codex alimentarius commission E

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

JOINT OFFICE: Viale delle Terme di Caracalla 00153 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 5(c) **CX/FA 09/41/6 Add.1**

February 2009

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Forty-first Session

Shanghai, China, 16-20 March 2009

COMMENTS ON REPORT OF THE ELECTRONIC WORKING GROUP ON THE GSFA

The following comments have been received from the following Codex members and observers:

European Community, CEFIC, CEFS, EFEMA, ICGMA, IDF, IFAC, OIV

European Community (EC)

The European Community (EC) would like to thank the United States for the huge work undertaken under the e-working group aiming at revising the GSFA. The EC supports generally the document but would like to raise the following comments:

SORBATES (INS 200-203)

1. The 29th JECFA (1985) assigned a group ADI of 25 mg/kg bw for sorbates.

2. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose preservative with sorbates.

Recommendation 1 – Sorbates, INS 200-203 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for sorbates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
04.1.1	Fresh fruit	1,000	mg/kg	Note 42[1]	6	Preservatives in fresh fruit are inappropriate
04.1.2.4	Canned or bottled (pasteurized) fruit	1,000	mg/kg	Note 42	6	Canned fruit is already preserved (no technological need)
04.2.2.4	Canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	1,000	mg/kg	Note 42	6	Canned product is already preserved
09.2.1	Frozen fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42	6	Not necessary in frozen products
09.2.2	Frozen battered fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42	6	Not necessary in frozen products
09.2.3	Frozen minced and creamed fish products, including mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42	6	Not necessary in frozen products
12.3	Vinegars	1,000	mg/kg	Note 42	6	Why is preservative required in a product that has a minimum 5% acetic acid?
14.2.1	Beer and malt beverages	500	mg/kg	Note 42	6	Use of sorbates in beer questioned

[1] **Note 42**: As sorbic acid.

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Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
16.0	Composite foods - foods that could not be placed in categories 01 – 15	1,000	mg/kg	Note 42	6	Targeted foodstuffs should be clearly defined

EC COMMENTS : EC SUPPORTS THE RECOMMENDATION 1

Recommendation 2 – Sorbates, INS 200-203 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sorbates in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	EC does not support the use of sorbate in this basic foodstuff.	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	300	mg/kg	Note 42	6	
01.2.1	EC does not support the use of sorbate in this basic foodstuff. Technological justification is requested. Possible inhibition of yeast action	Fermented milks (plain)	300	mg/kg	Note 42	6	
01.2.2	EC does not support the use of sorbate in this basic food.stuffs.	Renneted milk (plain)	1,000	mg/kg	Note 42	6	
01.3.2		Beverage whiteners	200	mg/kg	Note 42	6	
02.2.2	EC supports	Fat spreads, dairy fat spreads and blended spreads	2,000	mg/kg	Note 42	6	Consistent with the Standard 256-2007, Fat Spreads and Blended Spreads; In the past, industry in Canada has indicated a technological need for use of sorbates in margarine.
02.3	EC supports	Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions	1,000	mg/kg	Note 42	6	
02.4	EC supports	Fat-based desserts excluding dairy-based dessert products of food category 01.7	1,000	mg/kg	Note 42	6	
03.0	EC does not support. No technological need of preservatives in the frozen technology.	Edible ices, including sherbet and sorbet	1,000	mg/kg	Note 42	6	
04.1.2.3	EC supports	Fruit in vinegar, oil, or brine	**1,000**	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg

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Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.2.6	EC supports	Fruit-based spreads (e.g., chutney) excluding products of food category 04.1.2.5	1,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
04.1.2.7	EC supports	Candied fruit	1,000	mg/kg	Note 42	6	
04.1.2.9	EC does not support.	Fruit-based desserts, including fruit-flavoured waterbased desserts	1,000	mg/kg	Note 42	6	
04.1.2.10	EC supports	Fermented fruit products	1,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg.
04.1.2.11	EC supports	Fruit fillings for pastries	1,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg.
04.1.2.12	EC supports	Cooked fruit	1,200	mg/kg	Note 42	6	
04.2.2.7		Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	1,000	mg/kg	Note 42	6	iIdustry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
04.2.2.8	Only potatoe dough and pre-fried potatoe slices	Cooked or fried vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	2,000	mg/kg	Note 42	6	
05.1.1	EC does not support. Technological justification requested. Should be moved to recommendation 3	Cocoa mixes (powders) and cocoa mass/cake	1,500	mg/kg	Note 42	6	
05.1.2	EC does not support. Technological justification requested. Should be moved to recommendation 3	Cocoa mixes (syrups)	1,000	mg/kg	Note 42	6	
05.1.3	EC does not support. Technological justification requested. Should bemoved to recommendation 3	Cocoa-based spreads, including fillings	1,500	mg/kg	Note 42	6	

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Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
05.1.5		Imitation chocolate, chocolate substitute products	1,500	mg/kg	Note 42	6	
05.3	EC supports	Chewing gum	1,500	mg/kg	Note 42	6	Chewing gum products do exist, (for example liquid-filled chewing gums) which, because of their higher moisture content, may require the use of preservatives. The technical justification for the use of preservatives in chewing gum has already been endorsed by the Codex Committee on Food Additives in 2005, when a level of 1500 mg/kg was adopted for benzoates in chewing gum in the GSFA. Sorbates are often used in complement and/or as a substitute to Benzoates.
05.4	EC supports	Decorations (e.g., for fine bakery wares), toppings (non-fruit) and sweet sauces	1,000	mg/kg	Note 42	6	
06.2	EC does not support. No Technological justification and possible intake concern due to the high consumption of this basic foodstuff	Flours and starches (including soybean powder)	1,000	mg/kg	Note 42	6	
06.5	**EC supports**	Cereal and starch based desserts (e.g., rice pudding, tapioca pudding)	1,000	mg/kg	Note 42	6	
06.6	EC supports	Batters (e.g., for breading or batters for fish or poultry)	2,000	mg/kg	Note 42	6	
08.4	Collagen based casings with a water activity greater than 0.6.	Edible casings (e.g., sausage casings)	GMP		Note 42	6	
09.2.4.1	EC supports	Cooked fish and fish products	2,000	mg/kg	Note 42	6	
09.2.4.2	EC supports	Cooked mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42 & 82[2]	6	
10.2.1	EC supports	Liquid egg products	5,000	mg/kg	Note 42	6	
10.2.2	EC supports	Frozen egg products	1,000	mg/kg	Note 42	6	

[2] **Note 82**: For use in shrimp; 6000 mg/kg for Crangon crangon and Crangon vulgaris.

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Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
10.2.3	EC supports	Dried and/or heat coagulated egg products	1,000	mg/kg	Note 42	6	
10.4	EC supports	Egg-based desserts (e.g., custard)	1,000	mg/kg	Note 42	6	
11.4	EC supports	Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	1,000	mg/kg	Note 42	6	
12.2	EC supports	Herbs, spices, seasonings and condiments (e.g., seasoning for instant noodles)	1,000	mg/kg	Note 42	6	
12.7	EC supports	Salads (e.g., macaroni salad, potato salad) and sandwich spreads excluding cocoa- and nut-based spreads of food categories 04.2.2.5 and 05.1.3	1,500	mg/kg	Note 42	6	
13.3	EC supports	Dietetic foods intended for special medical purposes (excluding products of food category 13.1)	1,500	mg/kg	Note 42	6	
13.4	EC supports	Dietetic formulae for slimming purposes and weight reduction	1,500	mg/kg	Note 42	6	
13.6	EC supports but only for food supplements supplied in liquid form	Food supplements	2,000	mg/kg	Note 42	6	
04.1.2.1	EC does not support. No Technological justification as indicated by both the justifications provided to the e-wg which also oppose the use of sorbate (this sub cat is not at the right place)	Frozen Fruit	1,000	mg/kg	Note 42	6	**1)** Freezing provides adequate preservation **2)** Sorbates are not allowed in frozen fruits in Canada
14.1.2.2	EC does not support	Vegetable juice	1,000	mg/kg	Note 42	6	Adopt based on corresponding levels established for fruit juices and nectars
14.1.2.4	EC does not support.	Concentrates for vegetable juice	1,000	mg/kg	Note 42	6	Adopt based on corresponding levels established for fruit juices and nectars
14.1.3.2	EC does not support.	Vegetable nectar	1,000	mg/kg	Note 42	6	Adopt based on corresponding levels established for fruit juices and nectars
14.1.3.4	EC does not support.	Concentrates for vegetable nectar	1,000	mg/kg	Note 42	6	Adopt based on corresponding levels established for fruit juices and nectars

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Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.2.6	EC does not support.	Distilled spirituous beverages containing more than 15% alcohol	600	mg/kg	Note 42	6	
15.1	EC supports	Snacks - potato, cereal, flour or starch based (from roots and tubers, pulses and legumes)	1,000	mg/kg	Note 42	6	
15.2	EC supports	Processed nuts, including coated nuts and nut mixtures (with e.g., dried fruit)	1,000	mg/kg	Note 42	6	

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.1	EC does not support. No Technological justification	Milk and buttermilk (plain)	1,000	mg/kg	Note 42	6	Not necessary in basic products such as these, other physical preservation methods are adequate (e.g. pasteurization, UHT)
01.6.1	ML seems to high and should be aligned with Codex standard 221-2001	Unripened cheese	3,000	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function **2)** Industry in Canada has indicated a technological need for sorbates up to 3000 mg/kg. **3)** The Codex Standard 221-2001, for Unripened Cheese including Fresh Cheese there is provision for 1000 mg/kg
01.6.2	In the Codex Standard A-6-1978, the use of sorbate is only limited to the surface treatment	Ripened cheese	3,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated a technological need for sorbates up to 3000 mg/kg. **2)** The Codex Standard A-6-1978, amended in 2006, Cheese, there is provision for 1000 mg/kg

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.4	ML seems to high. 2000 mg/kg seems sufficient to achieve the effect	Processed cheese	3,000	mg/kg	Note 42	6	**1)** Consistent with the Codex Standard A-8(b)-1978 for Processed Cheese **2)** Canadian industry has indicated a technological need for sorbates up to 3000 mg/kg. **3)** ML seems high. A ML of 2000 mg/kg sufficient to achieve the technological function
01.6.5	Only limited to surface treatment	Cheese analogues	3,000	mg/kg	Note 42	6	**1)** Add note "surface treatment only" **2)** Request more information
01.7	Only for non heat treated products at a Max Level of Sa + Ba of 300 mg/kg. The heat treatment provides adequate preservation	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	1,000	mg/kg	Note 42	6	Not necessary in heat treated products as the heat treatment provides adequate preservation. Add note "Only for non-heat treated dairy based desserts"
04.1.2.2	ML seems high. A ML of 1000 mg/kg should be sufficient	Dried fruit	2,000	mg/kg	Note 42	6	ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function
04.1.2.5	EC does not support. No Technological justification except in low sugar jam	Jams, jellies, marmelades	1,000	mg/kg	Note 42	6	**1)** In the past, industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg **2)** Add note "only in low-sugar jams"
04.1.2.8	ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function	Fruit preparations, including pulp, purees, fruit toppings and coconut milk	1,500	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg sufficient to achieve the technological function **2)** This additive functions as preservative and the level is necessary to achieve the intended technical need.

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.3	EC supports	Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds in vinegar, oil, brine, or soybean sauce	2,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
04.2.2.5	EC supports	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed purees and spreads (e.g., peanut butter)	2,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
04.2.2.6	EC supports	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed pulps and preparations (e.g., vegetable desserts and sauces, candied vegetables) other than food category 04.2.2.5	2,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
05.1.4	EC does not support, should not be allowed in chocolate products conforming with codex stan 87-1991 Technological need requested for other products not conforming with Codex stan 87-1991	Cocoa and chocolate products	1,000	mg/kg	Note 42	6	**1)** Sorbates are not allowed in standardized cocoa or chocolate products (as per the Codex Standard) **2)** There are several products composed of a non-standard center filling (e.g., cherry fondant) covered by a standardized chocolate coating. Due to the higher water activity of the center filling, sorbate functions as a preservative in these types of products
05.2	EC does not support, ML seems to be high. 1500 seems sufficient to achieve the technological need	Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4	2,000	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1500 mg/kg seems sufficient to achieve the technological function **2)** 1500 mg/kg is required for technical application in products

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.2	Only in noodles. EC strongly oppose the use of sorbate in dried pasta	Dried pastas and noodles and like products	2,000	mg/kg	Note 42	6	**1)** Consistent with Codex Standard for Noodles **2)** No additives are necessary in dried pasta
06.4.3	Only in noodles. EC strongly oppose the use of sorbate in dried pasta	Pre-cooked pastas and noodles and like products	2,000	mg/kg	Note 42	6	**1)** Consistent with Codex Standard for Noodles **2)** add note "only in noodles"
07.0	Only in pre-packed sliced bread and ryebread and partially bake, pre-packed bakery wares intended for retail sale and energy reduced bread intended for retail sale	Bakery wares	2,000	mg/kg	Note 42	6	**1)** industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg **2)** Add note "Only pre-packed sliced bread and ryebread and partially cooked bakery wares and energy reduced bakery wares"
08.2	For surface treatment of dried meat only	Processed meat, poultry, and game products in whole pieces or cuts	2,000	mg/kg	Note 42	6	**1)** Add note "for surface treatment of dried meat products" **2)** Sorbates are not allowed in Canada in meat products
08.3	For surface treatment of dried meat only	Processed comminuted meat, poultry, and game products	2,000	mg/kg	Note 42	6	**1)** Add note "for surface treatment of dried meat products" **2)** Sorbates are not allowed in Canada in meat products
09.2.5	EC supports	Smoked, dried, fermented, and/or salted fish and fish products, including mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
09.3	EC supports	Semi-preserved fish and fish products, including mollusks, crustaceans, and echinoderms	2,000	mg/kg	Note 42	6	Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg
11.6	Only technologically justified in liquid products	Table-top sweeteners, including those containing high-intensity sweeteners	1,000	mg/kg	Note 42	6	Add note "liquid products only"

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
12.4	Only with a ML of 1000 mg/kg	Mustards	1,500	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function **2)** Technological purpose questioned
12.5	ML seems high. A ML of 500 mg/kg seems sufficient to achieve the technological function	Soups and broths	1,500	mg/kg	Note 42	6	**1)** Codex Standard for Bouillons and Consommés allows maximum 500 mg/kg **2)** ML seems high. A ML of 500 mg/kg seems sufficient to achieve the technological function
12.6.1	ML is too high. ML seems high. A ML of 2000 mg/kg seems sufficient to achieve the technological function	Emulsified sauces (e.g., mayonnaise, salad dressing)	3,350	mg/kg	Note 42	6	**1)** Industry in Canada has indicated a technological need for use of sorbates in this Category at 3,350 mg/kg **2)** ML seems high. A ML of 2000 mg/kg seems sufficient to achieve the technological function
12.6.2	ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function	Non-emulsified sauces (e.g., ketchup, cheese sauce, cream sauce, brown gravy)	2,000	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function **2)** The Additive functions as a preservative and the maximum use level of 1000mg/kg is safe and necessary to achieve the intended purpose.
12.6.3	ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function	Mixes for sauces and gravies	2,000	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
12.6.4	The ML of 1000 mg/kg seems to be sufficient to achieve the technological purpose	Clear sauces (e.g., fish sauce)	2,000	mg/kg	Note 42	6	**1)** ML seems high. A ML of 1000 mg/kg seems sufficient to achieve the technological function **2)** The Additive functions as a preservative and the maximum use level of 1000mg/kg is safe and necessary to achieve the intended purpose.
13.5	ML seems high. A ML of 1500 mg/kg seems sufficient to achieve the technological function	Dietetic foods (e.g., supplementary foods for dietary use) excluding products of food categories 13.1 - 13.4 and 13.6	2,000	mg/kg	Note 42	6	ML seems high. A ML of 1500 mg/kg seems sufficient to achieve the technological function
14.1.4.1	EC does not support the proposed ML and suggests that particular attention should be paid to this basic foodstuff with regard to potential intake exceedance. A ML of 300 mg/kg should be sufficient to achieve the technological function	Carbonated water-based flavoured drinks	1,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg **2)** ML seems high. A ML of 300 mg/kg sufficient to achieve the technological function **3)** Suggest collapsing the subcategories into 14.1.4. Although 1000 mg/kg is permitted in some countries, the current use levels typically do not exceed 500 mg/kg as sorbic acid due to inadequate solubility and sensory concerns at higher use levels.

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.1.4.2	EC does not support the proposed ML and suggests that a particular attention should be paid to this food with regard to potential intake exceedance. A ML of 300 mg/kg should be sufficient to achieve the technological function	Non-carbonated water-based flavoured drinks, including punches and ades	1,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated a technological need for use of sorbates in this Category at 1000 mg/kg **2)** ML seems high. A ML of 300 mg/kg sufficient to achieve the technological function **3)** Collapse into 14.1.4
14.1.4.3	EC does not support the proposed ML. 300 mg/kg should be sufficient to achieve the technological need. In addition, Note 127 should be added.	Concentrates (liquid or solid) for water-based flavoured drinks	1,500	mg/kg	Note 42	6	**1)** ML seems high. A ML of 300 mg/kg sufficient to achieve the technological function **2)** Collapse into 14.1.4. If CCFA decides to continue to maintain the subcategories, we suggest including Note 127 (As served to the consumer) in 14.1.4.3.
14.1.5	Only in liquid tea concentrates and liquid fruit and herbal infusion at 600 mg/kg	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal and grain beverages, excluding cocoa	1,000	mg/kg	Note 42	6	**1)** Set ML to 600 mg/kg. Add note "Only in liquid tea concentrates and liquid fruit and herbal infusion concentrates" **2)** Set ML to 500 mg/kg due to solubility concerns at higher use levels. Add Note 160 (For use in ready-to-drink products and premixes for ready-to-drink products only)
14.2.2	The ML seems high. A ML of 200 mg/kg is sufficient to achieve the technological function.	Cider and perry	1,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated that 500 mg/kg is technologically sufficient for these foods **2)** ML seems high. A ML of 300 mg/kg sufficient to achieve the technological function

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Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.2.3	EC opposes and questioned the technological need of such high ML. At such high concentration undesirable geranium like taste can occur in the wine. This ML should be kept at the minimum necessary for the antiseptic action of sorbic acid. A ML of 200 mg/kg is sufficient to achieve the technological function. OIV also recommends the ML of 200 mg/kg	Grape wines	2,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated that 500 mg/kg is technologically sufficient for these foods **2)** ML seems high. A ML of 200 mg/kg sufficient to achieve the technological function
14.2.4	ML seems high. A ML of 200 mg/kg is sufficient to achieve the technological function	Wines (other than grape)	1,000	mg/kg	Note 42	6	**1)** Industry in Canada has indicated that 500 mg/kg is technologically sufficient for these foods **2)** 200 mg/kg adequate for tech need
14.2.5	ML seems high. A ML of 200 mg/kg seems sufficient to achieve the technological function	Mead	1,000	mg/kg	Note 42	6	ML seems high. A ML of 200 mg/kg seems sufficient to achieve the technological function
14.2.7	ML seems high. A ML of 200 mg/kg seems sufficient to achieve the technological function	Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low alcoholic refreshers)	500	mg/kg	Note 42	6	**1)** Industry in Canada has indicated a technological need for use of sorbates in this Category at 500 mg/kg **2)** Level of 200 mg/kg adequate

HYDROXYBENZOATES, PARA- (INS 214, 218)

3. The 17th JECFA (1973) assigned a group ADI of 10 mg/kg bw for para-hydroxybenzoates.

4. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose preservative with para-hydroxybenzoates.

Recommendation 1 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for para-hydroxybenzoates in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.1.2	Surface-treated fresh fruit	12	mg/kg	Note 27[3]	6	
04.1.1.3	Peeled or cut fresh fruit	12	mg/kg	Note 27	6	
11.6	Table-top sweeteners, including those containing high-intensity sweeteners	1500	mg/kg	Note 27	3	
12.5	Soups and broths	300	mg/kg	Note 27	6	
12.7	Salads (e.g., macaroni salad, potato salad) and sandwich spreads excluding cocoa- and nut-based spreads of food categories 04.2.2.5 and 05.1.3	300	mg/kg	Note 27	6	
13.6	Food supplements	2000	mg/kg	Note 27	3	
14.1.2.2	Vegetable juice	1000	mg/kg	Note 27	6	Unable to confirm use in this food category
14.1.2.4	Concentrates for vegetable juice	1000	mg/kg	Note 27	6	Unable to confirm use in this food category
14.1.3.2	Vegetable nectar	200	mg/kg	Note 27	6	Unable to confirm use in this food category
14.1.3.4	Concentrates for vegetable nectar	200	mg/kg	Note 27	6	Unable to confirm use in this food category
16.0	Composite foods - foods that could not be placed in categories 01 - 15	1000	mg/kg	Note 27	6	Products should fit within food category system or be adequately defined

EC COMMENTS : EC SUPPORTS THE RECOMMENDATION 1

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.								
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.4	EC does not support	Processed cheese	300	mg/kg	Note 27	6	
01.6.5		Cheese analogues	500	mg/kg	Note 27	6	
01.7	**EC does not support**	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	120	mg/kg	Note 27 **& A**[4]	6	Suggest adding a new note to reflect that hydroxybenzoates are not allowed in fermented milk according to Codex STAN 243 – Fermented Milks
02.2.2	EC does not support.	Fat spreads, dairy fat spreads and blended spreads	300	mg/kg	Note 27 **& B**[5]	6	Suggest adding a new note to reflect that hydroxybenzoates are not allowed in dairy fat spreads according to Codex STAN 253 – Dairy Fat Spreads
02.3	EC does not support. Basic foodstuff	Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions	300	mg/kg	Note 27	6	

[3] **Note 27**: As para-hydroxybenzoic acid.
[4] **Note A: Excluding fermented milks.**
[5] **Note B: Excluding dairy fat spreads.**

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
03.0	EC does not support. No technological need of preservatives & antioxidant in the frozen technology.	Edible ices, including sherbet and sorbet	1000	mg/kg	Note 27	6	
04.1.2.2	EC does not support.	Dried fruit	800	mg/kg	Note 27	6	
04.1.2.3	EC does not support. Technological need requested	Fruit in vinegar, oil, or brine	800	mg/kg	Note 27	6	
04.1.2.6	EC does not support. Technological need requested	Fruit-based spreads (e.g., chutney) excluding products of food category 04.1.2.5	1000	mg/kg	Note 27	6	
04.1.2.7	EC does not support.	Candied fruit	1000	mg/kg	Note 27	6	
04.1.2.8	EC does not support.	Fruit preparations, including pulp, purees, fruit toppings and coconut milk	800	mg/kg	Note 27	6	
04.1.2.9	EC does not support.	Fruit-based desserts, including fruit-flavoured water-based desserts	800	mg/kg	Note 27	6	
04.1.2.10	EC does not support.	Fermented fruit products	800	mg/kg	Note 27	6	
04.1.2.11	EC does not support.	Fruit fillings for pastries	800	mg/kg	Note 27	6	
04.2.1.2	EC does not support. Technological need requested. The technological efficacy at such low level is also questioned	Surface-treated fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	12	mg/kg	Note 27	6	
04.2.1.3	EC does not support. Basic foodstuff. The technological efficacy at such low level is also questioned	Peeled, cut or shredded fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	12	mg/kg	Note 27	6	
04.2.2.3	EC does not support.	Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds in vinegar, oil, brine, or soybean sauce	1000	mg/kg	Note 27	6	
04.2.2.5	EC does not support.	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed purees and spreads (e.g., peanut butter)	1000	mg/kg	Note 27	6	

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.6	EC does not support.	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed pulps and preparations (e.g., vegetable desserts and sauces, candied vegetables) other than food category 04.2.2.5	1000	mg/kg	Note 27	6	
04.2.2.7	EC does not support.	Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	300	mg/kg	Note 27	6	
05.1.1	EC does not support.	Cocoa mixes (powders) and cocoa mass/cake	700	mg/kg	Note 27	6	
05.1.3	EC does not support.	Cocoa-based spreads, including fillings	300	mg/kg	Note 27	6	
05.1.5		Imitation chocolate, chocolate substitute products	300	mg/kg	Note 27	6	
05.2	ML is too high. Max 300 mg/kg	Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4	**1000**	**mg/kg**	Note 27	6	1000 mg/kg is sufficient for technical application in products
05.3	EC does not support.	Chewing gum	**1000**	**mg/kg**	Note 27	6	**1)** Although 1500 mg/kg is the most favoured technical level for manufacturers, 1000 mg/kg is acceptable. **2)** 1000 mg/kg is sufficient for technical application in products
05.4	EC does not support.	Decorations (e.g., for fine bakery wares), toppings (non-fruit) and sweet sauces	300	mg/kg	Note 27	6	
07.2	EC does not support.	Fine bakery wares (sweet, salty, savoury) and mixes	300	mg/kg	Note 27	6	
08.2.1.2	EC does not support. And a ML should be set	Cured (including salted) and dried non-heat treated processed meat, poultry, and game products in whole pieces or cuts		GMP	Notes 3[6] & 27	6	
08.3.1.2	EC does not support.	Cured (including salted) and dried non-heat treated processed comminuted meat, poultry, and game products		GMP	Notes 3 & 27	6	

[6] **Note 3**: Surface treatment.

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
08.4	EC does not support.	Edible casings (e.g., sausage casings)	36	mg/kg	Note 27	6	
09.3	EC does not support.	Semi-preserved fish and fish products, including mollusks, crustaceans, and echinoderms	1000	mg/kg	Note 27	6	
11.4	EC does not support.	Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	100	mg/kg	Note 27	6	
12.3	EC does not support and suggests discontinuation similarly to sorbate, following the same rational. Why is preservative required in a product that has a minimum 5% acetic acid?	Vinegars	100	mg/kg	Note 27	6	
12.4	EC does not support.	Mustards	300	mg/kg	Note 27	6	
12.6	EC does not support.	Sauces and like products	1000	mg/kg	Note 27	6	
14.1.4	EC does not support.	Water-based flavoured drinks, including "sport," "energy," or "electrolyte" drinks and particulated drinks	**500**	**mg/kg**	Note 27	6	While p-hydroxybenzoates are permitted for use at 1000 mg/kg in some countries, they are rarely used in acidic water-based flavoured drinks since benzoate and sorbate are the preferred preservatives. To our knowledge, current use levels do not exceed 500 mg/kg so we would propose adopting 500 mg/kg.
14.1.5	EC does not support.	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal and grain beverages, excluding cocoa	450	mg/kg	Note**s** 27 **& 160**[7]	6	
14.2.1	EC does not support.	Beer and malt beverages	200	mg/kg	Note 27	6	
14.2.2	EC does not support.	Cider and perry	200	mg/kg	Note 27	6	

[7] **Note 160**: For use in ready-to-drink products and pre-mixes for ready-to-drink products only.

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.2.3	EC does not support. Nor authorised by the OIV (Organisation internationale du vin et de la vigne)	Grape wines	50	mg/kg	Note 27	6	
14.2.4	EC does not support.	Wines (other than grape)	200	mg/kg	Note 27	6	
14.2.5	EC does not support.	Mead	200	mg/kg	Note 27	6	
14.2.7	EC does not support.	Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low alcoholic refreshers)	1000	mg/kg	Note 27	6	
15.1	EC supports	Snacks - potato, cereal, flour or starch based (from roots and tubers, pulses and legumes)	**300**	**mg/kg**	Note 27	3	The ML is too high and should be lowered to 300 mg/kg
15.2	EC does not support.	Processed nuts, including coated nuts and nut mixtures (with e.g., dried fruit)	300	mg/kg	Note 27	6	

Recommendation 3 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.2	EC opposes. Not authorised in relevant Commodity standards	Ripened cheese	500	mg/kg	Note 27	6	Not permitted in the various Cheese related commodity standards (Stan A-6-1978; Stan 276-1973; Stan 274-1969; Stan 272-1968; Stan 271-1968; Stan 270-1968; Stan 269-1967; Stan 267-1966; Stan-1966; stan 266-1966; Stan 264-1966Stan 263-1966; stan 277-1973
04.1.2.1	EC opposes. No technological justification	Frozen fruit	800	mg/kg	Note 27	6	No techological need for use of preservatives in frozen fruit. The freezing provides adequate preservation
04.1.2.4	EC opposes. No technological justification	Canned or bottled (pasteurized) fruit	800	mg/kg	Note 27	6	There is no technological need. The preservative function is ensured by pasteurization process

Recommendation 3 – Hydroxybenzoates, para-, INS 214, 218 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for para-hydroxybenzoates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.2.5	EC opposes. No technological justification	Jams, jellies, marmelades	1000	mg/kg	Note 27	6	Except for low-sugar jams, there is no technological justification to add p-hydroxybenzoate as the sugar ensures the preservative function
04.2.2.4	EC does not support. Technological need is questioned in these foodstuffs that are stable after heat treatment	Canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	300	mg/kg	Note 27	6	A member state questions the technological need for such a preservative in foodstuffs that are stable after heat treatment

NISIN (INS 234)

5. The 12th JECFA (1968) assigned an ADI of 33,000 U/kg bw for nisin.

6. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose preservative with nisin.

Recommendation 1 – Nisin, INS 234 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for nisin in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1	Milk and dairy-based drinks	500	mg/kg	Note 28[8]	3	
01.2	Fermented and renneted milk products (plain), excluding food category 01.1.2 (dairy-based drinks)	500	mg/kg	Note 28	3	There is no technological need.
01.3	Condensed milk and analogues (plain)	500	mg/kg	Note 28	3	There is no technological need.
01.4	Cream (plain) and the like	500	mg/kg	Note 28	3	There is no technological need.
01.5	Milk powder and cream powder and powder analogues (plain)	500	mg/kg	Note 28	3	
01.6.1	Unripened cheese	500	mg/kg	Note 28	3	The level of 12.5 mg/kg is technologically adequate. With a ML of 500 mg/kg, a child who would eat a portion of 25 g would reach the ADI
01.6.2	Ripened cheese	500	mg/kg	Note 28	3	The level of 12.5 mg/kg is technologically adequate. With a ML of 500 mg/kg, a child who would eat a portion of 25 g would reach the ADI
01.6.4	Processed cheese	500	mg/kg	Note 28	3	The ML is far too high. Level of 12.5 mg/kg is technologically adequate
01.6.5	Cheese analogues	500	mg/kg	Note 28	3	
01.6.5	Cheese analogues	12.5	mg/kg	Note 28	6	
01.8.1	Liquid whey and whey products, excluding whey cheeses	500	mg/kg	Note 28	3	
04.2.2.4	Canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds		GMP	Note 28	6	There is no technological need

[8] **Note 28**: ADI conversion: if a typical preparation contains 0.025 µg/U, then the ADI of 33 000 U/kg bw becomes: [(33 000 U/kg bw) x (0.025 µg/U) x (1 mg/1 000 µg)] = 0.825 mg/kg bw.

Recommendation 1 – Nisin, INS 234 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for nisin in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
07.2	Fine bakery wares (sweet, salty, savoury) and mixes	250	mg/kg	Note 28	6	
12.5.1	Ready-to-eat soups and broths, including canned, bottled, and frozen		GMP	Note 28	6	

EC COMMENTS : EC SUPPORTS THE RECOMMENDATION 1

Recommendation 2 – Nisin, INS 234 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for nisin in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.4.3	EC supports	Clotted cream (plain)	10	mg/kg	Note 28	6	
01.6.1	In Mascarpone only	Unripened cheese	12.5	mg/kg	Note 28	6	
01.6.2	EC supports	Ripened cheese	12.5	mg/kg	Note 28	6	
01.7	Only in Semolina, tapioca puddings and similar products at 3 mg/kg. The ML of 500 mg/kg is far too high. A child would reach the ADI by consuming around 25 g of dessert	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	500	mg/kg	Note 28 **& C**[9]	3	Allowed for use in flavoured fermented milks in Codex STAN 243 – Fermented Milks; suggest adding a note to indicate only for use in heat-treated fermented milks (flavoured)
06.5	Only in Semolina, tapioca puddings and similar products	Cereal and starch based desserts (e.g., rice pudding, tapioca pudding)	3	mg/kg	Note 28	6	

Recommendation 3 – Nisin, INS 234 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for nisin in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.4	EC does not support. The ML is far too high. A child could reach the ADI by consuming 50 g of processed cheese. 12.5 mg/kg should be sufficient to achieve the technological purpose.	Processed cheese	250	mg/kg	Note 28	6	**1)** The ML is far too high. Level of 12.5 mg/kg is technologically adequate **2)** National legistlation exists for use as an antimicrobial in pasteurized process cheese spreads (including those containing fruites, vegetables or meats) at a level of 250 mg/kg **3)** 12.5 mg/kg is an adequate level for use of nisin in processed cheese for control of spore-forming organisms.

[9] **Note C: For use in heat-treated fermented milks (flavoured) only.**

Recommendation 3 – Nisin, INS 234 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for nisin in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
08.0	EC opposes the use of Nisin in basic foodstuffs like meat and meat products. The very low numerical ADI of Nisin (0.825 mg/kg) should easily lead to intake concern. The ML is far too high. A child would exceed the ADI by consuming 25 g of meat/meat products.	Meat and meat products, including poultry and game	500	mg/kg	Note 28	3	More information needed on the use of nisin in the general Category 8.0 "Meat and meat products" because the adoption of the provision would allow the use of a preservative in fresh meat products.
10.2.1	Nisin is allocated a numerical ADI. Therefore, a numerical maximum level should be set	Liquid egg products		GMP	Note 28	3	

ASCORBYL ESTERS (INS 304, 305)

7. The 17th JECFA (1973) assigned a group ADI of 1.25 mg/kg bw for ascorbyl esters.

8. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose antioxidant with ascorbyl esters.

Recommendation 1 – Ascorbyl Esters, INS 304, 305 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for ascorbyl esters in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.1	Unripened cheese	500	mg/kg	Note 10[10]	3	
13.1.1	Infant formulae	10	mg/kg	Notes ~~10~~, 15[11], & 72[12]	6	**1)** Consistent with Codex STAN 72-1981 (Infant Formula and Formula for Sepcial Dietary Purposes Intended for Infants): provision for use of ascorbyl palmitate as an antioxidant at a maximum level of 1 mg/100 ml in formula as consumed. **2)** Notes should be consistent with the Codex Standard Standard 72-1981, rev. 2007 (Infant Formula and Formulas for Special Medical Purpose). There are provisions only for ascorbyl palmitate in these Standards while Note 10 refers to ascorbyl stearate. Expression on the basis of both esters should be considered.

[10] **Note 10**: As ascorbyl stearate.
[11] **Note 15**: Fat or oil basis.
[12] **Note 72**: Ready-to-eat basis.

Recommendation 1 – Ascorbyl Esters, INS 304, 305 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for ascorbyl esters in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
13.1.2	Follow-up formulae	50	mg/kg	Notes ~~10~~, 72, **& 15**	6	**1)** Consistent with Codex STAN 156-1987 (Follow-Up Formula): provision for use of ascorbyl palmitate as an antioxidant at a maximum level of 5 mg/100 ml in formula as consumed. **2)** Notes should be consistent with the Codex Standard 156-1987 (Follow-Up Formula) and Standard 74-1981 (Processed Cereal-based Foods). There are provisions only for ascorbyl palmitate in these Standards while Note 10 refers to ascorbyl stearate. Expression on the basis of both esters should be considered. In addition Note 15 (On fat or oil basis) may also apply in food category 13.1.2.
13.5	Dietetic foods (e.g., supplementary foods for dietary use) excluding products of food categories 13.1 - 13.4 and 13.6	500	mg/kg	Note 10	3	

EC COMMENTS: EC SUPPORTS THE RECOMMENDATION 1.

HOWEVER EC SUGGESTS THAT THE ML SHOULD BE LOWERED IN CAT. 1.6.1 (50G OF CONSUMPTION OF UNRIPENED CHEESE ARE SUFFICIENT FOR A CHILD TO REACH THE ADI)

Recommendation 2 – Ascorbyl Esters, INS 304, 305 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for ascorbyl esters in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.3	EC opposes. In addition the ML is far too high (A child reaches the ADI by consuming only 50 g of food)	Pre-cooked pastas and noodles and like products	500	mg/kg	Note 10	3	**1)** Consistent with the Standard 249-2006 (Instant Noodles) as antioxidants at a maximum level of 500 mg/kg singly or in combination as ascorbyl stearate. **2)** Only in noodle but not in pre-cooked pasta
06.4.3	EC supports only in noodles. No technological justification in pasta	Pre-cooked pastas and noodles and like products	20	mg/kg	Note 10	8	

PROPYL GALLATE (INS 310)

9. The 46th JECFA (1996) assigned an ADI of 1.4 mg/kg bw for propyl gallate.

10. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose antioxidant with propyl gallate.

Recommendation 1 – Propyl Gallate, INS 310 The eWG recommends that the 41st CCFA **revoke** the following food additive provisions for propyl gallate in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.3	EC supports	Pre-cooked pastas and noodles and like products	100	mg/kg	Notes 15 & 130[13]	8	Consequential effect of recommendation to adopt provision in food category 06.4.3 at Step 3.

[13] **Note 130**: Singly or in combination: butylated hydroxyanisole (INS 320), butylated hydroxytoluene (INS 321), tertiary butylated hydroxyquinone (INS 319), and propyl gallate (INS 310).

Recommendation 1 – Propyl Gallate, INS 310 The eWG recommends that the 41st CCFA **revoke** the following food additive provisions for propyl gallate in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
Recommendation 2 – Propyl Gallate, INS 310 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for propyl gallate in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.3	EC opposes the use of propyl gallate in pre-cooked pastas as there is no technological justification to use this food additive. The footnote 153 should be added	Pre-cooked pastas and noodles and like products	200	mg/kg	Notes 15 & 130	3	Consistent with Codex STAN 249-2006 (Instant Noodles): provision for the use of propyl gallate as an antioxidant at a maximum level of 200 mg/kg singly or in combination with TBHQ, BHA, or BHT.

Recommendation 3 – Propyl Gallate, INS 310 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for propyl gallate in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
12.5	Propyl gallate is not technologically necessary in all soup, its antioxidant function is only needed in powdered and dehydrated products	Soups and broths	200	mg/kg	Notes 15 & 130	3	**1)** Consistent with Codex STAN 117-1981 (Bouillons and Consommes): provision for the use of propyl gallate as an antioxidant at a maximum level of 200 mg/kg singly or in combination with TBHQ, BHA, or BHT. **2)** This additive is not technologically necessary in all soups; its antioxidant function is only needed in powdered and dehydrated products covered by category 12.5.2.
12.5.2	EC supports	Mixes for soups and broths	200	mg/kg	Notes 15 & 130	8	

PHOSPHATES (INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542)

11. The 29th JECFA (1985) assigned a group ADI of 70 mg/kg bw for phosphates.

12. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purposes acidity regulator, sequestrant, emulsifier, texturizing agent, stabilizer, and moisture-retention agent with phosphates.

Recommendation 1 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**	
04.1.2.3	Fruit in vinegar, oil, or brine	1,100	mg/kg	Note 33[14]	6		
04.2.1.1	Untreated fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes [(including soybeans)], and aloe vera), seaweeds, and nuts and seeds	200	mg/kg	Note 33	6	**1)** Technical need questioned **2)** Not allowed in untreated fresh vegetables in member states **3)** Phosphates used in this category: 339, 340, 341, 450, and 451.	

[14] **Note 33**: As phosphorus.

EC COMMENTS : EC SUPPORTS THE RECOMMENDATION 1

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	EC supports	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	1,320	mg/kg	Notes 33 **& 88**[15]	6	Use of additive is technologically justified. Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.3.1	EC supports	Condensed milk (plain)	880	mg/kg	Notes 33, 34[16], & **88**	6	Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.3.2	The ML seems high	Beverage whiteners	22,000	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.5.1	EC supports	Milk powder and cream powder (plain)	4,400	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.5.2	EC supports	Milk and cream powder analogues	4,400	mg/kg	Notes 33 **& 88**	3	Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452
01.6.4	EC supports. However the ML should be lowered due to intake concern. A child could reach the ADI by consuming 100 g of processed cheese. 8.7 g/kg should be sufficient to rach the technological effect.	Processed cheese	14,050	mg/kg	Note 33	6	Phosphates used in this category: 338, 339, 340, 341, 450, 451, 452, and 541.
01.6.5	EC supports. However the ML should be lowered due to intake concern. A child could reach the ADI by consuming 106 g of cheese analogues	Cheese analogues	13,200	mg/kg	Note 33	6	Phosphates used in this category: 338, 339, 340, 341, 450, 451, 452, and 541.

[15] **Note 88**: Carryover from the ingredient.
[16] **Note 34**: Anhydrous basis.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
02.1.2	EC does not support. A technological need for phosphates in simple oils and fat is not recognised. EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Vegetable oils and fats	220	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338 and 341.
02.1.3	EC does not support. . A technological need for phosphates in simple oils and fat is not recognised. EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Lard, tallow, fish oil, and other animal fats	220	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338, 339, and 341.
02.2.2	EC supports	Fat spreads, dairy fat spreads and blended spreads	2,200	mg/kg	Note 33	6	Phosphates used in this category: 341 and 451.
02.3	EC supports	Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, 452.
04.1.2.3	EC does not support. Technological need is requested	Fruit in vinegar, oil, or brine	2,200	mg/kg	Note 33	3	Phosphates used in this category: 338, 341, 451, and 452.
04.1.2.6	EC support	Fruit-based spreads (e.g., chutney) excluding products of food category 04.1.2.5	1,100	mg/kg	Note 33	6	Phosphates used in this category: 338, 341

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.2.10		Fermented fruit products	2,200	mg/kg	Note 33	6	Phosphates used in this category: 338, 340, and 342.
04.2.1.2	EC supports	Surface-treated fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	1,760	mg/kg	Notes 16[17] & 33	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.2	EC does not support	Dried vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	5,000	mg/kg	Notes 33 & 76[18]	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.3	EC does not support	Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds in vinegar, oil, brine, or soybean sauce	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.5	EC does not support and questions the technological need, as phosphates are primarily used as water-retention	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed purees and spreads (e.g., peanut butter)	2,200	mg/kg	Notes 33 & 76	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.5	EC does not support	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed purees and spreads (e.g., peanut butter)	2,200	mg/kg	Notes 33 & 76	6	Phosphates used in this category: 339, 340, 341, 450, and 451.

[17] **Note 16**: For use in glaze, coatings, or decorations for fruit, vegetables, meat or fish.
[18] **Note 76**: Use in potatoes only.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.6	EC does not support	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed pulps and preparations (e.g., vegetable desserts and sauces, candied vegetables) other than food category 04.2.2.5	2,200	mg/kg	Notes 33	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.8	Only for processed potato products	Cooked or fried vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	2,200	mg/kg	Notes 33 & 76	6	Phosphates used in this category: 339, 340, 341, 450, and 451.
05.1.3	EC does not support	Cocoa-based spreads, including fillings	**2,200**	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 343, 450, 451, and 452
05.1.5		Imitation chocolate, chocolate substitute products	2,200	mg/kg	Note 33	6	Phosphates used in this category: 343, 450, 451, and 452
05.3	EC supports	Chewing gum	44,000	mg/kg	Note 33	6	The use of phosphates in chewing gum does not raise safety concerns as phosphates are part of the nutrient source of Phosphorous to human bodies. Phosphates play an important role in a wide range of chewing gum and they are also specifically used with calcium in specialized chewing gum. Phosphates used in this category: 341 and 451.
06.2.1	EC questions the technological need for such high ML. The ML should be lowered to 2.5 g/kg (except in self raising flour)	Flours	11,900	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 341, 342, and 450.
06.3	EC supports	Breakfast cereals, including rolled oats	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 341, and 450.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.6	EC supports	Batters (e.g., for breading or batters for fish or poultry)	5,600	mg/kg	Note 33	3	Phosphates used in this category: 341 450, and 541.
08.2.2	EC supports	Heat-treated processed meat, poultry, and game products in whole pieces or cuts	3,100	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452
08.2.3	EC supports	Frozen processed meat, poultry, and game products in whole pieces or cuts	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452.
08.3	EC supports	Processed comminuted meat, poultry, and game products	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452.
08.4	EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Edible casings (e.g., sausage casings)	1,100	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 339 and 340
09.3.1	EC does not support	Fish and fish products, including mollusks, crustaceans, and echinoderms, marinated and/or in jelly	2,200	mg/kg	Note 33	3	Phosphates used in this category: 339, 340, 450, 451, and 452.
09.3.2	EC does not support	Fish and fish products, including mollusks, crustaceans, and echinoderms, pickled and/or in brine	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452.
09.3.3	EC does not support	Salmon substitutes, caviar, and other fish roe products	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
09.3.4	Only in crustacean and fish paste	Semi-preserved fish and fish products, including mollusks, crustaceans, and echinoderms (e.g., fish paste), excluding products of food categories 09.3.1 - 09.3.3	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452.
10.2.1	EC supports	Liquid egg products	4,400	mg/kg	Notes 33 & 67[19]	6	Phosphates used in this category: 339, 340, 450, 451, and 452
10.2.2		Frozen egg products	1,290	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452
10.2.3	EC does not support	Dried and/or heat coagulated egg products	GMP		Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452
10.3	EC does not support	Preserved eggs, including alkaline, salted, and canned eggs	1,000	mg/kg	Note 33	6	Phosphates used in this category: 339, 340, 450, 451, and 452
11.4		Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	1,320	mg/kg	Note 33	6	Phosphates used in this category: 338 and 341
11.6		Table-top sweeteners, including those containing high-intensity sweeteners	1,000	mg/kg	Note 33	6	Phosphates used in this category: 341
12.1.2	EC supports	Salt Substitutes	4,400	mg/kg	Note 33	6	Phosphates used in this category: 341
12.2.2	EC supports	Seasonings and condiments	4,400	mg/kg	Note 33	3	Phosphates used in this category: 339, 340, 341, and 451
12.4	EC does not support. Clarification on the need of phosphate as acidity regulator should be welcomed	Mustards	1,320	mg/kg	Note 33	6	Phosphates used in this category: 339 and 451.
12.5.1	EC supports	Ready-to-eat soups and broths, including canned, bottled, and frozen	1,320	mg/kg	Note 33	6	Phosphates used in this category: 341, 450 and 451.

[19] **Note 67**: Except for use in liquid egg whites at 8800 mg/kg as phosphorus, and in liquid whole eggs at 14700 mg/kg as phosphorus.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
12.5.2	EC questions the proposed ML. The ML should be lowered to 1.3 g/kg which is sufficient to achieve the technological function	Mixes for soups and broths	6,600	mg/kg	Note 33	6	Phosphates used in this category: 341, 450 and 451.
13.3	EC supports	Dietetic foods intended for special medical purposes (excluding products of food category 13.1)	2,200	mg/kg	Note 33	6	Phosphates used in this category: 340, 341, and 343.
13.4	EC supports	Dietetic formulae for slimming purposes and weight reduction	2,200	mg/kg	Note 33	6	Phosphates used in this category: 340, 341, and 343.
13.5	EC supports	Dietetic foods (e.g., supplementary foods for dietary use) excluding products of food categories 13.1 - 13.4 and 13.6	2,200	mg/kg	Note 33	6	Phosphates used in this category: 340, 341, and 343.
14.2.1	EC does not support. EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Beer and malt beverages	440	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338, 339, 340, 342, and 452.
14.2.2	EC supports but questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Cider and perry	880	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 338 and 452.

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.2.3	EC does not support. Nor permitted by OIV. . EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Grape wines	440	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 341, 342, 451, and 452
14.2.4	EC does not support. The technological need is requested. In addition EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Wines (other than grape)	440	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 341, 342, 451, and 452
14.2.5	EC supports but questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Mead	440	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 341, 342, 451, and 452
14.2.6	EC supports but questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Distilled spirituous beverages containing more than 15% alcohol	440	mg/kg	Notes 33 **& 88**	6	Phosphates used in this category: 341, 342, 451, and 452
15.0	EC supports	Ready-to-eat savouries	2,200	mg/kg	Note 33	6	Phosphates used in this category: 339, 341, 450, 451, and 452.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.1	Only in UHT and sterilised milk. In addition the ML should be lowered to 400 mg/kgwhich is sufficient to achieve the technological function. EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Milk and buttermilk (plain)	1,500	mg/kg	Notes 33 **& 88**	3	**1)** In the past, industry in Canada has indicated that the use of monoammonium phosphate in uncultured buttermilk at 270 ppm expressed as phosphorus is technologically sufficient. **2)** Only in UHT and sterilised milk. In addition the ML should be lowered to 400 mg/kg which is sufficient to achieve the technological function. **3)** Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.2	The ML should be lowered to 1000 mg/kg according to the proposal set out in alinorm 08/31/11 appendix VI to be adopted by the 31st session of the Codex Alimentarius Commission (CL 2008/02-MMP). EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Fermented and renneted milk products (plain), excluding food category 01.1.2 (dairy-based drinks)	2,200	mg/kg	Notes 33 **& 88**	3	**1)** Should be lowered to 1000 mg/kg (as P) according to the proposal set out in alinorm 08/31/11 appendix VI to be adopted by the 31st session of the Codex Alimentarius Commission (CL 2008/02-MMP) **2)** Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.4	ML seems excessive. A value of 1100 mg /kg has been proposed by the Alinorm 08/31/11 appendix V for creams and prepared creams	Cream (plain) and the like	2,200	mg/kg	Notes 33 **& 88**	6	**1)** A value of 1100 mg /kg (as P) has been proposed by the Alinorm 08/31/11 appendix V for creams and prepared creams **2)** Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452.
01.6.1	ML seems excessive. Around 1000 mg/kg seems sufficient to achieve the technological function (Stan 273-1968; stan 275-1973).	Unripened cheese	10,000	mg/kg	Note 33	6	**1)** 1000 mg/kg (as P) seems sufficient to achieve the technological function (Stan 273-1968 Stan 275-1973). **2)** Reduce maximum level to 3500 mg/kg, as referenced in the Codex Standard 221 (2001) for Unripened Cheese **3)** Phosphates used in this category: 338, 339, 340, 341, 450i and 450 ii, 452, and 541.
01.6.2	EC does not support. Not authorised in any of the relevant commodity standards	Ripened cheese	880	mg/kg	Note 33	6	**1)** Not permitted in any of the Commodity standards related to cheese products **2)** Phosphates used in this category: 338, 339, 340, 341, 450i and 450 ii, 452, and 541.
01.7	ML seems excessive. A ML of 1500 mg/kg seems sufficient to achieve the technological function	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	10,500	mg/kg	Note 33	3	**1)** A ML of 1500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 339, 340, 341, 450, 451, and 452
01.8.1		Liquid whey and whey products, excluding whey cheeses	880	mg/kg	Note 33	6	**1)** Industry in Canada has indicated a technological need for use of calcium phosphate, tribasic, in liquid whey, as a carrier for benzoyl peroxide but at lower levels than that proposed here. **2)** Phosphates used in this category: 339, 340, 450, 451, and 452
02.4	A ML of 1500 mg/kg seems sufficient to achieve the technological function	Fat-based desserts excluding dairy-based dessert products of food category 01.7	7,000	mg/kg	Note 33	6	**1)** A ML of 1500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 339, 340, 450

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
03.0	EC opposes, the ML is far too high. A ML of 500 mg/kg seems sufficient to achieve the technological function	Edible ices, including sherbet and sorbet	12,000	mg/kg	Note 33	6	**1)** A ML of 500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Recommends reducing the maximum value to 7500 **3)** Phosphates used in this category: 338, 339, 340, 341, 450, and 452.
04.1.2.1	EC does not support. No technological need	Frozen fruit	200	mg/kg	Note 33	6	**1)** Technological need is not recognized in such products **2)** Maximum level should be raised to 350 mg/kg, as such a limit is needed to get proper water activation and stabilize the color throughout the shelf-life of such foods. **3)** Phosphates used in this category: 450 and 452.
04.1.2.2	EC does not support. No technological need	Dried fruit	10	mg/kg	Note 33	6	**1)** Technological need is not recognized in such products **2)** Maximum level should be raised to 500 mg/kg, as such a limit is needed to get proper water activation and stabilize the color throughout the shelf-life of such foods. **3)** Phosphates used in this category: 450 and 452.
04.1.2.4	EC does not support.	Canned or bottled (pasteurized) fruit	200	mg/kg	Note 33	6	**1)** Questions the technological need. **2)** Phosphates used in this category: 338, 341, 451, 452.
04.1.2.5	EC does not support.	Jams, jellies, marmelades	530	mg/kg	Note 33	6	**1)** Questions the technological need. **2)** Phosphates used in this category: 338, 341i
04.1.2.7	EC supports	Candied fruit	10	mg/kg	Note 33	6	**1)** Revise maximum level to 350 mg/kg, such a limit is needed to get proper water activation and stabilize the color throughout the shelf-life of such foods. **2)** Phosphates used in this category: 450 and 452
04.1.2.8	EC does not support. ML of 400 mg/kg seems sufficient to achieve the technological function	Fruit preparations, including pulp, purees, fruit toppings and coconut milk	7,000	mg/kg	Note 33	6	**1)** ML of 400 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 338, 341i

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.2.9	EC does not support. ML of 1500 mg/kg seems sufficient to achieve the technological function	Fruit-based desserts, including fruit-flavoured waterbased desserts	7,000	mg/kg	Note 33	6	**1)** ML of 1500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 338, 341i
04.1.2.11	EC does not support. The ML seems excessive	Fruit fillings for pastries	7,000	mg/kg	Note 33	6	**1)** ML seems excessive **2)** Phosphates used in this category: 338 and 341i.
04.2.1.3	EC does not support except for processed potato products	Peeled, cut or shredded fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	5,600	mg/kg	Notes 33 & 76	6	**1)** Add note "only in processed potato products" **2)** Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.1	EC does not support except for processed potato products	Frozen vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweeds, and nuts and seeds	5,000	mg/kg	Notes 33 & 76	6	**1)** Add note "only in processed potato products" **2)** Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.4	EC does not support	Canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	2,200	mg/kg	Note 33	6	**1)** Technological need questioned as Phosphates are primarily used as water-retention agents **2)** Phosphates used in this category: 339, 340, 341, 450, and 451.
04.2.2.7	EC does not support	Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	2,200	mg/kg	Notes 33 & 76	6	**1)** Technological need questioned as Phosphates are primarily used as water-retention agents **2)** Phosphates used in this category: 339, 340, 341, 450, and 451.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.8	EC does not support except for processed potato products	Cooked or fried vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	2,200	mg/kg	Notes 33 & 76	6	**1)** Add note "only in processed potato products" **2)** Phosphates used in this category: 339, 340, 341, 450, and 451.
05.1.1	EC does not support. In addition, EC questions the use of footnote 88 (carry over from the ingredient) and wonders from which ingredient the phosphates would come	Cocoa mixes (powders) and cocoa mass/cake	6,000	mg/kg	Notes 33 **& 88**	6	**1)** not permitted in the Commodity standard on cocoa powder Stan 105-1981 **2)** Phosphates used in this category: 340, 341, 343, and 450.
05.1.4	EC does not support	Cocoa and chocolate products	2,200	mg/kg	Note 33	6	**1)** Phosphates have technological function as emulsifier and the level is necessary to achieve the intended use. **2)** Not permitted in the Commodity standard on chocolate products Stan 87-1981 **3)** Phosphates used in this category: 343, 450, 451 and 452.
05.2	EC supports	Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4	2,200	mg/kg	Note 33	6	**1)** 10,000 mg/kg is required for technical application in hard and soft candy products. **2)** Phosphates used in this category: 339, 341, 450
05.4	EC does not support : the ML seems excessive	Decorations (e.g., for fine bakery wares), toppings (non-fruit) and sweet sauces	7,000	mg/kg	Note 33	6	**1)** ML of 1500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 339, 450 and 452
06.1	EC does not support. No need in this basic foodstuff	Whole, broken, or flaked grain, including rice	440	mg/kg	Note 33	6	**1)** Technological need questioned in this basic product **2)** For Anti- Caking Aid, higher levels of approximately 4000 mg/kg may be required **3)** Phosphates used in this category: 339, 340, 341, 450, 451, and 45
06.2.2		Starches	6,200	mg/kg	Note 33	3	**1)** More information requested **2)** Phosphates used in this category: 339 and 451

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.1	EC supports except in pasta	Fresh pastas and noodles and like products	2,000	mg/kg	Note 33	3	**1)** Need in fresh pasta not recognized **2)** Phosphates used in this category: 340, 341, 450, 451, and 452
06.4.2	EC supports except in pasta	Dried pastas and noodles and like products	2,200	mg/kg	Note 33	3	**1)** Need in dried pasta not recognized **2)** Phosphates used in this category: 340, 341, 450, 451, and 452
06.4.3	EC supports except in pasta	Pre-cooked pastas and noodles and like products	2,200	mg/kg	Note 33	3	**1)** Technological need as emulsifier and the maximum level is necessary to achieve the intended function. **2)** Add note " only in noodles" **3)** Phosphates used in this category: 340, 341, 450, 451, and 452.
06.5	The ML seems excessive	Cereal and starch based desserts (e.g., rice pudding, tapioca pudding)	7,000	mg/kg	Note 33	6	**1)** ML of 1500 mg/kg (as P) seems sufficient to achieve the technological function **2)** Phosphates used in this category: 339, 341 and 450.
07.0	EC does not support except in *Soda bread*	Bakery wares	9,300	mg/kg	Note 33	6	**1)** Basic foodstuff highly consumed. Technological need questioned for all products within this category **2)** Phosphates used in this category: 340, 341, 343, 450, 452, and 541.
08.1.1	EC does not support. No need in basic foodstuff	Fresh meat, poultry, and game, whole pieces or cuts	1,100	mg/kg	Note 33	6	**1)** Industry has indicated a technological need for use of phosphates in fresh solid cut meat and poultry (with a defined minimum percent protein content) **2)** This additive is not needed in unprocessed fresh meat **3)** Phosphates used in this category: 339, 340, 450, and 452.
08.2.1	EC supports	Non-heat treated processed meat, poultry, and game products in whole pieces or cuts	2,200	mg/kg	Note 33	6	**1)** This additive is not needed in unprocessed fresh meat **2)** Phosphates used in this category: 339, 340, 450, and 452

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
09.1.1	EC does not support. No need in fresh fish	Fresh Fish	GMP		Note 33	6	**1)** Not needed in fresh fish (only necessary when fish is frozen to prevent drip loss) **2)** Phosphates used in this category: 339, 340, 450, 451, and 452. **3)** The use of phosphate based treatments enhances the keeping quality or stability of the fresh fish. Phosphates have been shown to have the technical effects of both a humectant and a preservative. Phosphates have been demonstrated to reduce microorganisms on the fish surface after initial treatment and during storage thereby increasing the product shelf life and reducing the risk to consumer safety. Phosphates have the demonstrated property of moisture retention (drip loss). The humectant technical effect complements the preservative properties by maintaining consumer acceptance over a longer shelf life
09.2.1	Only in unprocessed fish, frozen and deep frozen	Frozen fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	6	**1)** Add note "excluding fish products" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.2.2	Except fish products	Frozen battered fish, fish fillets, and fish products, including mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	6	**1)** Add note "excluding fish products" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.2.3	Only in frozen mollusk and crustacean	Frozen minced and creamed fish products, including mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	6	**1)** Add note "only in frozen mollusk and crustacean" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.2.4.1	only in surimi, fish, and crustacean paste	Cooked fish and fish products	2,200	mg/kg	Note 33	6	**1)** Add note " only in surimi, fish and crustacean paste" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
09.2.4.2	EC supports in canned crustacean products	Cooked mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	6	**1)** Add note "only in frozen mollusk and crustacean" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.2.5		Smoked, dried, fermented, and/or salted fish and fish products, including mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	3	**1)** Add note "only in fish paste" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.3.4	EC supports in crustacean and fish paste	Semi-preserved fish and fish products, including mollusks, crustaceans, and echinoderms (e.g., fish paste), excluding products of food categories 09.3.1 - 09.3.3	2,200	mg/kg	Note 33	6	**1)** Add note "only in crustacean and fish paste" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
09.4	EC supports	Fully preserved, including canned or fermented fish and fish products, including mollusks, crustaceans, and echinoderms	2,200	mg/kg	Note 33	6	**1)** Reduce ML to 400 mg/kg and add note "only in surimi and canned crustacean products" **2)** Phosphates used in this category: 339, 340, 450, 451, and 452.
10.2.3	No comment. At least a ML should be set	Dried and/or heat coagulated egg products	GMP		Note 33	6	**1)** Phosphates used in this category: 339, 340, 450, 451, and 452 **2)** Numerical level should be elaborated.
10.4	ML seems high. A ML of 1.36 mg/kg should be sufficient to achieve the technological function	Egg-based desserts (e.g., custard)	7,000	mg/kg	Note 33	6	**1)** Phosphates used in this category: 339, 340, 450, 451, and 452 **2)** ML of 1000 mg/kg (as P) seems sufficient to achieve the technological function
12.2.1	EC does not support and questions the technological function.	Herbs and spices		GMP	Note 33	6	**1)** Replace GMP by a numerical level of use **2)** Phosphates used in this category: 341
12.6	The ML seems high	Sauces and like products	8,000	mg/kg	Note 33	6	**1)** Level seems higher then technologically necessary **2)** Phosphates used in this category: 338, 339,340, 341, and 452.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
12.7	EC supports. A numerical level should be allocated.	Salads (e.g., macaroni salad, potato salad) and sandwich spreads excluding cocoa- and nut-based spreads of food categories 04.2.2.5 and 05.1.3		GMP	Note 33	6	**1)** Needs appropriate numerical level **2)** Phosphates used in this category: 338, 339, 341, 450, 451, and 452.
13.2	The level seems high. A ML of 0.45 g/kg should be sufficient to achieve the technological function	Complementary foods for infants and young children	2,200	mg/kg	Note 33	6	**1)** INS 339) is used as an acidity regulator and its use is consistent with the criteria in Section 3.2 of the GSFA Preamble. **2)** If this provision is to be consistent with the Codex Standard 074-1981, rev. 2006, Processed Cereal-Based Foods for Infants and Young Children, the proposed level would be higher since 4400 mg/kg as phosphorus is stipulated in the Standard **3)** Level is too high **4)** Phosphates used in this category: 340, 341, and 343.
13.6	EC supports	Food supplements	2,200	mg/kg	Note 33	6	Phosphates 340, 341, and 343 supply nutrients, either as potassium phosphate, calcium phosphate, or magnesium phosphate. Maximum level should be revised to GMP, to meet the nutritional requirements of the particular country/region.
14.1.2.2	EC does not support.	Vegetable juice	2,500	mg/kg	Notes 33 & 88	6	**1)** Suggests harmonizing with the permitted level of 1000 mg/kg in fruit juices and nectars **2)** Phosphates used in this category: 338, 339, 450, and 452.
14.1.2.4	EC does not support.	Concentrates for vegetable juice	2,500	mg/kg	Notes 33 & 88	6	**1)** Suggests 1000 mg/kg **2)** Phosphates used in this category: 338, 339, 450, and 452.
14.1.3.2	EC does not support.	Vegetable nectar	2,500	mg/kg	Notes 33 & 88	6	**1)** Suggests 1000 mg/kg **2)** Phosphates used in this category: 338, 339, 450, and 452.
14.1.3.4	EC does not support.	Concentrates for vegetable nectar	2,500	mg/kg	Notes 33 & 88	6	**1)** Suggests 1000 mg/kg **2)** Phosphates used in this category: 338, 339, 450, and 452.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.1.4	EC does not support. The ML is far too high.	Water-based flavoured drinks, including "sport," "energy," or "electrolyte" drinks and particulated drinks	12,000	mg/kg	Note 33	6	**1)** ML seems very excessive. A ML of 500 mg/kg (as P) seems sufficient to achieve the technological function **2)** We believe that the proposed ML is based on phosphates and not expressed as phosphorus (P, Note 33). Suggest adopting 3000 mg/kg as phosphorus (Note 33) based on the technological need of INS 452i. For all other phosphates, a maximum level of 1000 mg/kg as P would be sufficient **3)** Maximum level should be changed to GMP, to meet the nutritional requirements of a particular country/region. **4)** Phosphates used in this category: 338, 339, 340, 341, 450, 451, and 452
14.1.5	Only for coffee based drinks for vending	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal and grain beverages, excluding cocoa	880	mg/kg	Note 33	6	**1)** Phosphates used in this category: 338, 339, 340, 341, 450, and 452 **2)** Add note: "Only for coffee based drinks for vending machine, instant tea and instant herbal infusions"
14.2.7	Level is excessive. Around 0.5g /kg should be sufficient to achieve the technological need	Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low alcoholic refreshers)	12,000	mg/kg	Notes 33 **& 88**	6	**1)** Level is excessive **2)** This level, 12000 mg/kg, of phosphates is needed due to specific yeast growing conditions of the aromatized alcoholic beverage.
16.0	EC opposes	Composite foods - foods that could not be placed in categories 01 - 15	2,000	mg/kg	Note 33	6	**1)** Foodstuffs should be clearly defined **2)** The amount of Phosphate needed depends on the specific food application. The maximum level should be changed to GMP, to meet the nutritional requirements of the particular country/region. **3)** Phosphates used in this category: 338, 339, 340, 341, 342,343, 450, 451, 452, and 542.

AMMONIUM SALTS OF PHOSPHATIDIC ACID (INS 442)

13. The 18th JECFA (1974) assigned an ADI of 30 mg/kg bw for ammonium salts of phosphatidic acid.

14. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose emulsifier with ammonium salts of phosphatidic acid.

Recommendation 1 – Ammonium Salts of Phosphatidic Acid, INS 442 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for ammonium salts of phosphatidic acid in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.7	EC does not support. In addition, Stan 243-2003 does not cover the whole cat 01.7 but is only restricted to fermented milk	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	5000	mg/kg		6	**1)** Consistent with Codex STAN 243-2003 (Fermented Milks (Flavoured, Heat Treated and Non-heat Treated): the use of additives belonging to the class "emulsifiers" is technologically justified in flavoured fermented milks and flavoured fermented milks heat treated after fermentation. Use is justified in the dairy portion. **2)** Industry in Canada has indicated a technological need to apply this additive.
03.0	EC does not support.	Edible ices, including sherbet and sorbet	7500	mg/kg		6	Industry in Canada has indicated a technological need to apply this additive.
05.1.1	EC supports	Cocoa mixes (powders) and cocoa mass/cake	10000	mg/kg	Note 97[20]	6	**1)** Consistent with Codex STAN 105-1981 (Cocoa Powders (Cocoa) and Dry Mixtures of Cocoa and Sugar) and Codex STAN 141-1983 (Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake): provision for use as an emulsifier at a maximum level of 10 g/kg on the finished product/final cocoa and chocolate products. **2)** Industry in Canada has indicated a technological need to apply this additive.
05.1.4	EC supports	Cocoa and chocolate products	10000	mg/kg		6	**1)** Consistent with Codex STAN 87-1981 (Chocolate and Chocolate products): provision for use as an emulsifier at a maximum level of 10 g/kg singly or 15 g/kg in combination with certain other emulsifiers, in products described under 2.1 and 2.2 of the commodity standard. **2)** Industry in Canada has indicated a technological need to apply this additive.
05.1.5	EC supports	Imitation chocolate, chocolate substitute products	10000	mg/kg		6	

[20] **Note 97**: In the finished product/final cocoa and chocolate products.

Recommendation 2 – Ammonium Salts of Phosphatidic Acid, INS 442 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for ammonium salts of phosphatidic acid in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	EC does not support	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, drinking yoghurt, whey-based drinks)		GMP		6	**1)** As there is a numerical ADI, the ML should be numerical. **2)** Industry in Canada has indicated a technological need to apply this additive.
01.4	EC does not support.	Cream (plain) and the like		GMP		6	**1)** As there is a numerical ADI, the ML should be numerical. **2)** INS 442 is not allowed in the Codex Standard for cream and prepared creams (Codex Stan A-9-1976, rev 1-2003 **3)** Consistent with the Proposed Draft Amendment to the List of Food Additives of the Codex Standard for creams and prepared Creams (N08-2008), as endorsed by the 40th Session of the CCFA and adopted by the 31st Session of the CAC. **4)** Industry in Canada has indicated a technological need to apply this additive.
04.2.2.3	EC does not support. Technological need of INS 442, as emulsifier in such products, is questioned.	Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds in vinegar, oil, brine, or soybean sauce		GMP		6	**1)** As there is a numerical ADI, the ML should be numerical. **2)** Technological need of INS 442, as emulsifier in such products, is questioned. **3)** Industry in Canada has indicated a technological need to apply this additive.
07.1.1	EC does not support and ask for clarification about the technological need of this food additive	Breads and rolls		GMP		6	**1)** As there is a numerical ADI, the ML should be numerical. **2)** Industry in Canada has indicated a technological need to apply this additive.

CYCLODEXTRIN, BETA- (INS 459)

15. The 44th JECFA (1995) assigned an ADI of 5 mg/kg bw for beta-cyclodextrin.

16. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purposes stabilizer, binder, and carrier with beta-cyclodextrin.

Recommendation 1 – Cyclodextrin, beta-, INS 459 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for beta-cyclodextrin in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.4.3	EC does not support and questions the technological need. In addition, a consumption of 100 g by a child could be sufficient to reach the ADI	Pre-cooked pastas and noodles and like products	1000	mg/kg	**Note 153**[21]	3	**1)** Consistent with the Codex Standard 249-2006, Instant Noodles **2)**For use in noodles only, not needed in pasta

SUCROGLYCERIDES (INS 474)

17. The 49th JECFA (1997) assigned an ADI of 30 mg/kg bw for sucroglycerides.

18. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose emulsifier with sucroglycerides.

Recommendation 1 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for sucroglycerides in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
05.1.1	Cocoa mixes (powders) and cocoa mass/cake	10000	mg/kg		6	No permitted under Codex STAN 104-1981 on cocoa powder and dry mixtures of cocoa and sugars
14.2.2	Cider and perry	5000	mg/kg		6	
14.2.4	Wines (other than grape)	5000	mg/kg		6	
14.2.5	Mead	5000	mg/kg		6	

EC COMMENTS : EC SUPPORTS THE RECOMMENDATION 1

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	EC supports	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	5000	mg/kg		6	Consistent with the Proposed Draft Amendment to the Standard for Additive for Fermented Milks Pertaining to Drinks Based on Fermented Milk (Codex STAN 243-2003), as endorsed by the 40th Session of the CCFA and adopted by the 31st Session of the CAC.
01.3.2	EC supports	Beverage whiteners	2000	mg/kg		6	
01.5.1	EC supports	Milk powder and cream powder (plain)	10000	mg/kg		6	

[21] **Note 153**: For use in instant noodles only.

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.7	EC supports	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	5000	mg/kg		6	Consistent with the Proposed Draft Amendment to the Standard for Additive for Fermented Milks Pertaining to Drinks Based on Fermented Milk (Codex STAN 243-2003), as endorsed by the 40th Session of the CCFA and adopted by the 31st Session of the CAC.
02.2.2	EC supports	Fat spreads, dairy fat spreads and blended spreads	10000	mg/kg	**Note 102**[22]	6	**1)** Consistent with Codex STAN 253-2006 (Dairy Fat Spreads) and Codex STAN 256-2007; provision for use as an emulsifier at 10000 mg/kg, and, in dairy fat spreads, for baking purposes only. **2)** For baking purposes only.
02.3	EC supports	Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions	10000	mg/kg	**Note 102**	6	For baking purposes only.
02.4	EC supports	Fat-based desserts excluding dairy-based dessert products of food category 01.7	**5000**	mg/kg		6	Level of 5000 mg/kg is adequate for technological need.
03.0	EC supports	Edible ices, including sherbet and sorbet	**5000**	mg/kg		3	Level of 5000 mg/kg is adequate for technological need.
04.1.1.2	EC supports	Surface-treated fresh fruit		GMP		6	
04.1.2.9	EC supports	Fruit-based desserts, including fruit-flavoured water-based Desserts.	5000	mg/kg		6	

[22] **Note 102**: For use in fat emulsions for baking purposes only.

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.6	EC supports	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed pulps and preparations (e.g., vegetable desserts and sauces, candied vegetables) other than food category 04.2.2.5	5000	mg/kg		6	
05.2	EC supports	Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4	5000	mg/kg		6	
05.3	EC supports	Chewing gum	**10000**	mg/kg	**Note D**[23]	6	**1)** Level of 10000 mg/kg is adequate. **2)** 10000 mg/kg is required for technical application in products. **3)** Sucroglycerides are approved for chewing gum use in the European Union and in the United States. Sucroglycerides are allowed in chewing gum in the US, Mexico, and Taiwan at GMP levels. In the European Union, sucroglycerides are currently authorized for their use in chewing gum singly or in combination with sucrose fatty acid esters (INS 473) at 10000 mg/kg. Russia also approves sucroglycerides in gum at 10000 mg/kg. **4)** The JECFA ADI is a group ADI that covers both sucroglycerides and sucrose esters of fatty acids. Therefore, add note regarding use singly or in combination with sucrose esters of fatty acids (INS 473).

[23] **Note D: For use singly or in combination: Sucrose Esters of Fatty Adics (INS 473) and Sucroglycerides (INS 474).**

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
06.5	EC supports	Cereal and starch based desserts (e.g., rice pudding, tapioca pudding)	5000	mg/kg		6	
07.2	EC supports	Fine bakery wares (sweet, salty, savoury) and mixes	10000	mg/kg		6	
08.2.2	EC supports	Heat-treated processed meat, poultry, and game products in whole pieces or cuts	5000	mg/kg	Note 15	6	
08.3.2	EC supports	Heat-treated processed comminuted meat, poultry, and game products	5000	mg/kg	Note 15	6	
10.4	EC supports	Egg-based desserts (e.g., custard)	5000	mg/kg		6	
12.5	EC supports	Soups and broths	2000	mg/kg		6	Consistent with Codex STAN 117-1981 (Bouillons and Consommés): provision for use as an emulsifier at maximum level of 2 g/L on ready-to-eat basis.
12.6	EC supports	Sauces and like products	10000	mg/kg		6	
13.3	EC supports	Dietetic foods intended for special medical purposes (excluding products of food category 13.1)	5000	mg/kg		6	
13.4	EC supports	Dietetic formulae for slimming purposes and weight reduction	5000	mg/kg		6	

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.							
Food Cat No.	**EC Comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
13.6	EC supports	Food supplements		GMP		6	
14.1.4	EC supports	Water-based flavoured drinks, including "sport," "energy," or "electrolyte" drinks and particulated drinks	5000	mg/kg	**Note E**[24]	6	**1)** Sucroglycerides are permitted for us at 5000 mg/kg in many countries, such as the ECMS, in non-alcoholic coconut, almond and aniseed-based drinks. At lower use levels in soft drinks (200 mg/kg), they also can be used as 1) alternate stabilisers, 2) to provide cloudiness in citrus drinks and 3) as substitutes or extenders of gum arabic. **2)** Revise with Note "Only in non-alcoholic aniseed-based, coconut and almond drinks."
14.1.5	EC supports	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal and grain beverages, excluding cocoa	1000	mg/kg	**Note F**[25]	6	**1)** Revise with Note "Only in canned liquid coffee." **2)** Revise with Note 160 (For use in ready-to-drink products and pre-mixes for ready-to-drink products only).
14.2.6	EC supports	Distilled spirituous beverages containing more than 15% alcohol	5000	mg/kg		6	
14.2.7	**EC does not support**	Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low alcoholic refreshers)	5000	mg/kg		6	

STEARYL CITRATE (INS 484)

19. The 17th JECFA (1973) assigned an ADI of 50 mg/kg bw for stearyl citrate.

20. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purposes emulsifier and sequestrant with stearyl citrate.

Recommendation 1 - Stearyl Citrate, INS 484 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for stearyl citrate in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
02.2.2	Fat spreads, dairy fat spreads and blended spreads	100	mg/kg	Note 15	3	industry in Canada has indicated a technological need for this additive in margarine at this level of use

[24] **Note E:** For use in non-alcoholic aniseed-based, coconut and almond drinks only.
[25] **Note F:** For use in canned liquid coffee only.

EC COMMENTS : STEARYL CITRATE IS NOT CURRENTLY PERMITTED AS FOOD ADDITIVE IN THE EC LEGISLATION

ASPARTAME-ACESULFAME SALT (INS 962)

21. The 55th JECFA (2000) concluded that the aspartame and acesulfame moieties are covered by the ADIs for aspartame (40 mg/kg bw) and acesulfame potassium (acesulfame K) (15 mg/kg bw).

22. The Codex Class Names and International Numbering System for Food Additives (CAC/GL 36-1989) associates the technological purpose sweetener with aspartame-acesulfame salt.

23. The report of the eWG to the 39th CCFA noted that the proposed draft acceptable maximum use levels for these provisions are currently expressed in the GSFA in terms of aspartame-acesulfame salt or equivalents of aspartame or acesulfame K.[26] Because JECFA concluded that the aspartame and acesulfame moieties in aspartame-acesulfame salt are included in the ADIs established for aspartame (INS 951) and acesulfame K (INS 950), the equivalent level of aspartame and acesulfame K from the use of the double salt should not exceed the individual maximum use level for aspartame or for acesulfame K.

24. The *ad hoc* Working Group on the GSFA to the 40th CCFA recommended, and the Committee agreed, to examine the provisions for the aspartame-acesulfame salt in order to ensure that these provisions are consistent with those for aspartame and for acesulfame K and are reported on a consistent basis.[27] As part of its mandate, the eWG established by the 40th CCFA was requested to develop recommendations for ensuring consistency between the provisions for aspartame-acesulfame salt and those for aspartame and for acesulfame K.[28]

25. The eWG considered an Options Paper that contained four approaches to resolve the issue of the reporting basis for aspartame-acesulfame salt.[29] Based upon the comments to the Options Paper, the eWG recommends that the CCFA agree to the following approach for expressing the acceptable maximum use levels for aspartame-acesulfame salt.

Recommendation 1 - Aspartame-Acesulfame Salt, INS 962

The acceptable maximum use levels will be expressed on the following:

a. As *either* aspartame or acesulfame K equivalents

b. Harmonized with the current GSFA maximum use levels for aspartame and acesulfame K (i.e., the maximum level of salt would be expressed as aspartame or acesulfame K depending upon which individual sweetener is listed in the GSFA with the lower maximum use level for that food category.)

c. Replace the current Notes 113[30] and 119[31] associated with the proposed draft provisions for aspartame-acesulfame salt with the following notes:

- New Note 113: Use level reported as acesulfame potassium equivalents (the reported maximum level can be converted to an aspartame-acesulfame salt basis by dividing by 0.44). Combined use of aspartame-acesulfame salt with individual acesulfame potassium or aspartame should not exceed the individual maximum levels for acesulfame potassium or aspartame (the reported maximum level can be converted to aspartame equivalents by dividing by 0.68).
- New Note 119: Use level reported as aspartame equivalents (the reported maximum level can be converted to an aspartame-acesulfame salt basis by dividing by 0.64). Combined use of aspartame-acesulfame salt with individual aspartame or acesulfame potassium should not exceed the individual maximum levels for aspartame or acesulfame potassium (the reported maximum level can be converted to acesulfame potassium equivalents by multiplying by 0.68).

d. Add the following note to all of the provisions for acesulfame K

> Not to exceed the maximum use level for acesulfame potassium (INS 950) singly or in combination with aspartame-acesulfame salt (INS 952).

e. Add the following note to all of the provisions for aspartame:

> Not to exceed the maximum use level for aspartame (INS 951) singly or in combination with aspartame-acesulfame salt (INS 952).

[26] CX/FA 07/39/9.
[27] ALINORM 08/31/12, para 72.
[28] ALINORM 08/31/12, para 78.
[29] The Options Paper was made available to all members of the eWG on the electronic forum and is not included in this report.
[30] **Note 113:** Use level reported as acesulfame potassium equivalents.
[31] **Note 119:** Use level reported as aspartame equivalents.

26. The following are the outstanding proposed draft (Step 3) food additive provisions for aspartame-acesulfame salt contained in CX/FA 07/39/9 (Part 1) that have been revised as follows:

- Notes 68[32], 138[33], 144[34], and 145[35] have all been replaced with Note 161[36] consistent with the decision of the 39th CCFA[37] on the provisions for other sweeteners (e.g., acesulfame K, alitame, aspartame, cyclamates).
- The maximum use level for each of the aspartame-acesulfame salt provisions has been revised to harmonize with the current GSFA maximum use levels for aspartame and acesulfame K. These revised limits for the aspartame-acesulfame salt are indicated in **bold**.

27. The ad hoc Working Group on the GSFA to the 39h CCFA agreed that sweeteners are technologically justified in the food categories[38] that are highlighted in yellow.

Recommendation 1 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **include at Step 3** the following food additive provisions for aspartame-acesulfame salt in the GSFA.

Food Cat No.	EC Comments	Food Category	Max Level		Comments	Step	Justification provided to eWG
14.1.3.1	**EC does not support. Add Note 161**	**Fruit Nectar**	**350**	**mg/kg**	**New Note 113[39]**		Both aspartame and acesulfame K have established maximum levels in this category in the GSFA. If the key components of the salt are permitted in a food category, there should be no reason to prevent the use of the salt of them
14.1.3.3	**EC does not support. Add Note 161**	**Concentrates for fruit nectar**	**350**	**mg/kg**	**New Note 113 & Note 127[40]**		Both aspartame and acesulfame K have established maximum levels in this category in the GSFA. If the key components of the salt are permitted in a food category, there should be no reason to prevent the use of the salt of them

Recommendation 2 - Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for aspartame-acesulfame salt in the GSFA.

Food Cat No.	EC comments	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.1.2	EC supports	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	**350**	mg/kg	**New Note 113** & Note 161	3	
01.7	EC supports	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	**350**	mg/kg	**New Note 113** & Note 161	3	

[32] **Note 68**: For use in products with no added sugar only.
[33] **Note 138**: For use in energy-reduced products only.
[34] **Note 144**: For use in sweet and sour products only.
[35] **Note 145**: Products are energy-reduced or with no added sugar.
[36] **Note 161**: Subject to national legislation of the importing country aimed, in particular, at consistency with Section 3.2 of the Preamble.
[37] ALINORM 07/30/12 Rev., para. 102-103 and Appendix VII.
[38] 39th CCFA, CRD 1 App. V.
[39] **New Note 113: Use level reported as acesulfame potassium equivalents (the reported maximum level can be converted to an aspartame-acesulfame salt basis by dividing by 0.44). Combined use of aspartame-acesulfame salt with individual acesulfame potassium or aspartame should not exceed the individual maximum levels for acesulfame potassium or aspartame (the reported maximum level can be converted to aspartame equivalents by dividing by 0.68).**
[40] **Note 127**: As served to the consumer.

Recommendation 2 - Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
02.4	EC supports	Fat-based desserts excluding dairy-based dessert products of food category 01.7	**350**	mg/kg	**New Note 113** & Note 161	3	
03.0	EC supports. However the new note 119 should be assigned instead of the new note 113	Edible ices, including sherbet and sorbet	**800**	mg/kg	**New Note 113** & Note 161	3	
04.1.2.4	EC supports	Canned or bottled (pasteurized) fruit	**350**	mg/kg	**New Note 113** & Note 161	3	
04.1.2.5	EC supports	Jams, jellies, marmelades	**1,000**	mg/kg	**New Note 119**[41] & Note 161	3	
04.1.2.6	EC supports. However the new note 119 should be assigned instead of the new note 113	Fruit-based spreads (e.g., chutney) excluding products of food category 04.1.2.5	**1,000**	mg/kg	**New Note 113** & Note 161	3	
04.1.2.8	EC supports	Fruit preparations, including pulp, purees, fruit toppings and coconut milk	**350**	mg/kg	**New Note 113** & Note 161	3	
04.1.2.9	EC supports	Fruit-based desserts, including fruit-flavoured waterbased desserts	**350**	mg/kg	**New Note 113** & Note 161	3	
04.2.2.3		Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds in vinegar, oil, brine, or soybean sauce	**200**	mg/kg	**New Note 113** & Note 161	3	

[41] **New Note 119: Use level reported as aspartame equivalents (the reported maximum level can be converted to an aspartame-acesulfame salt basis by dividing by 0.64). Combined use of aspartame-acesulfame salt with individual aspartame or acesulfame potassium should not exceed the individual maximum levels for aspartame or acesulfame potassium (the reported maximum level can be converted to acesulfame potassium equivalents by multiplying by 0.68)**

Recommendation 2 - Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.6	EC supports	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed pulps and preparations (e.g., vegetable desserts and sauces, candied vegetables) other than food category 04.2.2.5	**350**	mg/kg	**New Note 113** & Note 161	3	
05.1.5	No comment	Imitation chocolate, chocolate substitute products	**500**	mg/kg	**New Note 113** & Note 161	3	
06.3	EC supports. However the new note 119 should be assigned instead of the new note 113	Breakfast cereals, including rolled oats	**1,000**	mg/kg	**New Note 113** & Note 161	3	
07.2	EC supports	Fine bakery wares (sweet, salty, savoury) and mixes	**1,000**	mg/kg	Note 77[42] & **New Note 113**	3	Industry in Canada has indicated a technological need for ace-K in this Category.
09.3	EC supports	Semi-preserved fish and fish products, including mollusks, crustaceans, and echinoderms	**200**	mg/kg	**New Note 113**	3	
09.4	EC supports	Fully preserved, including canned or fermented fish and fish 350products, including mollusks, crustaceans, and echinoderms	**200**	mg/kg	**New Note 113**	3	
10.4	EC supports	Egg-based desserts (e.g., custard)	**350**	mg/kg	**New Note 119**	3	

[42] **Note 77**: For special nutritional uses only.

Recommendation 2 - Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
11.6	EC supports	Table-top sweeteners, including those containing high-intensity sweeteners	GMP		**New Note 113**	3	
12.4	EC supports	Mustards	**350**	mg/kg	**New Note 113** & Note 161	3	
12.5	EC supports	Soups and broths	**110**	mg/kg	**New Note 113** & Note 161	3	
12.7	EC supports	Salads (e.g., macaroni salad, potato salad) and sandwich spreads excluding cocoa- and nut-based spreads of food categories 04.2.2.5 and 05.1.3	**350**	mg/kg	**New Note 113** & Note 161	3	
13.3	EC suggests to lower down the ML to 450 mg/kg	Dietetic foods intended for special medical purposes (excluding products of food category 13.1)	**500**	mg/kg	**New Note 113**	3	
13.4	EC supports	Dietetic formulae for slimming purposes and weight reduction	**450**	mg/kg	**New Note 113**	3	
13.5	EC supports	Dietetic foods (e.g., supplementary foods for dietary use) excluding products of food categories 13.1 - 13.4 and 13.6	**450**	mg/kg	**New Note 113**	3	
13.6	EC supports But suggests to add Note 161	Food supplements	**200**	mg/kg	**New Note 113**	3	
14.1.4	EC supports	Water-based flavoured drinks, including "sport," "energy," or "electrolyte" drinks and particulated drinks	**600**	mg/kg	**New Note 119, New Note 113** & Note 161	3	Suggest inserting both Notes 113 and 119; both provisions for ace-K and asp were adopted at the same Max Level of use in 2007
15.0	EC supports	Ready-to-eat savouries	**350**	mg/kg	**New Note 113** & Note 161	3	

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.2	EC does not support. The same approach taken by the 40th CCFA should be followed here for coherency	Fermented and renneted milk products (plain), excluding food category 01.1.2 (dairy-based drinks)	1,130	mg/kg	**New Note 113**	3	**1)** Industry has indicated a technological need for ace-K at 500 ppm in beverages in general. **2)** The 40th CCFA agreed to discontinue work for Aspartame in 01,2. In order to be coherent, the same logic should apply for INS 962 **3)** The Codex Standard for Fermented Milks does not allow the use of sweeteners in plain fermented milks (heat-treated and non-heat treated). Also, there is no existing provision in the GSFA for the use of aspartame in food Category 01.2
01.3.2	EC does not support. The consumer could be misled. Note 161 should be added	Beverage whiteners	**2,000**	mg/kg	**New Note 113**	3	The use could mislead the consumer
01.4.4	EC does not support. The consumer could be misled. Note 161 should be added	Cream analogues	**1,550**	mg/kg	**New Note 113**	3	The use could mislead the consumer
01.5.2	EC does not support. The consumer could be misled. Note 161 should be added	Milk and cream powder analogues	**1,000**	mg/kg	**New Note 113**	3	The use could mislead the consumer
01.6.5	EC does not support. The consumer could be misled. Note 161 should be added	Cheese analogues	**350**	mg/kg	**New Note 113**	3	The use could mislead the consumer
02.3	EC does not support. The consumer could be misled. Note 161 should be added	Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions	**1,000**	mg/kg	**New Note 113**	3	The use could mislead the consumer
04.1.2.1	EC does not support. The consumer could be misled. Note 161 should be added	Frozen fruit	**500**	mg/kg	**New Note 113**	3	The use could mislead the consumer

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.1.2.2	EC does not support. The consumer could be misled. Note 161 should be added	Dried fruit	1130	mg/kg		3	**1)** There are existing provisions in the GSFA for the use of aspartame and acesulfame K in Food Category 04.1.2.2. Proposes revising the proposed ML to 500 mg/kg with the inclusion of Note 113 to reflect the ML for Acesulfame K in this Food Category. **2)** The use could mislead the consumer
04.1.2.3	EC agrees	Fruit in vinegar, oil, or brine	**200**	mg/kg	**New Note 113** & Note 161	3	The use could mislead the consumer
04.1.2.7	Note 161 should be added	Candied fruit	**500**	mg/kg	**New Note 113**	3	Add Note 116
04.1.2.10	EC does not support.	Fermented fruit products	**350**	mg/kg	**New Note 113**	3	Add Note 116
04.1.2.11	Note 161 should be added	Fruit fillings for pastries	**350**	mg/kg	**New Note 113**	3	**1)** Industry in Canada has indicated a technological need for ace-K in this Category at a maximum level of 1000 mg/kg. Revise ML to 1000 mg/kg, consistent with Cat. 4.1.25 and 4.1.2.6, Jams and spreads **2)** Add Note 116
04.1.2.12	Note 161 should be added	Cooked fruit	**500**	mg/kg	**New Note 113**	3	Technical need questioned
04.2.2.4	Note 161 should be added	Canned or bottled (pasteurized) or retort pouch vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), and seaweeds	**350**	mg/kg	**New Note 113**	3	Technical need questioned
04.2.2.5	Note 161 should be added. The EC suggests to lower the ML to 350 mg/kg which is sufficient to reach the technological effect	Vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera), seaweed, and nut and seed purees and spreads (e.g., peanut butter)	**1,000**	mg/kg	**New Note 113**	3	**1)** Industry in Canada has indicated a technological need for aspartame at 2000 mg/kg in this Category. It is noted that there is provision at step 6 in the GSFA for aspartame with a ML of 3000 mg/kg in this food category. **2)** add note 161

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
04.2.2.7	Note 161 should be added	Fermented vegetable (including mushrooms and fungi, roots and tubers, pulses and legumes, and aloe vera) and seaweed products, excluding fermented soybean products of food categories 06.8.6, 06.8.7, 12.9.1, 12.9.2.1 and 12.9.2.3	**1,000**	mg/kg	**New Note 113**	3	Add note 161
05.1.2	Note 161 should be added	Cocoa mixes (syrups)	**350**	mg/kg	**New Note 113**	3	Add note 161
05.1.3	EC supports	Cocoa-based spreads, including fillings	**1,000**	mg/kg	**New Note 113** & Note 161	3	Industry in Canada has indicated a technological need for ace-K at 2500 mg/kg in confectionery.
05.1.4	EC supports	Cocoa and chocolate products	**500**	mg/kg	**New Note 113** & Note 161	3	Industry in Canada has indicated a technological need for ace-K at 2500 mg/kg in confectionery.
05.3	EC does not support. A ML of 2000 mg/kg expressed as Acesulfame K should be sufficient to reach the desired effect. Note 161 should be added	Chewing gum	**5,000**	mg/kg	**New Note 113** & Note 161	3	The technological justification for such a high level is required. A ML of 2000 mg/kg expressed as Acesulfame K should be sufficient to reach the desired effect.
05.4	Note 161 should be added	Decorations (e.g., for fine bakery wares), toppings (non-fruit) and sweet sauces	**500**	mg/kg	**New Note 113**	3	Iindustry in Canada has indicated a technological need for ace-K at 1000 mg/kg in this Category.
06.5	EC supports	Cereal and starch based desserts (e.g., rice pudding, tapioca pudding)	**350**	mg/kg	**New Note 113** & Note 161	3	Industry in Canada has indicated a technological need for ace-K at 1000 mg/kg in desserts in general
07.1	EC opposes. Possible intake exceedance due to high consumption of such basic foodstuffs	Bread and ordinary bakery wares	**1,000**	mg/kg	**New Note 113**	3	**1)** Possible intake exceedance due to high consumption of such basic foodstuffs **2)** Industry in Canada has indicated a technological need for ace-K in this Category.

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
11.4	EC does not support	Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings)	**1,000**	mg/kg	**New Note 113**	3	Use could mislead consumer
12.2.2	EC does not support. Technological need questioned. Note 161 should be added	Seasonings and condiments	**2,000**	mg/kg	**New Note 113**	3	**1)** Industry in Canada has indicated a technological need for aspartame at 2000 mg/kg, not ace-K, in condiments. We would like to replace Note 113 by 119 in this Category **2)** No technological need. The use could mislead the consumer
12.3	EC does not support. Technological need questioned. Note 161 should be added	Vinegars	**2,000**	mg/kg	**New Note 113**	3	No technological need. The use could mislead the consumer
14.1.2.2	EC does not support. Technological need questioned	Vegetable juice	1360	mg/kg	**New Note 113**	3	**1)** Technological justification for such a high level is required. A ML of 350 mg expressed as Acesulfame K is sufficient to reach the desired effect. **2)** There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.1.2.2
14.1.2.4	EC does not support. No provisions for Ac K and aspartame regarding this sub category	Concentrates for vegetable juice	3,100	mg/kg	**New Note 113** & Note 127	3	**1)** Technological justification for such a high level is required. A ML of 350 mg expressed as Acesulfame K is sufficient to reach the desired effect. Add Note 161. **2)** There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.1.2.4
14.1.3.4	EC does not support. Note 161 should be added	Concentrates for vegetable nectar	**350**	mg/kg	**New Note 113** & Note 127	3	Add note 161
14.1.5	EC does not support. The use could mislead the consumer. Note 161 should be added	Coffee, coffee substitutes, tea, herbal infusions, and other hot cereal and grain beverages, excluding cocoa	**600**	mg/kg	**New Note 113**	3	Use could mislead the consumer

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.							
Food Cat No.	**EC comments**	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
14.2.1	Note 161 should be added. The ML is too high and should be limited to 350 mg/kg (as expressed as Ac K)	Beer and malt beverages	790	mg/kg	**New Note 113** & Note 161	3	**1)** The ML is too high. A ML of 350 mg/kg (as expressed as AcK) should be sufficient to reach the desire effect **2)** There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.2.1
14.2.2	EC does not support. The ML seems high	Cider and perry	790	mg/kg	**New Note 113**	3	**1)** The ML is too high. A ML of 350 mg/kg (as expressed as AcK) should be sufficient to reach the desire effect. Add note 161 **2)** There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.2.2
14.2.4	EC does not support. There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.2.4	Wines (other than grape)	1,080	mg/kg	**New Note 113**	3	**1)** The use could mislead the consumer **2)** There are no existing provisions in the GSFA for the use of aspartame or acesulfame K in food Category 14.2.4
14.2.7	EC supports	Aromatized alcoholic beverages (e.g., beer, wine and spirituous cooler-type beverages, low alcoholic refreshers)	**350**	mg/kg	**New Note 113**	3	Note 113 instead of 119 should be inserted. This provision for ace-K , not asp, was adopted in 2007

CEFIC (The European Chemical Industry Council)

The European Chemical Industry Council (CEFIC) represents European-based and globally active manufacturers of chemicals of which a considerable number are also used in or with food. On behalf of CEFIC sector group (Phosphoric Acid and Phosphate Association) the following comments and proposals are submitted in response to CX/FA 09/41/6.

Additives: Phosphates (INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-iii, 343i-iii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542)

Recommendation 1:

No comments from Cefic.

Recommendation 2:

Cefic would like to make the following general remark: "all listed phosphates might be used and may replace each other", because it looks like the justification is only for a few phosphates only whereas all listed phosphates or mixtures of phosphates might be used.

Recommendation 3:

Same as for recommendation 2 and to delete the food additive INS 541 (Sodium aluminium phosphate (acidic)) in the justification column which has been mentioned separately in the food categories: 01.6.1 Unripened cheese, 01.6.2 Ripened cheese and 07.0 Bakery wares, as INS 541 is not within the list of mentioned phosphates.

CEFS (Comité Européen des Fabricants de Sucre)

CEFS (Comité Européen des Fabricants de Sucre), on behalf of all sugar manufacturers in the EU and Switzerland, would like to comment briefly on the Report of the electronic Working Group (eWG) on the General Standard for Food Additives (GSFA), which will be considered at the 41st Session of the Codex Committee on Food Additives (CCFA).

Proposed draft provision at Step 3 for Aspartame-Acesulfame Salt (INS 962) in category 11.4 Other sugars and syrups (e.g., xylose, maple syrup, sugar toppings) (*page 37 of the Report*)

The eWG on the GSFA recommended that the proposed draft provision for aspartame-acesulfame salt in category *11.4 Other sugars and syrups (e.g. xylose, maple syrup, sugar toppings)* be further discussed by the Committee at its 41st Session as there is a risk that consumers be misled by the use of sweeteners in this food category.

CEFS would like to recall that, at its 39th Session, CCFA had an extensive discussion on the general use of sweeteners in foodstuffs. Footnote 161 was adopted, according to which national authorities have the possibility to require specific restrictions on the use of sweeteners to ensure that this use does not mislead the consumer, has advantages and is technologically justified. In particular, the EU legislation only authorizes the use of sweeteners in products that are either "energy-reduced" or "with no added sugars" or in foods for particular nutritional uses (PARNUTS).

Accordingly, CEFS believes that the use of sweeteners should not be permitted in GSFA food category 11.4, which is neither “energy-reduced” nor “with no added sugars”. Blends of “other sugars and syrups” with sweeteners are covered by food category 11.6 (table-top sweeteners, including those containing high-intensity sweeteners). The proposed draft provision for Aspartame-Acesulfame Salt in food category 11.4 **should therefore either be deleted or at least completed with footnote 161**.

EFEMA （the European Food Emulsifiers Manufacturers Association）

EFEMA has Non-Governmental Observer Status with Codex Alimentarius and would like to submit the following comments in response to circular letter CX/FA 09/41/6.

EFEMA would like to support the following provisions for ammonium salts of phosphatidic acid (INS 442) in the GSFA, as listed under recommendation 1 (for adoption) in the eWG report:

- 05.1.1, Cocoa mixes (powders) and cocoa mass/cake at 10000 mg/kg

- 05.1.4, Cocoa and chocolate products at 10000 mg/kg

- 05.1.5, Imitation chocolate, chocolate substitute products at 10000 mg/kg

ICGMA (the International Council of Grocery Manufacturers Associations)

The International Council of Grocery Manufacturers Associations (ICGMA) is a nongovernmental organization that represents foods and consumer packaged goods manufacturers globally. ICGMA promotes the harmonization of food standards and policies based on science and is a strong supporter of Codex Alimentarius. ICGMA also works to facilitate international trade of food products by eliminating or preventing artificial barriers to trade and believes that global harmonization of food additive standards is important to achieve that goal. ICGMA thanks the United States delegation for its work on the electronic Working Group Report on the GSFA. ICGMA appreciates the opportunity to respond to and is pleased to provide the following comments on the document CX/FA 09/41/6.

Some nisin food additive provisions are being proposed for discontinuation in the Report of the electronic Working Group on the GSFA (i.e., fine bakery wares 07.2, canned/bottled/retorted vegetables 04.2.2.4, and ready-to-eat soups and broths 12.5.1) while nisin use in processed cheese (01.6.4) is being proposed at 250 mg/kg. The following comments provide justification for the retention of nisin food additive provisions for:

1) processed cheese 01.6.4 at 15 mg/kg and for fine bakery wares 07.2 at 6.25 mg/kg -

Based on technical and commercial experience, maximum levels required to produce the desired preservative effect in these products is 15 mg/kg for processed cheese and 6.25 mg/kg for fine bakery wares.

2) canned/bottled/retorted vegetables 04.2.2.4 and ready-to-eat soups and broths 12.5.1 at GMPs –

Pasteurization of canned vegetables and ready-to-eat (RTE) soups does not kill certain bacterial spores. The functional effect of nisin is to control the outgrowth of these heat resistant bacterial spores after pasteurization. Nisin is an extremely beneficial ingredient in RTE, minimally processed, refrigerated soups. It has the potential for preventing spoilage in properly processed canned soups when cans are exposed to elevated temperatures during hot summers in some areas. Many of these vegetable and soup products cannot be processed under full heat sterilization regimes without destroying their organoleptic and nutritive qualities.

ICGMA recommends lowering the allowable Maximum Level for food categories 01.6.4 (processed cheese) and 07.2 (fine bakery wares) and retaining food categories 04.2.2.4 (canned/bottled/retorted vegetables) and 12.5.1 (RTE soups and broths) at GMP levels.

IDF(International Dairy Federation)

IDF comments are indicated in highlighted changes in the column justification provided by the eWG".

Recommendation 2 – Sorbates, INS 200-203
The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sorbates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.1.2	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	300	mg/kg	Note 42	6	IDF supports
01.2.1	Fermented milks (plain)	300	mg/kg	Note 42	6	IDF does not support. As per CODEX STAN 243, no preservatives are permitted for use in plain fermented milks, heat treated or not.
01.3.2	Beverage whiteners	200	mg/kg	Note 42	6	IDF supports
02.2.2	Fat spreads, dairy fat spreads and blended spreads	2,000	mg/kg	Note 42	6	IDF supports adoption

Recommendation 3 – Sorbates, INS 200-203
The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for sorbates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.1.1	Milk and buttermilk (plain)	1,000	mg/kg	Note 42	6	IDF does not recommend adoption.
01.6.1	Unripened cheese	3,000	mg/kg	Note 42	6	IDF: According to Codex Stan 221, the maximum level is 1000 mg/kg. However in some countries, the use is allowed up to 3000 mg/kg for technological reason.
01.6.2	Ripened cheese	3,000	mg/kg	Note 42	6	IDF: According to Codex Stan 283, the maximum level is 1000 mg/kg. However in some countries, the use is allowed up to 3000 mg/kg for technological reason.
01.6.4	Processed cheese	3,000	mg/kg	Note 42	6	IDF: Sorbates must be allowed as an anti-moulding agent. Higher pH products such as processed cheeses require levels of sorbates of 3000 mg/kg.
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	1,000	mg/kg	Note 42	6	IDF : Sorbates at 1000 mg/kg are required in dairy based desserts independent of heat-treatment. IDF suggests to add a footnote according to Codex Stand 243- Fermented Milks: Use only allowed in heat treated flavoured fermented milk

HYDROXYBENZOATES, PARA- (INS 214, 218)

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218
The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	120	mg/kg	Note 27	6	IDF supports adding a new note to reflect that hydroxybenzoates are not allowed in fermented milk according to Codex STAN 243 – Fermented Milks

Recommendation 2 – Hydroxybenzoates, para-, INS 214, 218
The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for para-hydroxybenzoates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
02.2.2	Fat spreads, dairy fat spreads and blended spreads	300	mg/kg	Note 27	6	IDF supports adding a new note to reflect that hydroxybenzoates are not allowed in dairy fat spreads according to Codex STAN 253 – Dairy Fat Spreads

Recommendation 3 – Hydroxybenzoates, para-, INS 214, 218
The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for para-hydroxybenzoates in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.6.2	Ripened cheese	500	mg/kg	Note 27	6	IDF supports discontinuation according to Codex STAN 283 for Cheese.

NISIN (INS 234)

Recommendation 1 – Nisin, INS 234
The eWG recommends that the 41st CCFA **discontinue** the following food additive provisions for nisin in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.6.5	Cheese analogues	12.5	mg/kg	Note 28	6	IDF would recommend to discuss further because nisin is proposed for adoption for ripened cheese and unripened cheese, which can be the sources for cheese analogues.

Recommendation 2 – Nisin, INS 234
The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for nisin in the GSFA.

Food Cat No.	Food Category	Max Level		Comments	Step	Justification provided to eWG
01.4.3	Clotted cream (plain)	10	mg/kg	Note 28	6	Preservatives are not allowed in the Codex Stan 288 for Creams
01.6.1	Unripened cheese	12.5	mg/kg	Note 28	6	IDF supports adoption Nisin, which is a purified stable and highly efficient polypeptide bacteriocin (produced from different strains of lactobacillus lactis) is broadly used in the manufacturing of cheese. it is able to inhibit spore germination and growth of clostridium, baccillus or listeria. For the latter, no alternative method allow to reach the same level of safety. concerning the other spores, nitrates and lysozyme are also used. The fundamental reason for using nisin is thus its ability to inhibit spores gram+ that can survive to the temperatures of pasteurisation.
01.6.2	Ripened cheese	12.5	mg/kg	Note 28	6	
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	500	mg/kg	Note 28	3	IDF supports adding a note to indicate only for use in heat-treated fermented milks (flavoured)

Recommendation 3 – Nisin, INS 234 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for nisin in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.4	Processed cheese	250	mg/kg	Note 28	6	IDF supports adoption with a level of 12.5 mg/kg. Nisin, which is a purified stable and highly efficient polypeptide bacteriocin (produced from different strains of lactobacillus lactis) is broadly used in the manufacturing of cheese. it is able to inhibit spore germination and growth of clostridium, baccillus or listeria. for the latter, no alternative method allow to reach the same level of safety. concerning the other spores, nitrates and lysozyme are also used. the fundamental reason for using nisin is thus its ability to inhibit spores gram+ that can survive to the temperatures of pasteurisation.

ASCORBYL ESTERS (INS 304, 305)

Recommendation 1 – Ascorbyl Esters, INS 304, 305 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for ascorbyl esters in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.6.1	Unripened cheese	500	mg/kg	Note 10[43]	3	IDF supports adoption

PHOSPHATES (INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542)

Recommendation 2 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for phosphates in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	1,320	mg/kg	Notes 33 **&** **88**[44]	6	IDF supports adoption. However, a higher of 2500 mg/kg should be allowed to stabilize the protein matrix in whey-based drinks.
01.3.1	Condensed milk (plain)	880	mg/kg	Notes 33, 34[45], & **88**	6	IDF supports adoption
01.3.2	Beverage whiteners	22,000	mg/kg	Notes 33 **&** **88**	6	IDF supports adoption
01.5.1	Milk powder and cream powder (plain)	4,400	mg/kg	Notes 33 **&** **88**	6	IDF notes a level of 5000 mg/kg as phosphate which is equivalent to 2180 mg/kg as phosphorus (Codex Stan 207)
01.5.2	Milk and cream powder analogues	4,400	mg/kg	Notes 33 **&** **88**	3	IDF supports adoption
01.6.4	Processed cheese	14,050	mg/kg	Note 33	6	IDF supports adoption
02.2.2	Fat spreads, dairy fat spreads and blended spreads	2,200	mg/kg	Note 33	6	Phosphates allowed in standard 253 are 338, 339, 340, 341. IDF notes a level of 880 mg/kg as phosphorus for dairy fat spreads (Codex Stan 253).

[43] **Note 10**: As ascorbyl stearate.
[44] **Note 88**: Carryover from the ingredient.
[45] **Note 34**: Anhydrous basis.

Recommendation 3 – Phosphates, INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for phosphates in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.1	Milk and buttermilk (plain)	1,500	mg/kg	Notes 33 **& 88**	3	IDF supports adoption at level of 1500 mg/kg for UHT milk to stabilize calcium due to high temperature. The use of phosphates is necessary in UHT goat milk as this technology implies a stability problem of this type of milk, due to heat.
01.2	Fermented and renneted milk products (plain), excluding food category 01.1.2 (dairy-based drinks)	2,200	mg/kg	Notes 33 **& 88**	3	IDF notes a level of 1000 mg/kg as phosphorus in Codex Stan 243 – Fermented milks
01.4	Cream (plain) and the like	2,200	mg/kg	Notes 33 **& 88**	6	IDF supports adoption and notes a level of 2000 mg/kg as phosphate which is equivalent to 880 mg/kg as phosphorus in Codex Stan 288 for Cream
01.6.1	Unripened cheese	10,000	mg/kg	Note 33	6	IDF supports adoption and notes a level of 3500 mg/kg as phosphate, which is equivalent to 1530 mg/kg as phosphorus, in Codex Stan 221 for Unripened cheese
01.6.2	Ripened cheese	880	mg/kg	Note 33	6	IDF recommends discontinuation since it is not allowed in Codex stan 283 – Cheese, but only allowed in unripened cheese and processed cheese.
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	10,500	mg/kg	Note 33	3	IDF recommends adding a note stating a level of 1000 mg/kg as phosphorus for flavoured fermented milks (Codex Stan 243).
01.8.1	Liquid whey and whey products, excluding whey cheeses	880	mg/kg	Note 33	6	IDF recommends adoption of 1320 mg/kg to achieve proper stabalization and functionality for higher protein liquid wheys used for further processing into whey protein concentrates.

AMMONIUM SALTS OF PHOSPHATIDIC ACID (INS 442)

Recommendation 1 – Ammonium Salts of Phosphatidic Acid, INS 442 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for ammonium salts of phosphatidic acid in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	5000	mg/kg		6	IDF supports the proposed level, but suggests adding a note that INS 442 is not listed in the Section 4 of Codex Standard 243 Fermented Milks.

SUCROGLYCERIDES (INS 474)

Recommendation 2 – Sucroglycerides, INS 474 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for sucroglycerides in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	5000	mg/kg		6	IDF supports adoption
01.3.2	Beverage whiteners	2000	mg/kg		6	IDF supports adoption, with a level of 3000 mg/kg since it is used as a whitener as well as an emulsifier & stabilizer
01.5.1	Milk powder and cream powder (plain)	10000	mg/kg		6	IDF supports adoption
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	5000	mg/kg		6	IDF supports adoption
02.2.2	Fat spreads, dairy fat spreads and blended spreads	10000	mg/kg	**Note 102**[46]	6	IDF supports adoption

STEARYL CITRATE (INS 484)

Recommendation 1 - Stearyl Citrate, INS 484 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for stearyl citrate in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
02.2.2	Fat spreads, dairy fat spreads and blended spreads	100	mg/kg	Note 15	3	IDF notes that this additive is not listed in the Codex standard on Dairy fat spreads (Codex STAN 253-2006)

ASPARTAME-ACESULFAME SALT (INS 962)

28. The ad hoc Working Group on the GSFA to the 39h CCFA agreed that sweeteners are technologically justified in the food categories[47] that are highlighted in yellow.

Recommendation 2 - Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **adopt** the following food additive provisions for aspartame-acesulfame salt in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.1.2	Dairy-based drinks, flavoured and/or fermented (e.g., chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks)	**350**	mg/kg	**New Note 113** & Note 161	3	IDF supports adoption
01.7	Dairy-based desserts (e.g., pudding, fruit or flavoured yoghurt)	**350**	mg/kg	**New Note 113** & Note 161	3	IDF supports adoption

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.2	Fermented and renneted milk products (plain), excluding food category 01.1.2 (dairy-based drinks)	1,130	mg/kg	**New Note 113**	3	IDF supports discontinuation because the "plain" food categories should not allow sweeteners.
01.3.2	Beverage whiteners	**2,000**	mg/kg	**New Note 113**	3	The use could mislead the consumer IDF supports adoption, recognizing that beverage whiteners can be flavoured and sweetened.

[46] **Note 102**: For use in fat emulsions for baking purposes only.
[47] 39th CCFA, CRD 1 App. V.

Recommendation 3 – Aspartame-Acesulfame Salt, INS 962 The eWG recommends that the 41st CCFA **discuss further** the following food additive provisions for aspartame-acesulfame salt in the GSFA.						
Food Cat No.	**Food Category**	**Max Level**		**Comments**	**Step**	**Justification provided to eWG**
01.4.4	Cream analogues	**1,550**	mg/kg	**New Note 113**	3	The use could mislead the consumer IDF supports the decision of the ad hoc Working Group on the GSFA of the 39th CCFA that sweeteners are technologically justified in this food category.
01.5.2	Milk and cream powder analogues	**1,000**	mg/kg	**New Note 113**	3	The use could mislead the consumer IDF supports the decision of the ad hoc Working Group on the GSFA of the 39th CCFA that sweeteners are technologically justified in this food category
01.6.5	Cheese analogues	**350**	mg/kg	**New Note 113**	3	The use could mislead the consumer IDF supports the decision of the ad hoc Working Group on the GSFA of the 39th CCFA that sweeteners are technologically justified in this food category

IFAC (the International Food Additives Council)

The International Food Additives Council (IFAC) appreciates the opportunity to provide comments regarding the Codex Committee on Food Additives (CCFA) document CL 2008/10-FA2. We agree with the report of the Electronic Working Group (eWG) on the General Standard for Food Additives (GSFA) (CX/FA 09/41/6) with regard to the recommendations for discontinuation and adoption for the various food additives in the categories listed. We look forward to continuing to work with the Committee on the items recommended to "discuss further."

OIV (International Organization of Vine and Wine)

General comments

The OIV would like to thank the working group for establishing this document under the chair of the United states of America. The OIV supports generally the recommandations mentionned in this document but The OIV would like to make the following comments.

The OIV seeks to better define the prescriptions and conditions of oenological practices uniquely necessary for the production and conservation of grape wines (category 14.2.3), by limiting inputs which are not technologically justified.

In carefully examining the document CX/FA 09/41/6, the OIV proposes some comments and amendment for some additives which are not necessary for the development of healthy products in accordance with usual practice and which risk creating confusion in consumers.

Finally, the OIV recalls that "CCFAC noted concerns expressed by the OIV as to the excessive use of additives in the category 14.2.3 and decided to put them to the working group for consideration at the thirtyfifth session of CCFAC" (alinorm 03/12 § 63).

Specific comments

SORBATES (INS 200-203)

The OIV agrees with the recommandation 3 of the report of the electronic working group on the GSFA to discuss further the food additive provisions for sorbates in the category 14.2.3. Grape wines.In fact, the level of 2,000 mg/kg does not seem technologically justified.

The addition of sorbic acid or potassium sorbate is admitted by the OIV for the biologcal stabilisation and to prevent the re-fermentation of wines containing fermentable sugars.

The prescriptions adopted by the OIV indicate that the dose used shall not exceed 200 mg/L expressed as sorbic acid.

The maximum level of 200 mg/Kg is sufficient to achieve the technological function

PARAHYDROXYBENZOATES (INS 214, 218)

The OIV does not support the endorsement of the proposed provisions in the GSFA for the use of parahydroxybenzoates in categories 14.2.3.

The OIV considers that the 41ST CCFA should recommend to discuss further the use of parahydroxybenzoates for grape wines (category 14.2.3.) or to revoke this provision.

For the OIV and many other producers countries, this additive is not allowed for the wine making process. The technological justification for using parahydroxybenzoates in grape wines is needed.

PHOSPHATES (INS 338, 339i-iii, 340i-iii, 341i-iii, 342i-ii, 343i-ii, 450i-iii, 450v-vii, 451i-ii, 452i-v, 542)

The use of phosphates, in the wine making process, is reserved to ammonium salt like ammonium phosphate compounds which are used as yeast nutrient in wine production or to start or facilitate the secondary fermentation in the production of sparkling wine.

The OIV consider that **only** ammonium phosphates should be used in this category and only the compounds should be limited to the INS N° 342 which correpond to ammonium salt.

The OIV does not support this provision and considers that the 41ST CCFA should recommend to discuss further the use of phosphates for grape wines (category 14.2.3.) in order to clarify and specify the type of phosphates compounds which should be considered in this category.