



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Fifty-second Session

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER SUBSIDIARY BODIES

MATTERS ARISING FROM THE 42ND SESSION OF THE CODEX ALIMENTARIUS COMMISSION (CAC42) AND THE 43RD SESSION OF THE CODEX ALIMENTARIUS COMMISSION (CAC43)

A. Matters for information

42th Session of the Codex Alimentarius Commission (CAC42)

Standards and Related Texts adopted by the Commission²

1. CAC42 adopted:
 - (i) Specifications for the Identity and Purity of Food Additives arising from the 86th JECFA meeting with corrections proposed by CCEXEC77;
 - (ii) Food additive provisions of the General standard for Food Additives (CXS 192-1995) (GSFA);
 - (iii) Revision of the Class Names and the International Numbering System for Food Additives (CXG 36-1989);
 - (iv) Revised food-additive provisions of the GSFA in relation to:
 - o the alignment of the thirteen standards for milk and milk products (ripened cheese), two standards for sugars, two standards for natural mineral waters, three standards for cereals, pulses and legumes and three standards for vegetable proteins;
 - o the alignment of provisions for ASCORBYL ESTERS (ascorbyl palmitate (INS 302) and ascorbyl stearate (INS 305) and the *Standards for Infant Formula and Formulas for Special Dietary Purposes Intended for Infants* (CXS 72-1981) and *Follow-up Formula* (CXS 156-1987);
 - o the replacement notes to Note 161;
 - (v) Insertion of a footnote to the table entitled "References to Commodity Standards for GSFA Table 3 Additives";
 - (vi) Revised food-additive sections of the thirteen standards for milk and milk products (ripened cheese), i.e. Standards for Cheddar (CXS 263- 1966); Danbo (CXS 264-1966); Edam (CXS 265- 1966); Gouda (CXS 266-1966); Havarti (CXS 267- 1966); Samsø (CXS 268-1966); Emmental (CXS 269-1967); Tilsiter (CXS 270-1968); Saint-Paulin (CXS 271-1968); Provolone (CXS 272-1968); Coulommiers (CXS 274-1969); Camembert (CXS 276-1973); and Brie (CXS 277-1973);
 - (vii) Revised food additive sections of the two standards for sugars and two standards for natural mineral waters, i.e. Standards for Honey (CXS 12-1981); and Sugars (CXS 212-1999) and Standards for Natural mineral waters (CXS 108-1981); and Bottled/packaged drinking water (other than natural mineral waters) (CXS 227-2001);
 - (viii) Revised food additive sections of the three standards for cereals, pulses and legumes and three standards for vegetable proteins, i.e. Standards for Wheat flour (CXS 152-1985); Couscous (CXS 202-1995); and Instant noodles (CXS 249-2006); and Wheat protein products including wheat gluten (CXS

¹ This document includes information contained in CX/FA 20/52/2, CX/FA 20/52/2 Add.1 and additional matters from CAC43, CCEXEC80 and CCSCH5.

² REP19/CAC para 14, 17-38 and Appendices III

163-1987); Vegetable protein products (VPP) (CXS 174-1989); and Soy protein products (CXS 175-1989); and

- (ix) The revised table on “Justified use” in food additive section in the Standard for Mozzarella (CXS 262-2006).

Discontinuation of work³

2. CAC42 approved the discontinuation of draft and proposed draft food additive provisions for the GSFA as proposed by CCFA51.

Support for the use of Basic Methacrylate Copolymer (BMC, INS 1205) in food fortification programmes⁴

3. Senegal invited CAC42 to support the adoption of the Basic Methacrylate Copolymer (BMC, INS 1205) in the *General Standard for Food Additives* (GSFA), noting that this substance was used in food fortification programmes to prevent malnutrition and improve public health in developing countries.

4. The Codex Secretariat noted that BMC, which is used as a glazing agent and carrier, had been discussed at CCFA51 and was currently at Step 3 in the GSFA. The Secretariat further clarified that the pertinent food-additive provisions would be considered at the Commission at the appropriate time.

Codex Strategic Plan 2020 - 2025⁵

5. CAC42 adopted the Codex Strategic Plan 2020 – 2025 as proposed by CCEXEC77.

43rd Session of the Codex Alimentarius Commission (CAC43)

Procedural aspects and meetings of subsidiary committees⁶

6. CAC43 recommended:

- (i) that CCEXEC80⁷ share its recommendations based on the report of the sub-committee on Codex and the Pandemic – Strategic Challenges and Opportunities with all subsidiary bodies for their information and further consideration as appropriate; and
- (ii) to all subsidiary bodies and Members and Observers to make full use of existing remote working mechanisms such as Electronic Working Groups (EWGs) and Circular Letters (CLs) and to plan their virtual committee meetings in such a manner as to optimize the possibility to complete their agendas.

B. Matters for action

42th Session of the Codex Alimentarius Commission (CAC42)

Draft provision for trisodium citrate (INS 331(iii)) in FC 01.1.1 “Fluid milk (plain)”⁸

7. CAC42 did not adopt the draft food-additive provision for the use of trisodium citrate in FC 01.1.1 and agreed to return the provision to CCFA for further consideration. CAC42 encouraged members to actively participate in CCFA meetings so that technical issues could be fully deliberated there.

8. The Committee is **invited to consider** the request.

MATTERS ARISING FROM OTHER SUBSIDIARY BODIES

A. Matters for information

³ REP19/CAC para 100 and Appendix VI

⁴ REP19/CAC paras 155-156

⁵ REP19/CAC, paras 112 - 122

⁶ REP20/CAC, para 20 (i-ii), 31(ii) &32

⁷ REP21/EXEC1, para 35-36

⁸ REP19/CAC paras 21-29

77th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC77)⁹

9. CCEXEC77 commended CCFA and the respective EWGs on finding solutions and reaching consensus regarding the replacement notes to Note 161 and the revisions to some provisions for sweeteners.

78th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC78)¹⁰Implementation of CAC42: Feedback on Changes and Proposals for Further Improvements¹¹

10. CCEXEC78 requested that its discussions on changes and proposals for further improvements on the implementation of CAC be brought to the attention of all subsidiary bodies. In addition, CCEXEC78 requested that Chairpersons of subsidiary bodies and CAC together with the Secretariat:

- (i) develop strategies to prevent or mitigate technical discussions at CAC on topics for which there was no consensus and communicate these strategies to Members. Such strategies may include short adjournments of the session for informal discussions or suspension of discussions on items that overrun the planned time limit; and
- (ii) ensure that, at meetings of CAC, written comments received were given due consideration and the technical basis of reservations were included in meeting reports.

Regular Review of Codex Work Management 2018-2019: Critical Review Process¹²

11. CCEXEC78 concluded that the Critical Review was overall an efficient and effective work management tool and that there was no urgent need to revise it substantively while recognizing that improvements could be further discussed.

12. In this regard, CCEXEC78 also recognized that CCEXEC could provide guidance and advice to subsidiary bodies and that subsidiary bodies could also seek advice from CCEXEC and that such exchange could take place outside of the Critical Review process.

Follow-Up to Regular Review of Codex Work Management 2017-2018: Periodic Review of Codex Standards¹³

13. CCEXEC78 concluded that the current approaches to standards review were working for active subsidiary bodies, and encouraged these bodies to continuously enhance their work management processes to consider the need for reviewing existing Codex standards.

Follow-up to Regular Review of Codex Work Management 2017-2018: Use of References in Codex Texts¹⁴

14. CCEXEC78 emphasized that while there may on occasion be merit in including references to standards of another standard setting organization, these should be kept to a minimum since they become an integral part of a Codex text and require life-long monitoring.

Including Delegate Contact Information in Codex Reports¹⁵

15. The Codex Secretariat confirmed that the change removing such data had been introduced initially at CAC42 in Geneva in line with current WHO practice. The Secretariat agreed to seek a solution to make personal information available. Possible options to be explored included an opt-in preference for sharing contact details to be expressed by individual delegates during meeting registration or a solution where such data would be available behind a login.

80th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC80)

16. CCEXEC80 recognized that CAC43 had agreed on the possibility of holding virtual meetings in 2021 and endorsed the proposals from the sub-committee on Codex and the pandemic to operationalize this decision, noting that this did not at present require any change to formal Codex procedures.

23rd Session of the FAO/WHO Coordinating Committee for Africa (CAFRICA23)Alignment of food additives provisions in the regional standards for CAFRICA¹⁶

⁹ REP19/EXEC2, paras 15-18

¹⁰ REP19/EXEC2, paras 15-18

¹¹ REP20/EXEC1, paras. 25-30

¹² REP20/EXEC1, paras. 42, 46

¹³ REP 20/EXEC1, paras. 54-56

¹⁴ REP20/EXEC1, para. 64

¹⁵ REP20/EXEC1, para. 125

¹⁶ REP20/AFRICA, paras 39

17. CCAFRICA23 took note of the CCFA guidance on the alignment of food additives provisions in commodity standards with the GSFA, indicated that no action was currently needed with regard to the existing standards developed by CCAFRICA as these did not include food additive provisions.

Use of Basic Methacrylate Copolymer (BMC, INS 1205) as a food additive¹⁷

18. Senegal invited CCAFRICA to support the adoption of the Basic Methacrylate Copolymer (BMC, INS 1205) in the GSFA, noting that this substance was safe. Its use as an encapsulating agent for micronutrients in food fortification programs will prevent malnutrition and improve public health in developing countries. Thus, Senegal invited CCAFRICA to join the electronic working group on the GSFA and alignment and send comments to support inclusion of BMC in the GSFA and support its adoption at CCFA52.

21st Session of the FAO/WHO Coordinating Committee for Asia (CCASIA21)

Alignment of food additives provisions in the regional standards for CCASIA¹⁸

19. CCASIA21 agreed to establish an EWG, chaired by China to consider the alignment of food additive provisions in the regional standards developed by CCASIA.

10th Session of the FAO/WHO Coordinating Committee for the Near East (CCNE10)

Alignment of food additives provisions in the regional standards for CCNE¹⁹

20. CCNE10 agreed to establish an EWG, chaired by Saudi Arabia to consider the alignment of food additive provisions in the regional standards developed by CCNE.

Food additive provisions for the Regional Standard for Doogh²⁰

21. CCNE10 agreed that further work on the food additive provisions for doogh should be undertaken at a future session, once the alignment of the food additive provisions for the *Standard for Fermented Milk* (CXS 243-2003) with the GSFA was completed.

21st Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC21)

Provisions for the use of trisodium citrate in ultra heat-treated (UHT) milk²¹

22. CCLAC21 agreed on a regional position to support the adoption of the provisions for the use of trisodium citrate (INS 331(iii) in UHT milk as proposed at CAC42. Costa Rica expressed their reservation to this regional position.

23. CCLAC21 was unable to consider further items of interest to the region due to the discontinuation of the session for security reasons.

Alignment of food additive provisions in the regional standards for CCLAC²²

24. CCLAC21 agreed to request the Codex Secretariat issue a Circular Letter with detailed information on the background and the potential options for alignment of the food additive provisions within its regional standards in order to facilitate decision-making at CCLAC22.

Reactivation of the work on food additives in wine in the Codex Committee on Food Additives (CCFA)²³

25. CCLAC21 agreed to support the re-opening of the consideration of recommendations for wine additives at the next session of the CCFA, for possible inclusion in the *General Standard for Food Additives* (GSFA, CXS 192-1995).

29th Session of the Codex Committee on Processed Fruits and Vegetables (CCPFV29)

Proposed amendments to the food additive provisions in various commodity standards (i.e., revocation of some food additive provisions, and inclusion of one food additive provision)²⁴

¹⁷ REP20/AFRICA, paras 117

¹⁸ REP20/ASIA, paras 54-56

¹⁹ REP20/CCNE, paras 38-39

²⁰ REP20/CCNE, paras 76-80

²¹ REP20/LAC paras 40 and 41

²² REP20/LAC paras 32 and 33

²³ REP20/LAC part 2 para 7

²⁴ REP20/PFV para 31

26. According to the recommendations of CCFA50 and CCFA51²⁵, CCPFV29 agreed to forward to CAC43 the revised food additive provisions of the *Standards for Pickled Cucumbers* (CXS 115-1981), *Canned Bamboo Shoots* (CXS 241-2003), and *Jams, Jellies and Marmalades* (CXS 296-2009).

5th Session of the Codex Committee on Spices and Culinary Herbs (CCSCH5)

Clarification on the use of calcium oxide and sulphur dioxide in the draft standard for dried and dehydrated ginger 26

27. CCFA51 did not endorse the proposed draft standard for dried or dehydrated ginger, noting that it was unclear if calcium oxide and sulphur dioxide were food additives or processing aids and request corresponding clarification from CCSCH.

28. CCSCH5 agreed to provide clarification to CCFA that the two substances, i.e. calcium (as oxide) and sulfur dioxide were used as processing aids (see CX/FA 21/52/5 Add.1).

B. Matters for action

78th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC78)

Timeliness of Codex working documents²⁷

29. CCEXEC78 requested that the Codex Secretariat bring the information²⁸ on the timeliness of Codex working documents, reports and the availability of adopted standards to the attention of subsidiary bodies for their review and suggestions.

30. The Committee is **invited to consider** the request.

40th Session of the Codex Committee on Methods of Analysis and Sampling (CCMAS40)

CCMAS as a nodal committee for methods of analysis²⁹

31. CCMAS40 considered a proposal for CCMAS to become a nodal committee for methods of analysis and noted that contaminants and food additives were within the remit of CCMAS (with the exception of specifications for food additives).

32. CCMAS40 noted that CCFA had extensive work on establishing MLs for food additives and had not shown an interest to consider methods of analysis for determining compliance with these MLs.

33. CCMAS40 agreed to not proceed further with the proposal at this stage and to:

- (i) Inform all Codex committees of the current work of CCMAS regarding the review and update of the Recommended Methods of Analysis and Sampling (CXS 234-1999) and the development of a database for methods of analysis and sampling endorsed by CCMAS and adopted by CAC; and
- (ii) Remind CCFA of the decision that CXS 234 is the single reference for methods of analysis and request CCFA consider the appropriateness of the methods identified in the *General Methods of Analysis for Food Additives* (CXS 239-2003) so that the methods could be transferred to CXS 234; or to identify more updated methods or methods performance criteria for endorsement by CCMAS and inclusion in CXS 234 in order to revoke CXS 239.

34. The Committee is **invited to consider** the request.

31st Session of the FAO/WHO Coordinating Committee for Europe (CCEURO31)

Alignment of food additive provisions in one regional standard for CCEURO³⁰

35. CCEURO31 confirmed that the use of food additives is technologically not justified in foods conforming to the *Standard for Fresh Fungus Chanterelle* (CXS 40R-1981). Thus all current food additive provisions in food category 04.2.1.1 of the GSFA should be amended by adding the new note XS40R "Excluding products conforming to the *Standard for Fresh Fungus Chanterelle* (CXS 40R-1981)".

36. CCEURO31 agreed to request CCFA to take the above into account when doing alignment exercise.

²⁵ REP18/FA, paras 48, 134 and REP19/FA, para. 134

²⁶ REP21/SCH, para 65ii

²⁷ REP20/EXEC1, para. 111

²⁸ CX/EXEC 20/78/8

²⁹ REP19/MAS, paras 86-92

³⁰ REP20/EURO para 57

37. The Committee is **invited to consider** the request.

41st Session of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU41)

Appraisal of the technological need for xanthan gum (INS 415) and pectins (INS 440)³¹

38. CCNFSDU41 agreed to: (i) publish the document titled “CCNFSDU framework for appraising the technological need” as an information document on the Codex website; and (ii) forward to CAC43 for adoption the provisions for xanthan gum (INS 415) and pectins (INS 440) as thickeners in the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CXS 72-1981).

39. CCNFSDU41 requested CCFA include xanthan gum (INS 415) and pectins (INS 440) in food category 13.1.3 “Formulae for special medical purposes for infants” of the GSFA.

40. The Committee is invited to **consider the request**.

Alignment of food additive provisions in CCNFSDU standards with the GSFA³²

41. CCNFSDU41 agreed to forward CX/NFSDU 19/41/9 with the addition of “phosphoric acid (INS 338)” which had been inadvertently omitted, in Part C of the document, for consideration by CCFA.

42. With regard to the questions from CCFA51 relating to the appropriate food additive provisions and MLs for the *Standard for Formula Foods for Use in Weight Control Diets* (CXS 181-1991) and the *Standard for Formula Foods for Use in very Low Energy Diets for Weight Reduction* (CXS 203-1995), CCNFSDU41 agreed to inform CCFA that the food additive provisions of the GSFA, in particular those for the food category 13.4 and those of Table 3, are applicable to foods conforming to the two standards.

43. The Committee is invited to **consider the information provided and take appropriate actions**.

29th Session of the Codex Committee on Processed Fruits and Vegetables (CCPFV29)

Technological justification for the use of tartrates (INS 334, 335(ii), 337) in Food Category (FC) 04.1.2.6 (Fruit based spreads (e.g. chutney), excluding products in FC 04.1.2.5)³³

44. CCPFV29 agreed with the inclusion of tartrates (INS 334, 335 (ii), 337) as acidity regulators in FC 04.1.2.6 (Fruit based spreads (e.g. chutney), excluding products in FC 04.1.2.5), with following technical justifications:

- (i) Mango is generally rich in vitamins & minerals like calcium, iron, vitamin C, vitamin B complex. These nutrients are highly susceptible to temperature and oxidation. Tartrates, as acidity regulators, can protect against this;
- (ii) Use of tartrates in fruit-based spreads, e.g., mango chutney, can help improve product shelf life by helping ensure:
 - the pH of the product does not exceed 4.6;
 - product is not spoiled by bacteria (spoilage bacteria cannot grow at low pH); and
 - Potential for lesser amounts of preservatives to be used due to the maintenance of a low pH.

Technical justifications for the use of acidity regulators in general, and tartrates specifically (INS 334, 335(ii), 337) in FC 04.1.2.2 (Dried fruit)³⁴

45. CCPFV29 agreed to forward to CCFA the technical justification for the use of acidity regulators in general in FC 04.1.2.2 (Dried fruit) with followings:

- Acidity regulators are used to control the acidity or alkalinity of various types of dried fruits. The pH of food can greatly affect food safety and consumer perception and therefore acidity regulators such as citric acid (INS 330) and ascorbic acid, L- (INS 300) are needed to be used as pH adjusting agents to protect dried fruits against microbial growth.

46. CCPFV29 did not provide a response regarding the use of tartrates specifically (INS 334, 335(ii), 337) in FC 04.1.2.2 (Dried fruit).

³¹ REP20/NFSDU para 167

³² REP20/NFSDU paras 172-173

³³ REP20/PFV para 20

³⁴ REP20/PFV paras 23 and 24

Technological justification for the use of other food additives in various food products³⁵

47. CCPFV29 agreed to forward CCFA CCPFV29's responses regarding the technical justifications for the use of the following (see [REP20/PFV](#) Appendix VII, Part A for the specific responses):

- (i) "emulsifiers, stabilizers, thickeners" in general, and xanthan gum (INS 415) in particular, in food category (FC) 14.1.2 (Fruit and vegetable juices) and FC 14.1.3 (Fruit and vegetable nectar);
- (ii) colors in French fried potatoes;
- (iii) acidity regulators in general, and calcium lactate (INS 327) specifically, in FC 14.1.2.1 (Fruit juice) generally, and in Chinese plum juice specifically;
- (iv) acidity regulators in general and phosphates (INS 338; 339(i)-(iii); 340(i)-(iii); 341(i)-(iii); 342(i)-(ii); 343(i)-(iii); 450(i)-(iii),(v)-(vii), (ix); 451(i),(ii); 452(i) (v);542) and tartrates (INS 334, 335(ii), 337) specifically in FC 14.1.2.2 (Vegetable juice), FC 14.1.2.4 (Concentrates for vegetable juice), FC 14.1.3.2 (Vegetable nectar), and FC 14.1.3.4 (Concentrates for vegetable nectar) and the maximum use levels needed to achieve the intended technological effect; and
- (v) tamarind seed polysaccharide (INS 437) in the *Standard for Pickled Cucumbers* (CXS 115-1981).

Workplan for the future alignment of food additive provisions in the commodity standards³⁶

48. CCPFV29 supported CCFA's alignment plan and recommended that CCFA conduct the alignment work.

49. The Committee is invited to **consider the information provided and take appropriate actions.**

51st Session of the Codex Committee on Food Additives (CCFA51)The review of the seven group food additives in the GSFA³⁷

50. CCFA51 agreed to request that the Codex Secretariat update, for discussion at CCFA52, Table 1 in document CX/FA 19/51/2 Add.1 by:

- (i) revising the note on CYCLAMATES to ensure consistency with the reporting basis as specified by JECFA; and
- (ii) inserting text for the missing equivalent notes as evaluated by JECFA for the six categories of group food additive (i.e. IRON OXIDES, POLYOXYETHYLENE STEARATE, POLYSORBATES, RIBOFLAVINS, SACCHARINS, SORBITAN ESTERS OF FATTY ACIDS).

51. Based on the request of CCFA51, the Codex Secretariat has made corresponding recommendations for update.

52. The Committee is invited to **consider the recommendations** presented in Appendix I to this document.

³⁵ REP20/PFV para 28 and Appendix VII, Part A

³⁶ REP20/PFV para 30

³⁷ REP19/FA para 10

The recommendations to the notes associated with provisions for the seven group food additives in the GSFA

	Group Food Additives	Current relevant notes in the GSFA	JECFA Tox	Recommendations
1	CYCLAMATES	17: as cyclamic acid	ADI (0-11 mg/kg bw) for cyclamic acid and its calcium and, sodium salts (as cyclamic acid) (1982, 26th JECFA)	To change Note 17 to "for cyclamate, calcium and sodium salts, expressed as cyclamic acid"
2	IRON OXIDES	None	ADI (0-0.5 mg/kg bw) for iron oxides and hydrated iron oxides (1980. 23th JECFA)	To insert a new note reading "for iron oxides and hydrated iron oxides"
3	POLYOXYETHYLENE STEARATE	None	Group ADI (0-25mg/kg bw) of total of polyoxyethylene (8) and (40) stearates used in together (1973, 17th JECFA)	To insert a new note reading "Total of polyoxyethylene (8) and (40) stearates used in together"
4	POLYSORBATES	None	ADI (0-25mg/kg bw) As total polyoxyethylene (20) sorbitan esters (1973, 17th JECFA)	To insert a new note reading "As total polyoxyethylene (20) sorbitan esters"
5	RIBOFLAVINS	None	Group ADI(0-0.5 mg/kg bw) for riboflavin from Bacillus subtilis, synthetic riboflavin and riboflavin-5-phosphate as riboflavin (1998, 51st JECFA)	To insert a new note reading "For riboflavin from Bacillus subtilis, synthetic riboflavin and riboflavin-5-phosphate as riboflavin"
6	SACCHARINS	None	Group ADI (0-5 mg/kg bw) for saccharin and its Ca, K, Na (1993, 41st JECFA)	To insert a new note reading "For saccharin and its Ca, K, Na"
7	SORBITAN ESTERS OF FATTY ACIDS	None	Group ADI (0-25 mg/kg bw) as the sum of the sorbitan esters of lauric, oleic, palmitic and stearic acid (1973, 17th JECFA)	To insert a new note reading "As the sum of the sorbitan esters of lauric, oleic, palmitic and stearic acid"