

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 2 and 4b

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Fifty-Second Session

Virtual, 1-10 September 2021

Comments of European Union

Agenda Item 2

Mixed Competence European Union Vote

The European Union and its Member States (EUMS) would like to submit the following comments:

Comments on CX/FA 21/52/2

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

CAC42, B. MATTERS FOR ACTION

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

The EUMS welcome further discussion on the use of trisodium citrate (INS 331(iii)) in bovine milk. As outlined in the previous EUMS comments, the technological need for trisodium citrate in bovine milk is not recognised in the EU. The EUMS observe that any further discussion should focus on the compliance of the proposed use with Section 3.2 of the GSFA Preamble.

MATTERS ARISING FROM OTHER SUBSIDIARY BODIES

A. MATTERS FOR INFORMATION

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

Alignment of food additive provisions in the regional standards for CCLAC

In Annex 1 to these comments, the EUMS offer for a further consideration of the Committee and the EWG on alignment, comments on the alignment of the CCLAC regional standards.

B. MATTERS FOR ACTION

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

CCMAS as a nodal committee for methods of analysis

The EUMS are aware of the importance of the availability of appropriate analytical methods for determining compliance with the MLs established by the CCFA. The EUMS support 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, which should also include methods of analyses for food additives.

The EUMS also support that CXS 234-1999 is the single reference for methods of analyses. In this regard, the EUMS observe that all analytical methods of CXS 239-2003 have already been included in CXS 234-1999.

Comments on CX/FA 21/52/2 Add.1

The EUMS welcome the discussion of CCCF related to the revision of the *Code of Practice for the Prevention and Reduction of Lead Contamination in foods* (CXC 56-2004) as regards the reduction of lead contamination linked with the use of diatomaceous earth, charcoal and bentonite as filtration aids in the production of beverages.

The EUMS support the proposal to review the specifications for diatomaceous earth and charcoal (activated carbon) to reduce the limit for lead to a lower level, if possible (as low as reasonably achievable).

The EUMS also support that JECFA evaluates available data in order to develop specifications for bentonite including a lead specification as low as reasonably achievable.

Comments on CRD07

For the sake of clarity and consistency, the EUMS consider that Note 72 (On the ready-to-eat basis) should also be added to the provision for xanthan gum (INS 415) as para 155 and Appendix VIII, Part B of REP20/NFSDU mentions the need per 100 mL of the product ready for consumption.

Annex 1 - Alignment of food additive provisions in the regional standards for CCLAC

There are three regional standards developed by CCLAC:

- a) Regional Standard for Culantro Coyote (CXS 304R-2011),
- b) Regional Standard for Lucuma (CXS 305R-2011) and
- c) Regional Standard for Yacon (CXS 324R-2017).

The Regional Standard for Culantro Coyote (CXS 304R-2011) does not contain food additive provisions.

According to Annex C to the Preamble of the General Standard for Food Additives (GSFA) (CODEX STAN 192-1995) the standard is related to food category 04.2.1.1 *Untreated fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes (including soybean), and aloe vera), seaweeds and nuts and seeds.*

There are a few food additive provisions for the food category 04.2.1.1 of the GSFA. These are associated with the note 262 *For use in edible fungi and fungus products only.* Additionally in one case note 263 related to pickled fungi and in two cases note 264 related to sterilized fungi are associated. Thus the food additive provisions of food category 04.2.1.1 are restricted to fungi and fungus products.

The food additive provisions of Table Three of the GSFA are not applicable to the food category 04.2.1 and its subcategories according to the Annex to Table Three.

It is therefore assumed that the above mentioned regional standard is in line with the GSFA.

The Regional Standard for Lucuma (CXS 305R-2011) does not contain food additive provisions.

According to Annex C to the Preamble of the General Standard for Food Additives (GSFA) (CODEX STAN 192-1995) the standard is related to food category 04.1.1.1 *Untreated fresh fruit.*

There are no food additive provisions for food category 04.1.1.1 of the GSFA. The food additive provisions of Table Three of the GSFA are not applicable to the food category 04.1.1 and its subcategories according to the Annex to Table Three.

It is therefore assumed that the above mentioned regional standard is in line with the GSFA.

The Regional Standard for Yacon (CXS 324R-2017) contains the following food additive provisions in section 8:

“This standard applies to yacon as indentified in Food Category 04.2.1.1 Untreated fresh vegetables, (including mushrooms and fungi, roots and tubers, pulses and legumes (including soybean), and aloe vera), seaweeds and nuts and seeds, and therefore no food additives is allowed in accordance with the provisions of the *General Standard for Food Additives* (CXS 192-1995).”

It is therefore assumed that the above mentioned regional standard is already aligned with the GSFA.

Agenda Item 4b

European Union Competence European Union Vote

The European Union (EU) would like to thank Australia for chairing the VWG. The EU would like to submit the following comments:

CRD03 inter alia contains a provision for the use of Mono- and diglycerides of fatty acids (INS 471) at GMP-level in Food Category 02.1.2, which is recommended for hold, waiting advice from CCFO (p. 77). In this regard CRD03 states (p. 105):

Separately the GSFA VWG is requesting guidance from CCFO on its proposal to allow the use of Mono- and diglycerides of fatty acids (INS 471) as an antifoaming agent in CXS 210-1999 similar to CXS 19-1981.

When asking guidance from CCFO it is necessary to submit a clear question to that Committee to avoid misunderstandings. CCFO like other commodity committees is responsible for judging the technological justification for the use of food additives used in the products falling within its terms of reference.

The following submission to CCFO is proposed:

Is the use of Mono- and diglycerides of fatty acids (INS 471) as antifoaming agent at GMP-level technologically justified for the use in products conforming to the Standard for Named Vegetable Oils (CXS 210-1999), restricted to the use in oils for deep frying only?

CCFA recognizes that the use of Mono- and diglycerides of fatty acids (INS 471) as antifoaming agent at GMP-level is technologically justified for the use in products conforming to the Standard for Edible Fats and Oils not Covered by Individual Standards (CXS 19-1981), restricted to the use in oils for deep frying only.

CCFA further recognizes that the use of Mono- and diglycerides of fatty acids (INS 471) is not technologically justified for use in products conforming to the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981).