

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 5(a)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Fifty-third Session

FOOD ADDITIVE PROVISIONS FOR COLOURS IN FCS 01.0 THROUGH 03.0 AND THEIR SUBCATEGORIES INCLUDING ADOPTED PROVISIONS FOR COLOURS WITH NOTE 161 AND DRAFT AND PROPOSED DRAFT PROVISIONS (OUTSTANDING FROM CCFA52)

(Comments of the European Union, India, Japan, Kenya, Nigeria, Republic of Korea, Rwanda and Senegal)

European Union

The European Union (EU) would like to thank the United States of America for chairing the electronic Working Group (EWG) on the GSFA and preparing CX/FA 23/53/7 and CX/FA 23/53/8. The EU recognises the complexity of the work and extensive discussion in the EWG. The EU comments are captured in these papers and the EU appreciates the possibility to discuss further the draft provisions on the GSFA in the Physical Working Group (PWG) taking place prior to CCFA53 meeting.

Most of the EU comments are based on typical and maximum reported use levels provided by the interested business operators as a reply to the open calls for data organized by the European Food Safety Authority (EFSA) within a programme for the re-evaluation of approved food additives. These use levels are captured in the EFSA opinions publicly available at <http://www.efsa.europa.eu/>.

The EU would like to point out that several uses and use levels proposed in CX/FA 23/53/7 and CX/FA 23/53/8 seem to be excessive when compared with the data submitted to EFSA. This raises questions not only on the technological need and appropriate reporting of the uses and use levels for products in the international trade, but also on safety in particular for food additives with low numerical ADIs.

CX/FA 23/53/7

For example, for some colours the uses and use levels were recently reviewed at EU level, e.g. for INS 160b(i) Annatto extracts bixin based and Annatto extracts, norbixin based (INS 160b(ii)) (which resulted in [Commission regulation \(EU\) 2020/771](#)). Much lower usage levels were requested for a number of the same food categories under consideration and the levels subsequently adopted were deemed sufficient to meet the technological needs. Therefore, the technological need and justification for higher levels is questionable and raises potential exposure concerns considering the low ADI of [INS 160b\(ii\)](#).

Use of colours in plain products

As a general principle, the EU does not support the use of colours in plain products. The EU considers that such use is not technologically justified in contrast to 'flavoured products' for which the use of colours may be justified, e.g. in order to align colour and flavour of the product.

India

Food category 01.1.2: Other Fluid Milks (plain)

Additive	Comments
a. LUTEIN ESTERS FROM TAGETES ERECTA	India supports discontinuation of this food additive in this category.
b. PAPRIKA EXTRACT	India supports discontinuation of this food additive in this category.

Category No. 01.1.4 (Flavoured fluid milk drinks)

Additive	Comments
a. ALLURA RED AC	India supports adoption at 100 mg/kg with note 52 and removal of Note 161 in this food category.
b. PONCEAU 4R (COCHINEAL RED A)	India supports adoption at 100 mg/kg with note 52 and removal of Note 161 in this food category.

Category No. 01.2 (Fermented and renneted milk products (plain))

Additive	Comments
a. LYCOPENE, BLAKESLEA TRISPOA	India supports discontinuation of this food additive in this category.
b. LYCOPENE, SYNTHETIC	India supports discontinuation of this food additive in this category.
c. LYCOPENE, TOMATO	India supports discontinuation of this food additive in this category.
d. ZEAXANTHIN, SYNTHETIC	India supports discontinuation of this food additive in this category.

Category No. 01.3.2 (Beverage whiteners)

Additive	Comments
a. ANNATTO EXTRACTS, BIXIN-BASED	India does not support adoption as India does not permit this food additive in this food category.
b. PAPRIKA EXTRACT	India does not support adoption as India does not permit this food additive in this food category.
c. TARTRAZINE	India does not support adoption as India does not permit this food additive in this food category.

. Category No. 01.4.1 (Pasteurized cream (plain))

Additive	Comments
a. BEET RED	India supports discontinuation of this food additive in this category.
b. CARAMEL I- PLAIN CARAMEL	India supports discontinuation of this food additive in this category.
c. CHLOROPHYLLS	India supports discontinuation of this food additive in this category.
d. TITANIUM DIOXIDE	India supports discontinuation of this food additive in this category.

Category No. 01.4.2 (Sterilized and UHT creams, whipping and whipped creams, and reduced fat creams (plain))

Additive	Comments
a. BEET RED	India supports discontinuation of this food additive in this category.
b. CARAMEL I- PLAIN CARAMEL	India supports discontinuation of this food additive in this category.
c. CHLOROPHYLLS	India supports discontinuation of this food additive in this category.
d. LYCOPENE, TOMATO	India supports discontinuation of this food additive in this category.
e. TITANIUM DIOXIDE	India supports discontinuation of this food additive in this category.

Category No. 01.6.2.2 (Rind of ripened cheese)

Additive	Comments
a. ANNATTO EXTRACTS, BIXINBASED	India supports adoption at 50 mg/kg as India permits use of this additive at 50 mg/kg in this food category.
b. ANNATTO EXTRACTS, NORBIXIN-BASED	India supports adoption at 100 mg/kg as India permits use of this additive at 100 mg/kg in this food category.
c. Curcumin	India supports adoption at 100 mg/kg as India permits use of this additive at 100 mg/kg in this food category.

Category No. 01.6.2.3 (Cheese powder (for reconstitution; e.g. for cheese sauces))

Additive	Comments
a. ANNATTO EXTRACTS, BIXINBASED	India supports adoption at 50 mg/kg as India permits use of this additive at 50 mg/kg in this food category.
b. ANNATTO EXTRACTS, NORBIXIN-BASED	India supports adoption at 100 mg/kg as India permits use of this additive at 100 mg/kg in this food category.
c. Curcumin	India supports adoption at 100 mg/kg as India permits use of this additive at 100 mg/kg in this food category.

Category No. 01.6.4.1 (Plain processed cheese)

Additive	Comments
a. ALLURA RED AC	India supports adoption at 100 mg/kg without note 161 as India allows this food additive at 100 mg/kg in this food category.
b. ANNATTO EXTRACTS, BIXIN-BASED	India supports adoption at 50mg/kg as India allows this food additive at 50mg/kg in this food category.
c. ANNATTO EXTRACTS,	India supports adoption at 50mg/kg as India allows this food additive at

NORBIXIN-BASED	50mg/kg in this food category.
d. CURCUMIN	India supports adoption at 100mg/kg as India allows this food additive at 100mg/kg in this food category.

Category No. 01.6.4.2 (Flavoured processed cheese, including containing fruit, vegetables, meat, etc.)

Additive	Comments
a. ALLURA RED AC	India supports adoption at 100 mg/kg without note 161 as India allows this food additive at 100 mg/kg in this food category.

Category No. 01.7 (Dairy-based desserts (e.g. pudding, fruit or flavoured yoghurt))

Additive	Comments
a. ALLURA RED AC	India supports adoption at 100 mg/kg without note 161 as India allows this food additive at 100 mg/kg in this food category.
b. ANNATTO EXTRACTS, BIXIN BASED	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.
c. ANNATTO EXTRACTS, NORBIXIN BASED	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.
d. AZORUBINE (CARMOSINE)	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.
e. CURCUMIN	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.
f. PONCEAU 4R (COCHINEAL RED A)	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.
g. SUNSET YELLOW FCF	India supports adoption at 100 mg/kg without Note 161 as India allows at 100 mg/kg in this food category.
h. TARTRAZINE	India supports adoption at 100 mg/kg as India allows at 100 mg/kg in this food category.

Category No. 02.2.2 (Fat spreads, dairy fat spreads and blended spreads)

Additive	Comments
a. ANNATTO EXTRACTS, BIXIN BASED	India supports adoption at 20 mg/kg as India allows this food additive at 20 mg/kg in this food category.
b. CURCUMIN	India supports adoption at 5 mg/kg as India allows at 5 mg/kg in this food category.

Category No. 02.3 (Fat emulsions mainly of type oil-in-water, including mixed and/or flavoured products based on fat emulsions)

Additive	Comments
a. INDIGOTINE (INDIGO CARMINE)	India supports adoption of this food additive at 100 mg/kg in this food category.

Category No. 02.4 (Fat-based desserts excluding dairy-based dessert products of food category 01.7)

Additive	Comments
a. ALLURA RED AC	India supports adoption at 100 mg/kg without Note 161 as India allows this food additive at 100 mg/kg in this food category.
b. ANNATTO EXTRACTS, BIXIN BASED	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.
c. ANNATTO EXTRACTS, NORBIXIN-BASED	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.
d. CURCUMIN	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.

Category No. 03.0 (Edible ices, including sherbet and sorbet)

Additive	Comments
a. ANNATTO EXTRACTS, BIXIN BASED	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.
b. ANNATTO EXTRACTS, NORBIXIN-BASED	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.
c. AZORUBINE (CARMOSINE)	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.

d. CURCUMIN	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.
e. TARTRAZINE	India supports adoption at 100 mg/kg as India allows this food additive at 100 mg/kg in this food category.

Japan

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Category No. 01.7 (Dairy-based desserts (e.g. pudding, fruit or flavoured yoghurt))

Additive	Final EWG Proposal	Japan 's comment
PAPRIKA EXTRACT	Adopt at 60 mg/kg with notes 39 and XS243	Japan proposes deletion of Note XS243 and addition of new note "For use in products conforming to the standard for fermented milk (CODEX STAN 243-2003) at 1 mg/kg" INS 160c(ii) is used in fruits yoghurt covered by CXS243 at 1 mg/kg. According to the CXS 243, colours are technologically justified in flavoured products.

Kenya

Justification: Kenya supports the final EWG proposal for each food additives.

Nigeria

A. Matters for information

This document compiles the provisions of CX/FA 21/52/7 Add. 1 Appendix D that due to time constraints were not considered by CCFA52.

Among several topics, it was agreed that the EWG on the GSFA to CCFA52 would consider additional activities pertaining to the continuation of work on colours including:-

- Adopted provisions for colours in FCs 01.0 through 03.0 and their subcategories with Note 161 associated with them; and - draft and proposed draft provisions for colours in FCs 01.0 through 03.0 and their subcategories
- To continue to advance provisions for colours through the step process, CCFA51 requested that the EWG on the GSFA to CCFA52 consider the provisions for colours, both adopted provisions with Note 161 associate with them and provisions in the step process, in food categories 13.6 (Food supplements) and 14.0 (Beverages, excluding dairy products) and its subcategories (except FCs 14.1.2, 14.1.3, 14.2.3 and their subcategories).

The EWG on the GSFA issued two circulars for comment. The current document contains proposals on the adopted, draft and proposed draft provisions with the functional class of colours in food categories 01.0 through 03.0 and their subcategories. The proposals are based upon a consensus approach taking into account comments on the first circular by members of the EWG. The proposals take into consideration corresponding Codex commodity standards and information on the use of food additives in those commodity standards is provided for each food category.

Comment: Nigeria agrees to the EWG proposals.

Republic of Korea

Republic of Korea supports proposed discontinuance of amaranth(INS 123) in FC 03.0(Edible ices, including sherbet and sorbet). In Korea, amaranth is not permitted to use in FC 03.0.

Rwanda

AGENDA ITEM	Section or Paragraph	Nature of comment (Indicate whether technical or editorial)	Comment/Proposed Changes	Rationale

AGENDA ITEM	Section or Paragraph	Nature of comment (Indicate whether technical or editorial)	Comment/Proposed Changes	Rationale
Agenda item 5a	General Standard for Food Additives (GSFA): CX/FA 23/53/7 (colors FC 1-3), /8 (eWG report, pWG report CRD2), /9 (new/revised provisions), /10 (remaining sweetener provisions/alternatives to Note 161), /11 (nitrates/nitrites), /12 (ortho-phenylphenol)	technical	Carotenoids – Support at 25ppm as beta-carotene for both synthetic (160ai, 160aiii, 160aiv) and vegetable extract (160aii) in 14.1.4. beverages	Depending on the beverage type and consumer preference, different levels contribute to different hues (organoleptic properties) that consumers have come to expect from their beverage of choice. Up to the same amount would be needed, whether synthetic or vegetable extract particularly since the same hues (and same degree of opaqueness) would result at the same levels. Beverage manufacturers need sourcing options, because of supply chain challenges. Natural (25 ppm) / Synthetic (25 ppm)
	General Standard for Food Additives (GSFA): CX/FA 23/53/7 (colors FC 1-3), /8 (eWG report, pWG report CRD2), /9 (new/revised provisions), /10 (remaining sweetener provisions/alternatives to Note 161), /11 (nitrates/nitrites), /12 (ortho-phenylphenol)	technical	Apo-carotenal (160e) – Support at 10 ppm on whole compound	For consistency, the use levels should be the same across beta-carotene (synthetic/vegetable extract) and apo-carotenal, at 25 mg/kg on whole compound basis in this instance. Although the hue is more reddish in tint, the opaqueness of the color has same consistency at these levels (25 ppm on whole compound basis) as those for beta-carotene (natural or synthetic) on a beta-carotene basis.
	General Standard for Food Additives (GSFA): CX/FA 23/53/7 (colors FC 1-3), /8 (eWG report, pWG report CRD2), /9 (new/revised provisions), /10 (remaining sweetener provisions/alternatives to Note 161), /11 (nitrates/nitrites), /12 (ortho-phenylphenol)	Technical	Outstanding sweetener provisions – Support aceK, neotame and saccharin at proposed levels in specified beverage categories within the GSFA	Support proposed levels in GSFA

Senegal

Contexte : A la suite des commentaires d'une lettre circulaire publiée par le Secrétariat du Codex (CL 2020/34-FA) , il a été convenu que le GTE sur la NGAA au CCFA52 poursuivrait le travail sur les dispositions relatives aux colorants, à la fois les dispositions adoptées auxquelles est associée la note 161 et les dispositions dans le processus par étapes, dans les catégories d'aliments 01.0 (Produits laitiers et produits analogues, à l'exclusion des produits de la catégorie 02.0). 02.0 (Graisses et huiles, et émulsions de graisses) et 03.0 (Glaces comestibles, y compris les sorbets et les sherbets) leurs sous-catégories.

Position : Le Sénégal prend note des analyses effectuées par le GTE sur les différents colorants dans les FC 01.0 à 03.0 et soutient ses propositions finales, comme indiqué dans le document CX/FA 23/53/7

Justification : Dans ces catégories d'aliments, à l'exception de celles « nature » comme par exemple 01.1.2 (Autre lait liquide nature) et 01.2.1 (Laits fermentés nature), l'utilisation de colorants peut accepter pour améliorer l'aspect visuel..