member in the forum.codex-alimentarius. The purpose of the Codex Alimentarius is about safe food for protecting consumer health and removing barriers to international trade. In the annex of the CXS 247; Minimum Brix Level for Reconstituted Juice and Reconstituted Purée and Minimum Juice and/or Purée Content for Fruit Nectars (% V/V) 15 at 20 degree C are listed.</p> <p>In general, fruit juices are internationally traded in concentrated form. Thus, in CXS 247, there is a Brix level of 16.0 only for grape juices produced from</p>	<p><b>Türkiye</b></p>

<p>concentrated fruit juices. In other words, the Brix level 16.0 is not for ready-to-drink fruit juices.</p> <p>Therefore, Türkiye would like to request kindly whether Brazil does meet with any international trade problems, trade barriers any difficulties etc. in scope of Brix level determined in the CXS 247. Because neither 1st nor 2nd document shared with EWGs' members did not be included any international trade rejection of grape juice produced by Vitis Labrusca. Therefore, Türkiye is of the opinion that the determining different Brix values for grape juices produced from Vitis Vinifera L. and Vitis Labrusca species may cause unfair trade applications.</p> <p>In the proposal submitted by Brazil, Brix values of Vitis Labrusca grape varieties (7 varieties in total) grown in the country for the last 10 years are given. When the data are assessed carefully, it seems that almost all maximum Brix vales are above level 16.0. In other words, it is quite possible to meet a brix level all above the present minimum of 16.0 when appropriate conditions and breeding practices are implemented. On the other hand, the Brix value of grape juice produced from these varieties grown in a different country or region and which may vary depending on the growing conditions and vegetation period. Therefore, it is very difficult to set this value at different levels for each country or region, In addition, changing Brix value may lead to unfair competition in trade and misleading consumers. Even though Brazil has given data for the year 2024, regarding data based and evidence based principles of Codex works, at least last 5 or 10 years data should be used instead of one year data.</p> <p>In the CXS 247, since minimum Brix value sets for concentrated fruit juice not for ready-to-drink one, the data submitted by Brazil do not support the lowering Brix value to 14.0.</p> <p>Consequently, there is no limitation for grape juice produced directly from harvested grapes and it is possible to produce grape juice without making any amendments in the related Codex standard.</p> <p>Türkiye still opposes the proposed amendment of Brix value for grape juice from Vitis Labrusca or hybrids thereof.</p>	
<ul style="list-style-type: none"> <li>● The minimum Brix level (the soluble solids content of the juice) of the reconstituted juice shall be the Brix level as expressed from the fruit used to make the concentrate.</li> <li>● The preparation of fruit juice that requires reconstitution of concentrated juices must be in accordance with the established minimum Brix level, exclusive of the solids of any added optional ingredients and additives.</li> <li>● In case that there is no specified Brix level, minimum Brix shall be calculated based on the soluble solids content of the single juice used to produce such concentrated juice.</li> </ul> <p>As a conclusion, United Arab Emirates, UAE, considered the following proposed (amendment) is ready for adoption: It is recognized that in different countries, the Brix level may naturally differ from the value 16, (the Minimum Brix level for Reconstituted Fruit Juices and Reconstituted Purée). In cases where the Brix level is consistently lower than this value, reconstituted juice of lower Brix from these countries introduced into international trade will be acceptable, provided it meets the authenticity methodology listed in the General Standard for Fruit</p>	<p><b>United Arab Emirates</b></p>

<p>Juices and Nectars and the level will not be below 14°Brix for grape juice from <i>Vitis labrusca</i> and hybrids thereof).</p>	
<p>The United States appreciates the opportunity to submit comments in response to the Request for comments on the proposed amendment to General Standard for Fruit Juices and Nectars (CXS 247-2005): Minimum brix level for grape juice from <i>Vitis labrusca</i> or hybrids thereof (CL 2024/80-CAC). The United States generally agrees that it is important for Codex standards to be as internationally representative and geographically inclusive as possible. In the General Standard for Fruit Juices and Nectars (CXS 247-2005), this approach was applied to apple, pineapple and orange juices, in recognition that different regions produce juices at lower Brix levels naturally, and market access would be unattainable if levels were set higher for these regions.</p> <p>Noting that there were divergent views among Electronic Working Group (EWG) members, to reach consensus, the United States would be interested in further discussing this amendment. Reasons for including this amendment should address whether the reconstituted juice of lower Brix of 14 can meet the authenticity methodology listed in the standard and the minimum Brix level as stated in the amendment. Since this approach is already applied to apples, pineapple and orange juices in the General Standard for Fruit Juices and Nectars (CXS 247-2005), it would be informative to know whether this approach in these Codex fruit juice and nectar standards had actual consequences in trade, such as effects on inspection, increased fraud, and on commercial trade generally, which are the current concerns which Members raised regarding adding this amendment to the standard on grape juices. Receiving this information will help Members draw consensus on whether this amendment should be added to the grape juice standard.</p> <p>As other Codex Members have expressed, United States remains concerned that lowering the Brix level to 14 would pose challenges with complying with different Brix levels per species. Requirements in a standard should be scientifically verifiable or observable. Without mandatory labeling or other types of mandatory markings indicating the different grape species industry would not know when to distinguish the juices and/or which Brix level to apply. Such mandatory labeling of grape species is not used in the international grape juice trade. Furthermore, costly and time-consuming analytical analysis may be required to ascertain the grape species.</p> <p>We note that the current amendment considers the minimum Brix level for reconstituted fruit juices and purée but excludes directly expressed juice. Therefore, the existing Brix value of 16 is not a restricting factor, for fruit juices with Brix values below or above 16 can be adjusted during reconstitution. Brazil as well concedes in their responses to comments that it is possible to reach Brix levels of 16 through different blends of <i>V. labrusca</i> but argues that blending juices can harm the quality of the product. Comments submitted by the International Fruit and Vegetable Juice Association (IFU) noted that most retail 100% juices consist of blends.</p> <p>In summary, the United States is open to further discussing this proposed amendment and its practical use in other Codex fruit juice standards applying same text. Without this information, however, the United States would be in favor retaining the Brix level of 16 without the proposed amendment.</p>	<p><b>USA</b></p>

<p>FIVS suggests separating <i>Vitis Vinifera</i> and <i>Vitis Labrusca</i> into two distinct botanical categories.</p> <p>We acknowledge the data presented by the Brazilian delegation regarding the production of grape juice from <i>Vitis Labrusca</i> and typical Brix levels in reconstituted grape juice.</p> <p>We suggest separating the reconstituted grape juice categories into 2 distinct ones:  <i>Vitis Vinifera</i>: Min Brix Level at 16°  <i>Vitis Lambrusca</i>: Min Brix Level at 16° with exceptions at 14°</p> <p>This would be consistent with other fruit categories that have separate minimum Brix levels for different varieties of the same fruit.</p>	<p><b>FIVS</b></p>
<p>It is concerning that the term "Brix" continues to be used because the measurement made most commonly now is refractometric dry substance, based on the refractive index of sucrose. Historically, Brix was measured using spindles and was therefore based on specific gravity of sucrose. Due to the ease and cost of refractometric instruments, it is unlikely that many people use Brix spindles anymore, so it would be better if the text was updated to reflect the historical nature of "Brix" relative to how measurement is now done.</p>	<p><b>ICUMSA</b></p>
<p>IFU strongly opposes the proposed amendment, based on the following reasons:</p> <p>1) Despite the active participation of multiple member countries and observers, including IFU, the discussions in the EWG's two rounds did not reach consensus. A majority of participants opposed the amendment or requested further technical information from Brazil. Specifically, 8 out of 10 participants in the first round and 5 out of 5 in the second round expressed significant concerns. However, the Chair proceeded to recommend the adoption of the proposal, disregarding all what was mentioned in the EWG.</p> <p>2) Precedent for the Industry: Establishing different Brix levels for different grape species could set a challenging precedent, making it difficult to manage and potentially hindering international trade. The derogations listed in the Codex Standard, for orange, pineapple and apple were agreed by the fruit juice task force after collection of production weighted Brix data to ensure that this flexibility was justified by the data supplied by producer countries.</p> <p>3) Adulteration Risk: A lower minimum Brix level could make it easier to adulterate products by adding water, a significant issue in the industry.</p> <p>4) Lack of Distinguishing Method: The introduction of two Brix values would require the development of new methods to differentiate between <i>Vitis labrusca</i> and <i>Vitis vinifera</i>. Currently, there is no method available or validated to make this distinction. If a procedure was developed there is likely to be an additional cost as DNA based procedures are likely to be necessary to perform this differentiation.</p> <p>5) Existing Standards and Data: The current Brix value of 16 is justified by the fact that it accounts for the blending of fruits with Brix values above and below 16 during juice concentrate processing. Data presented by Brazil showed that for most seasons (63%), the average Brix values exceeded 16. Additionally, the data</p>	<p><b>IFU</b></p>

<p>demonstrated that over the last three seasons, the average Brix level consistently remained above 16.</p> <p>6) Trade and Economic Impact: The proposed amendment could distort international trade by giving juices from specific regions a competitive advantage due to lower production costs when diluted to single strength. This could skew the market similarly to tariffs.</p> <p>7) Brix levels in Codex STN 247: As the Brix levels listed in the appendix of STN 247 only apply to fruit juice from concentrate the input value for the juice is not directly relevant as the concentrate can be reconstituted, with potable water, to the Brix level contained in the standard just by the addition of a smaller amount of water.</p> <p>8) We also wish to highlight that IFU, along with other CODEX Members, invested significant time and resources into providing detailed technical feedback. It is disappointing to see that these concerns were not adequately addressed in the final recommendation.</p> <p>IFU believes that the adoption of the proposed amendment should be retained within the step system until sufficient technical justification is provided.</p>	
--	--