

# codex alimentarius commission

FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD HEALTH  
ORGANIZATION

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**Agenda Item 4(a)**

**CX/MMP 00/8**  
December 1999

## **JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

### **CODEX COMMITTEE ON MILK AND MILK PRODUCTS**

#### **Fourth Session**

**Wellington, New Zealand, 28 February – 3 March 2000**

### **PROPOSED DRAFT REVISED STANDARD FOR CREAMS**

#### **REVIEW OF COMMENTS AND REVISED PROPOSED DRAFT STANDARD FOR CREAMS**

(Prepared by the International Dairy Federation)

Governments and interested international organizations are invited to comment on the attached proposed draft revised standard for Creams at Step 3. Comments should be sent to:

Ms Debra Tuifao,  
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with a copy to the Secretary, Codex Alimentarius Commission, FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy **not later than 25 January 2000.**

The Proposed Draft Standard will be considered at Step 4 by the Committee at its 4th Session.

## **INTRODUCTION**

At the 3rd session of the Codex Committee on Milk and Milk Products (CCMMP; May 1998), the Proposed Draft Standards for Creams was not discussed. The Committee agreed to establish a *Ad Hoc* working group on Creams, Dairy Spreads, and Fermented Milks chaired by Argentina (in this document referred to as the CCMMP *Ad Hoc* Working Group on Dairy Products) to consider specified principal issues relating to creams. The Committee further agreed that the International Dairy Federation (IDF) should redraft the standard on the basis of comments from the CCMMP *Ad Hoc* Working Group on Dairy Products for circulation and comment at Step 3 prior to the Committee's next session. (ALINORM 99/11, paras 84-88)

The review has been carried out on the basis of the Proposed Draft Standard tabled at the 3rd session of the Committee.

The following principles have been applied:

1. The review has been done in light of written comments submitted<sup>1</sup> and with the inclusion of the recommendations of the CCMMP *Ad Hoc* Working Group on Dairy Products.
2. Each written comment submitted has been examined individually to the extent they do not fully fall under the issues considered by the CCMMP *Ad Hoc* Working Group on Dairy Products. It should be noted that the comments reviewed were submitted prior to the 3<sup>rd</sup> Session of the CCMMP.
3. Inputs from the CCMMP *Ad Hoc* Working Group on Dairy Products have been inserted without any changes, however, they may have been subject to editorial amendment. Also, additional amendments resulting from the recommendations of the CCMMP *Ad Hoc* Working Group on Dairy Products have been considered.
4. The review also includes recommendations for amendments, where appropriate, that are considered consequential from the decisions taken at the Session under Agenda item 4 (General Standard for the Use of Dairy Terms)<sup>2</sup>, item 5 (Common Labelling Provisions of Milk Product Standards)<sup>3</sup>, item 6 (Draft and Draft Revised Standards at Step 7)<sup>4</sup>, and item 9 (Methods of Analysis and Sampling for Milk Products)<sup>5</sup>.
5. The relevant decisions taken by the 23<sup>rd</sup> Session of the Codex Alimentarius Commission in accordance with the recommendations of the 27<sup>th</sup> Session of the Codex Committee on Food Labelling (CCFL) have been incorporated.
6. The general approach used has been that a government comment is accepted unless proper technological, scientific, editorial or similar arguments make it advisable not to follow it or to amend it.
7. Where governments have expressed different views, possible solutions are provided with the aim of facilitating a decision. They take into account technical justification and/or existing commercial trading practices.

Abbreviations used this document:

GSUDT: Draft General Standard for the Use of Dairy Terms (CODEX STAN 206-1999)

GSLPF: General Standard for the Labelling of Pre-packaged Foods (CODEX STAN 1-1985, Rev. 1-1991)

## **SPECIFIC CONCLUSIONS OF THE CCMMP AD HOC WORKING GROUP ON DAIRY PRODUCTS WITH REGARD TO CREAMS**

1. The majority of countries consider that a standard for creams should include a lowest and a reference fat level. The lowest level should be set at 10%. It is impossible to conclude on what level should be retained as the reference level. It is recommended by the working group to establish a reference level following debate at the next session of the CCMMP.
2. The standard for creams should include provisions for whipped cream.
3. The standard for creams should include provisions for fermented creams. It was noted that a significant minority would like to see provisions for such products included in the standard for fermented milks.

The conclusions of the CCMMP *Ad Hoc* Working Group on Dairy Products are incorporated into the Draft Revised Standard in all applicable sections.

## **GENERAL MATTERS**

**The Netherlands** proposed deleting this standard “because there is little international trade in creams.”

**Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products was not specifically asked to include a question on the need for this standard in the questionnaire. Such a question was posed in regard to the need for a standard for Dairy Spreads. Twenty-six countries responded to the three inquiries pertaining to cream in the questionnaire, with many countries looking to expand the scope of

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<sup>1</sup> Government Comments to CL 1997/33

<sup>2</sup> CODEX STAN 206-1999

<sup>3</sup> ALINORM 99/11, paras 21-29 and Appendix III

<sup>4</sup> ALINORM 99/11, paras 30-79 and Appendices IV-XI

<sup>5</sup> ALINORM 99/11, paras 89-91 and Appendix XII.

the standard to cover whipped and fermented creams. This would seem to indicate support for continuation of the standard. Indeed, the conclusion of the CCMMP *Ad Hoc* Working Group on Dairy Products is to “propose the development of a Standard with the provisions just detailed.”

It is also noted that within the responses from the CCMMP *Ad Hoc* Working Group on Dairy Products, general comments were received not only from the **Netherlands**, but also from the **United Kingdom** and **Norway** also questioning whether the standard is justified based on the level of international trade. The **United Kingdom** further recommended that data pertaining to international trade be collected and submitted to a “decision tree” process similar to that use for the elaboration or retention individual variety standards for cheese.

## REVIEW OF THE STANDARD

### TITLE

**Discussion:** The conclusions of the CCMMP *Ad Hoc* Working Group on Dairy Products are to include provisions for whipped and fermented creams in the Standard. It is specifically noted that the nomenclature used by the CCMMP *Ad Hoc* Working Group on Dairy Products includes the plural term, “fermented creams”.

**Recommendation no.1:** Adopt the recommendations and revise the title of the Standard to read: “Creams, Whipped Creams, and Fermented Creams”

### 1. SCOPE

(a) The conclusions of the **CCMMP *Ad Hoc* Working Group on Dairy Products** require an expansion of the Scope to include whipped creams and fermented creams. Note that the expansion of the scope makes it necessary to review all parts of the standard to ensure adequate regulation of these products. Such review has not been done to the full extent in this document.

**Recommendation no. 2:** Expand the Scope of the Standard to cover whipped creams and fermented creams.

(b) **Germany** and **Japan** advocated expanding the scope to cover creams for further processing.

**Discussion:** Other individual standards promulgated by the CCMMP, including those for butter, milkfat products, evaporated milks, sweetened condensed milks, milk powders and cream powders, and cheese have included products “for further processing” in the Scope. Creams are also used in the manufacture of a wide range of other processed foods

**Recommendation no. 3:** Adopt the recommendation and includes the words, “or further processing” in the Scope of this standard.

(c) The **International Dairy Federation** has requested that the standard not include creams that have been subjected to “acidification and/or coagulation”.

**Discussion:** Although the CCMMP *Ad Hoc* Working Group on Dairy Products has concluded to include fermented and whipped creams in the standard, no request has been made to include acidified or coagulated creams.

**Recommendation no. 4:** Exclude acidified and coagulated creams from the standard.

### 2. DESCRIPTION

(a) The conclusions of the **CCMMP *Ad Hoc* Working Group on Dairy Products** require a description to be included for whipped creams and fermented creams. For purposes of clarity, the inclusion of whipped cream necessitates a description for cream packed under pressure and discharged as whipped cream.

**Recommendation no. 5:** Include descriptions for whipped cream (including cream packed under pressure) and fermented creams in the Section 2.

- (b) **France** requested that the definition “whipping cream” be retained in Section 2. and not be relegated to Section 7. Labelling

**Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products has required that the standard now include definitions for Whipped Creams and Fermented Creams. These products have specific sensory characteristics and differentiating characteristics requiring a separate definition in Section 2. “Whipping creams” are fluid products that may or may not be used for whipping and are not specifically included in the Scope of the standard. Such products specifically intended for whipping, that is, incorporation of air or inert gas without reversing the fat-in-skimmed milk emulsion. For a cream to be whipped under typical household conditions, it may be necessary for the product to achieve a sufficient level of milkfat or certain additives to aid the whipping process. The description of such product is the result of identifying the “true nature” and physical condition of the product – in other words, a matter of labelling. Consequently, a separate description for “whipping cream” cannot be justified in Section 2. , but is more appropriately placed in Section 7.

**Recommendation no.6:** Retain the specification for “whipping cream” in Section 7 along with any additionally appropriate qualifications.

- (c) **Norway** indicated that their national legislation does not permit reconstituted or recombined cream for direct consumption. **France** supported the production of creams from reconstituted or recombined milk products, provided a clear distinction is made between such products and those obtained from liquid milk.

**Discussion:** The GSUDT defines reconstituted and recombined milk products and also establishes parameters for the naming of such products. The GSUDT specifies that such a product may be named in accordance with the GSLPF if the consumer would not be misled or confused.

**Recommendation no. 7:** Retain the provisions for the production of creams for direct consumption from reconstituting or recombining milk products.

### 3. ESSENTIAL COMPOSITION AND QUALITY FACTORS

#### 3.1 RAW MATERIALS

- (a) **France** suggested a list of raw materials be developed for creams manufactured through recombination and reconstitution. A specific request to incorporate buttermilk was included and it was proposed that the list of raw materials be limited to those derived from milk.

**Discussion:** The raw materials list in the proposed draft revised standard under consideration includes milk. Other dairy ingredients are listed for certain specified cream products, including, but not limited to, reconstituted/recombined, UHT, sterilized, and creams with a lower milkfat content. The raw materials necessary to produce fermented creams include milk and, as an ingredient, selected harmless bacterial cultures. These same raw materials and ingredients are found in buttermilk. Consequently, buttermilk is an appropriate material for use in fermented creams, but it is not necessary to list it as a separate raw material since its component materials/ingredients are already listed with the inclusion of fermented creams.

**Recommendation no. 8:** Recognize the indirect inclusion of buttermilk in fermented creams through the inclusion of milk and harmless bacterial cultures

- (b) **Norway** proposed to move the reference to milk solids not fat and caseinates (and the accompanying text) to Section 3.2 Permitted Ingredients.

**Discussion:** Milk solids not fat (msnf) and caseinates are by-products of the raw material “milk”. The end products defined by the scope of this standard cannot be manufactured

exclusively by msnf and caseinates. In addition, the use of msnf and caseinates is limited to a certain segment of the product mix covered by this standard.

**Recommendation no. 9:** Accept the recommendation to move the reference to msnf and caseinates (and the accompanying introductory text) to Section 3.2.

- (c) The **United Kingdom** offered an editorial correction regarding the absence of an explanatory footnote to the asterisks accompanying “milkfat products” and “milk and cream powders”.

**Recommendation no. 10:** Accept the correction with a footnote referencing the relevant Codex standards for these products.

- (d) The **United States** and the **International Dairy Federation** proposed an expansion of the introduction to the use of milk solids not fat and caseinates by including “...or creams that have received similar heat treatments...”.

**Recommendation no. 11:** See Recommendation 9.

### 3.2 PERMITTED INGREDIENTS

- (a) The **CCMMP Ad Hoc Working Group on Dairy Products** has expanded the Scope of this Standard to include fermented creams.

**Discussion:** As a result of the conclusions of the **CCMMP Ad Hoc Working Group on Dairy Products**, it is necessary to amend the accompanying introductory text to include the words, “fermented creams” prior to the listing of “gelatine and starches” and “Milk solids not fat, or caseinates” due to the fact that these products may require the use of additional ingredients to promote proper viscosity and other functional characteristics.

**Recommendation no.12:** Include fermented creams in the list of products contained in Section 3.2 and which allow for the use of permitted ingredients.

- (b) **France** proposed a restriction on the use of caseinates to products with a reduced fat content in the region of 20% plus or minus 2%.

**Discussion:** Without a reference milkfat level, it is currently not possible to evaluate the impact of this proposal on the standard

**Recommendation no. 13:** Re-evaluate this proposal following the next meeting of the CCMMP.

- (c) **France** stated that the listing of rennet and coagulating enzymes (as mentioned in the “old ‘cream’ standard”) should be retained

**Discussion:** With the decision by the CCMMP *Ad Hoc* Working Group on Dairy Products to add fermented creams to the Scope of this Standard, it will be necessary to add rennet and other harmless and suitable enzymes to the list of permitted ingredients. In addition, it will be necessary to add appropriate starter cultures to the permitted ingredient list. The use of sodium chloride should be discussed as it has been used in some commercial applications.

**Recommendation no. 14:** Add “safe and suitable enzymes” and “starter cultures of harmless micro-organisms” to the list of permitted ingredients for fermented creams. Include sodium chloride in square brackets.

- (d) **France** commented that sugar and vanilla must be maintained. Similarly, the **United States** recommended that nutritive carbohydrate sweeteners and flavourings be added to the list of ingredients authorised for whipping and whipped creams.

**Discussion:** The CCMMP has decided that, as a general rule, composite products should not be standardized. Not including sugar and other sweeteners and vanilla and other flavourings in the standard would not imply that such products may not be manufactured and sold. For example, a cream containing sugar and vanilla would instead be labelled with an appropriate qualifying term, such as “sweetened cream” or “vanilla flavoured cream” or a fanciful name with appropriately descriptive qualifying language.

**Recommendation no. 15:** Sugar and other nutritive carbohydrate sweeteners and flavourings should not be included in the standard.

- (e) **Argentina** commented that the standard should permit the use of gelatine and starches only in UHT, sterilized, whipping and whipped creams.

**Discussion:** The functional use of gelatine and starches is to thicken certain types of creams. This function may be particularly necessary for creams with a lower level of milkfat. Such products may be popular with consumers who seek products with similar performance characteristics to “full fat” creams, but for dietary reasons, may seek lower fat products.

**Recommendation no. 16:** Retain the use of gelatine and starches in creams with a modified (lower) milkfat content.

- (e) **Italy** remarked that ingredients other than milk should not be permitted.

**Discussion:** UHT and sterilized creams, and creams with a lower fat content, whipping creams, and whipped creams require additional ingredients for functional purposes. Several countries previously submitted requests for such functional ingredients.

**Recommendation no. 17:** Retain the use of ingredients for functional purposes in certain categories of creams.

- (f) The **United States** and the **International Dairy Federation (IDF)** proposed that the introductory language to Section 3.2 be revised to include “...and creams receiving similar heat treatments...”.

**Discussion:** Both the **United States** and **IDF** noted the presence “in several of the world’s markets” of a category of creams which receives heat treatment similar to UHT and sterilized creams, but without the same packaging systems. Such products achieve an extended shelf life (longer than pasteurised products), but do require refrigeration. It is argued that for the same functional reasons as those offered for UHT and sterilised creams, additional permitted ingredients are necessary.

**Recommendation no. 18:** Incorporate the suggested language to read as follows: “*For use only in UHT, sterilised and creams receiving similar heat treatments, creams containing less than [xx]% milkfat, whipping cream, and whipped cream.*”

### 3.3 COMPOSITION

- (a) **Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products concluded that the “lowest level should be set at 10%.”

**Recommendation no. 19:** Establish an absolute level of 10% milkfat for this standard.

- (b) **Japan** observed that the term “modified in Section 3.3 was unclear.

**Recommendation no. 20:** Acknowledge the potential for confusion and change the phrase to read: “Creams *lowered* in milkfat content”

- (c) **France** suggested a reference fat level for creams at 30%. The **International Dairy Federation** proposed a minimum milkfat level at 18%.

**Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products has concluded that it is not possible to establish a reference milkfat level for cream at this time. The subject is to be discussed at the next meeting of the CCMMP.

**Recommendation no. 21:** Review the issue following the next meeting of the CCMMP

- (d) **France** proposed a classification system be added to Section 3.3 establishing product categories for the following: (1) “clotted cream” – contains greater than 45% milkfat; (2) “double cream” – contains 45% milkfat; (3) “cream, “whipped cream” and “whipping cream”- contains less than 45%, but not less than 30% milkfat; (4) “cream” with a qualifying adjective – contains less than 30% , but not less 10% milkfat.

**Discussion:** Without the establishment of a reference milkfat level, it is not possible to devise a meaningful classification system based on varying levels of milkfat composition.

**Recommendation no. 22:** Review the issue following the next meeting of the CCMMP

#### 4. FOOD ADDITIVES

- (a) **Canada** requested the inclusion of additive with INS nos. 400 (Alginic acid and its salts), 442 (Ammonium phosphatides), and 516 (Calcium sulphate)

**Discussion:** The following salts of alginic acid were previously included in the Proposed Draft Revised Standard: INS nos. 401, 402, 404. INS nos. 400, 403 (Ammonium alginate), and 516 function as stabilisers and thickeners and are listed in the General Standard for Food Additives (GSFA) for use at the GMP level. However, INS no.442 is not listed in the GSFA and would require technological justification since none has been provided to date.

**Recommendation 24:** Include the additives with INS nos. 400, 403, and 516.

- (b) **Canada** stated that the following additives are not permitted in the Canadian national legislation - INS nos. 170 (Calcium carbonate); 325, 326, 327 (Sodium, potassium, and calcium lactate); 331, 332, 333 (Sodium, potassium, and calcium citrate); 500, 501 (Sodium and potassium carbonates); 340, 341 (Potassium and calcium phosphate); 450 (Diphosphates); 451 (Triphosphates); 452 (Polyphosphates); 414 (Gum arabic); 418 (Gellan gum); 432,434,435,436 (Polyoxyethylene sorbitan esters)

**Discussion:** Technological justification for the use of these additives was previously provided. (See 1997/33-MMP, p.12)

**Recommendation no. 24:** Retain the inclusion of the listed additives.

- (c) **France proposed** the addition of non-toxic gases for creams packaged under pressure and whipped creams, **including** carbon dioxide and nitrous oxide.

**Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products has concluded to include whipped creams in the Scope of the Standard. The named gases will be necessary for the manufacture of whipped creams (and creams packaged under pressure). Technological justification for each gas will be required.

**Recommendation no. 25:** Include a provision for non-toxic (inert) gases in the Standard specific to the manufacture of whipped creams (and creams packaged under pressure). Such gases already specified in the GSFA include INS. nos. 290 (carbon dioxide), 941 (nitrogen), and 942 (nitrous oxide).

- (d) The **Czech Republic** noted that the additives listed in Section 4 should not be permitted in pasteurised creams. **France** commented that the list of additives should be limited to UHT and sterilised products (regardless of fat content) and products with a fat content “equal to or lower than 20% plus or minus two percent.”

**Discussion:** The additives listed in Section 4 are limited to creams with a fat content so low as to require such additives for functional purposes. Although the reference milkfat level for the standard remains to be determined, creams with a lower fat content may require the use of the additives listed in Section 4 for functional purposes. (See 1997/33-MMP, p.3)

**Recommendation no. 26:** Retain the additives for use in lower milkfat creams (designated level to be determined following the establishment of a reference milkfat level by the CCMMP)

- (e) **New Zealand** noted that additives with INS nos. 432-436 have an ADI of 25g/kg body weight and recommended a maximum level of 1g/kg.

**Discussion:** Technological justification for the polysorbitan esters (432-436) was previously provided.

**Recommendation no. 27:** Establish a maximum level of 1g/kg for these additives.

- (f) **France** and **New Zealand** proposed the addition of INS no. 472b (lactic and fatty acid esters of glycerol) and **New Zealand** proposed the addition of INS no. 472a (acetic and fatty acid esters of glycerol).

**Discussion:** Both additives are listed in Table 3 of the GSFA and perform the same technological function (emulsification) as 472c (already included).

**Recommendation no. 28:** Include the additives 472a and 472b

- (g) Comments from **Norway** proposed to limit the range of application for thickeners and emulsifiers to “UHT cream and sterilised cream intended for whipping”

**Discussion:** It is unclear as to whether the comment is meant to cover two different categories of creams or only creams “intended for whipping”.

**Recommendation no. 29:** No action on comment until clarification is provided.

- (h) **Poland** also proposed to limit the application of additive usage to UHT whipping cream and whipped cream and establish specific levels for several of the remaining additives.

**Discussion:** It is not possible to predetermine the end use for fluid cream by the consumer. It is possible that a product may be manufactured (and purchased) for both fluid use and whipping purposes. While it can be argued that higher quality creams and creams with lower levels of total milk solids may be in less need of these additives, cream supplies can vary in quality and total milk solids composition. (See 1997/33-MMP, p12. for technological justification). The additives cited are all contained in Table 3 of the GSFA for use at the GMP level.

**Recommendation no. 30:** Retain the additives as listed

- (i) The **United Kingdom** proposed that a number of additives be permitted for use in “plain pasteurised creams” including those used for stabilisation and thickening/emulsifying in pasteurised low fat and low calorie creams. These include: E270 (lactic acid); E330 (citric acid); E400 (alginic acid); E403 (ammonium alginate); E461 (methyl cellulose); E463 (hydroxypropyl cellulose); E464 (hydroxypropyl methyl cellulose); E465 (ethyl methyl cellulose); E508 (potassium chloride); E509 (calcium chloride); E509 (calcium chloride); and , the starches: E1410, E1412-1414, E1420, E1422, E1440, E1442, and E1450.

**Argentina** noted that MERCOSUR legislation does not authorise the use of additives for pasteurised creams, and that their use should be limited to UHT and sterilised creams as currently provided.

**Discussion:** The technological justification for the additive functions currently included in the draft standard is based on the fact that usage is largely a function of extended shelf life. In other words, deterioration of product quality over time. Pasteurised creams, due to their relatively short shelf life, do not typically suffer from similar quality problems if proper handling is observed. The use of the proposed additives for modified (e.g., “low fat”) products is justified. The listing of additives that could also serve as direct acidifiers merits additional discussion following the inclusion of fermented creams.

**Recommendation no. 31:** Retain the current restriction on additive usage in pasteurised creams. Include the proposed additives in Section 4 for the uses identified earlier (i.e., UHT, sterilized, heat treatments similar to UHT/sterilized, lower fat products, whipping and whipped creams) provided that listing in the GSFA serves as technological justification.

- (j) The **United Kingdom** indicated that additive nos. 339-341 and 450-452 are not permitted at the GMP level as proposed. The **United Kingdom** further suggests that these additives be restricted to a level of 5g/kg individually or in combination (expressed as P<sub>2</sub>O<sub>5</sub>).

**Discussion:** This comment is based on an apparent misinterpretation of the table in Section 4. The blank line between nos. 501 and 339 is intended to provide a separation between those additives permitted at GMP (501 and above) and those permitted at 2g/kg, singly or in



combination -expressed as P<sub>2</sub>O<sub>5</sub> (339 through 452). The level of 2g/kg is of a sufficient level for commercial use.

**Recommendation no. 32:** Provide for clearer delineation in the additive table in Section 4.

- (k) **Argentina** noted that even though most of the stabilisers and thickeners/emulsifiers currently listed in the draft standard provide for use at GMP, a specified maximum use could be useful in helping to avoid displacement of milk ingredients. In addition, **Argentina** suggested the use of polyoxyethylene sorbitan esters should either be withdrawn or provided for at a maximum use level since an ADI is specified.

**Discussion:** Typical usage levels of these types of additives are often less than 5g/kg. Establishing a maximum level (as opposed to GMP) could result in unintended additional usage of a particular additive. In addition, consistency with the GSFA Table 3 is encouraged. Secondly, the use and technological justification of polysorbates (nos.432-436) has been noted previously (See 1997/33-MMP, p.12). A maximum level was previously suggested (See comment (e)).

**Recommendation no. 33:** Retain the GMP usage where consistent with the GSFA Table 3 and establish a maximum level for additive nos. 432-436 as specified in comment (e).

- (l) The **United Kingdom** noted that E412 (guar gum), E414 (gum arabic), E418 (gellan gum), and E472c (citric and fatty acid esters of glycerol) are not currently permitted in EU legislation. The **UK** further noted that proposed amendments to the EU legislation are likely to allow all generally permitted additives for certain categories of creams. The **International Dairy Federation** proposed to permit stabilizers, thickeners, and emulsifiers which have been reviewed by JECFA and for which there is no specified ADI. The use of the additives would be limited to UHT and sterilised creams, creams receiving similar heat treatments, lower fat creams, whipping and whipped creams.

**Discussion:** The comments of the **United Kingdom** and the **International Dairy Federation** seek to harmonize the additive provisions of this standard with other legislative/Codex initiatives in this area. It is not logical to discriminate against individual additives that are similar in regard to safety and functionality.

**Recommendation no. 34:** Include all additives which function as stabilizers, thickeners and emulsifiers and which are included in the Codex GSFA Table 3.

## 7. LABELLING

### 7.1 NAME OF THE FOOD

- (a) **Morocco** stated that the name “cream” must be reserved for products containing a minimum milkfat content of 30% and that products with greater than or equal to, but less than 30 percent must be labelled with “specific names”. **France** indicated that any denominations should be related to their proposal in Section 3.3 which lists specific compositions and designations (see Section 3.3, comments (c) & (d))

**Discussion:** The CCMMP *Ad Hoc* Working Group on Dairy Products has concluded it is not possible to determine a reference milkfat level for the product designated as “cream” at this time.

**Recommendation no. 35:** Revisit the issue following the deliberations at the next session of the CCMMP

- (b) **New Zealand** noted the wide diversity among countries’ compositional standards and terminology for creams and the subsequent difficulty in attempting to standardise such terminology. **New Zealand** further suggested that the standard not include compositional limits or terminology for creams 10-18% milkfat, or specific references to high fat products. As a proposed solution, it is also suggested that creams with 10-18% milkfat be simply designated

with a qualifying term describing the true nature of the food. In addition, the comment recommends no reference to nutrition claims is necessary.

**Discussion:** The comments cannot be adopted as submitted due to the absence of a reference milkfat level. However, given the fact that the draft standard currently allows for “other qualifying terms...if allowed by the national legislation of the country in which the product is sold”, greater clarity is provided without the examples now listed. In regard to nutrition claims, the Codex Guidelines on Use of Health and Nutrition Claims (Sections 6.1 and 6.2.2) specify that the foods being compared with regard to comparative claims should be clearly identified. Once established, the standard will provide a reference fat content. The provision on Nutrition Claims in Section 7.1 is needed for the specification of which milkfat content is to be regarded as the reference.

**Recommendation no. 36:** Adopt the recommendation to eliminate example designations in paragraph 2 and paragraph 5. Retain the Nutrition Claims reference information currently contained in paragraph 3.

- (c) The **United Kingdom** suggests aligning the reference to “double cream” in paragraph 5 with a minimum 48% milkfat.

**Recommendation no. 37:** Eliminate the reference to “double cream” in paragraph 5 (see comment (b)) removing the apparent conflict and allowing the reference to national legislation in the current paragraph 6 to take effect.

- (d) The **International Dairy Federation** suggests modifying the current paragraph 4 by adding a reference to a minimum milkfat content of 30%. **IDF** further explains that such a level will ensure ease of whipping under “normal household conditions”.

**Discussion:** The addition of a minimum milkfat level for “whipping cream” in Section 7.1 eliminates the need for such a designation in Section 3.3 Composition.

**Recommendation no. 38:** Consider whether 30% milkfat or another figure would be the appropriate level as a minimum for the product designated "whipping cream".

- (e) **Denmark** recommended that creams made by the recombination or reconstitution of dairy ingredients and water shall be labelled as “Recombined cream” or “Reconstituted cream” or another truthful qualifying term if the consumer would not be misled by the absence of such labelling.

**Discussion:** Such a provision is in compliance with the general provisions specified in Section 4.1.2 of the GSLPF in regard to the true nature of the product. In addition, the proposal is consistent with the provisions of Section 4.4 of the GSUDT.

**Recommendation no 39:** Include a provision in Section 7.1 stating that creams made by recombination or reconstitution shall be labelled as “Recombined cream” or “Reconstituted cream” or another truthful qualifying term if the consumer would be misled by its omission.

- (f) **France** proposed to delete the first sentence of paragraph 7. As a result, the new paragraph 7 would read as “When creams have been sterilised...to the designation.” The **United Kingdom**, in the interest of enhanced food safety, changing paragraph 7 as follows (additions underlined): “Creams should have a declaration of the final heat treatment applied. When cream are pasteurised, sterilised or UHT-treated, they shall have the declaration “pasteurised”, “sterilised” or “UHT”, as appropriate, in close proximity to the designation.

**Discussion:** Both comments stress the significance of labelling the method of heat treatment. Combining the two comments results in a clear statement of the heat treatment received. Products not bearing a designation of heat treatment would be assumed to not have been pasteurised, sterilised, or UHT-treated.

**Recommendation no. 40:** Modify the current paragraph 7 of Section 7.1 to read as follows: “*When creams have been pasteurised, sterilised, or UHT-treated, they shall have the*

*declaration 'pasteurised', 'sterilised', or 'UHT' as appropriate, in close proximity to the designation".*

***Consequential amendments to Section 7.1 as a result of the Working Group Conclusions:***

- (g) **Recommendation no. 41:** Include language designating “the name of the food shall be ‘whipped cream’.
- (h) **Recommendation no. 42:** Include language designating “the name of the food shall be ‘fermented cream’. Other names may be used if allowed by the national legislation of the country in which the product is sold.”

**PROPOSED DRAFT REVISED STANDARD FOR CREAMS, WHIPPED CREAMS AND FERMENTED CREAMS (A-9)<sup>6</sup>**

**1. SCOPE**

This Standard applies to creams, including whipped creams and fermented creams, for direct consumption or further processing, in conformity with the definition in Section 2 of this Standard.

**2. DESCRIPTION**

**2.1 CREAMS** are milk products comparatively rich in fat, in the form of an emulsion of fat-in-skimmed milk, which can be obtained by:

- (a) separation from milk. The final composition may be adjusted by the addition of milk or skimmed milk; or
- (b) reconstituting and/or recombining milk products into creams with the same characteristics as the product obtained under (a).

**2.2 WHIPPED CREAMS** are creams into which air or inert gas has been incorporated without reversing the fat-in-skimmed milk emulsion.

**2.2.1 Creams packed under pressure** are creams that are packed with a propellant gas in a pressure-propulsion container and which result in a whipped cream when the container is discharged.

**2.3 FERMENTED CREAMS** are creams that have been subjected to fermentation by the action of [specific] microorganisms and resulting in reduction of pH and coagulation.

**3. ESSENTIAL COMPOSITION AND QUALITY FACTORS**

**3.1 RAW MATERIALS**

- Milk

For use only in creams made by reconstitution or recombination:

- Butter\*, milkfat products\*, milk and cream powders\*, potable water.

\* For specifications, see the relevant Codex standards

**3.2 PERMITTED INGREDIENTS**

For use only in UHT, sterilized, creams receiving similar heat treatments, creams and fermented creams containing less than [xx]% milkfat, whipping cream and whipped cream (including creams packed under pressure):

	<u>Maximum</u>
Milk solids non fat, or	20 g/kg
Caseinates	6 g/kg
Gelatine and starches	6 g/kg singly or in combination with the thickening and modifying agents listed in section 4

For use only in fermented creams:

- Starter cultures of harmless microorganisms
- Safe and suitable enzymes
- [Sodium chloride]

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<sup>6</sup> Comments are being requested at Step 3. This Proposed Draft will be considered by the CCMMP at its 4th Session at Step 4.

### 3.3 COMPOSITION

Cream:

Minimum milkfat [xx% m/m]

Creams lowered in milkfat content:

Minimum milkfat 10% m/m

### 4. FOOD ADDITIVES<sup>7</sup>

Only those additives listed below may be used and only within the limits specified, for use only in UHT and sterilised creams, creams and fermented creams containing less than [xx]% milkfat, whipping cream and whipped cream (including creams packed under pressure).

INS No	Name of Food Additive	Maximum Level
<b>Stabilizers</b>		
170	Calcium carbonates	Limited by GMP
270	Lactic acid	
325	Sodium lactate	
326	Potassium lactate	
327	Calcium lactate	
330	Citric acid	
331	Sodium citrates	
332	Potassium citrates	
333	Calcium citrates	
500	Sodium carbonates	
501	Potassium carbonates	
516	Calcium sulphate	
339	Sodium phosphates	
340	Potassium phosphates	
341	Calcium phosphates	
450	Diphosphates	
451	Triphosphates	
452	Polypshosphates	
<b>Thickeners and Emulsifiers</b>		
322	Lecithins	Limited by GMP
400	Alginic acid	
401	Sodium alginate	
402	Potassium alginate	
403	Ammonium alginate	
404	Calcium alginate	
406	Agar	
407	Carrageenan	
410	Carob bean gum	
412	Guar gum	
414	Gum Arabic	
415	Xanthan gum	
418	Gellan gum	

<sup>7</sup> Additive provisions are subject to endorsement by the Codex Committee on Food Additives and Contaminants and to incorporation in the General Standard for Food Additives

432	Polyoxyethylene (20) sorbitan monolaurate	1 g/kg
433	Polyoxyethylene (20) sorbitan monooleate	
434	Polyoxyethylene (20) sorbitan monopalmitate	
435	Polyoxyethylene (20) sorbitan monostearate	
436	Polyoxyethylene (20) sorbitan tristearate	
440	Pectins	Limited by GMP
460	Cellulose	
461	Methyl cellulose	
463	Hydroxypropyl cellulose	
464	Hydroxypropyl methyl cellulose	
465	Ethyl methyl cellulose	
466	Sodium carboxymethyl cellulose	
471	Mono- and diglycerides of fatty acids	
472a	Acetic and fatty acid esters of glycerol	
472b	Lactic and fatty acid esters of glycerol	
472c	Citric and fatty acid esters of glycerol	
508	Potassium chloride	Limited by GMP
509	Calcium chloride	
1410	Monostarch phosphate	
1412	Distarch Phosphate	
1413	Phosphated Distarch Phosphate	
1414	Acetylated Distarch Phosphate	
1420	Starch Acetate	
1422	Acetylated Distarch Adipate	
1440	Hydroxypropyl Starch	
1442	Hydroxypropyl Distarch Phosphate	
1450	Starch Sodium Octenylsuccinate	

For use only in whipped creams (including creams packed under pressure):

290	Carbon dioxide	Limited by GMP
941	Nitrogen	
942	Nitrous oxide	

## 5. CONTAMINANTS

### 5.1 HEAVY METALS

The products covered by this Standard shall comply with the maximum limits established the Codex Alimentarius Commission.

### 5.2 PESTICIDE RESIDUES

The products covered by this Standard shall comply with the maximum residues limits established by the Codex Alimentarius Commission.

## 6. HYGIENE

6.1 It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice – General Principles of Food Hygiene (CAC/RCP 1-1969, Rev.3-1997), and other relevant Codex texts such as Codes of Hygiene Practice and Codes of Practice.

6.2 From raw material production to the point of consumption, the products covered by this standard should be subject to a combination of control measures, which may include, for example, pasteurisation, and these should be shown to achieve the appropriate level of public health protection.

6.3 The products should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).

## **7. LABELLING**

In addition to the provisions of the Codex General Standard for the Labelling of Prepackaged Foods (CODEX STAN 1-85, Rev.1-1991; *Codex Alimentarius*, Volume 1A) and the General Standard for the Use of Dairy Terms (CODEX STAN 209-1999), the following specific provisions apply:

### **7.1 NAME OF THE FOOD**

The name of the food shall be cream, or whipped cream, or fermented cream, as appropriate. Cream packed under pressure may also be designated as whipped cream. Fermented creams may alternatively be designated with other descriptive names specified in the national legislation of the country in which the product is manufactured ad/or sold or with a name existing by common usage, provided that such designations do not create an erroneous impression regarding the character and identity of the food.

Creams increased or lowered in milkfat content above or below the milkfat content specified for cream (i.e., creams containing in excess of [xx]% milkfat or from 10% to [xx]% milkfat) shall be designated with a qualifying term describing the true nature of the food.

Nutrition claims, when used, shall be in accordance with the Codex Guidelines on Use of Health and Nutrition Claims. In the case of creams containing less milkfat than the standard food (i.e., creams containing from 10% to [xx]% milkfat), the reference fat content shall be the milkfat content of the standard food (i.e., [xx]% milkfat).

The designation "whipping cream" may be used for creams specifically intended for whipping, that is, incorporation of air or inert gas without reversing the fat-in-skimmed milk emulsion. The designation "whipped cream" may be used for creams with a minimum milkfat content of [30%] that have been so whipped.

Creams which have been manufactured by the recombination or reconstitution of dairy ingredients as specified in Sections 2 and 3.1 shall be labelled as "Recombined cream" or "Reconstituted cream" or another truthful qualifying term if the consumer would not be misled by the absence or such labelling.

When creams have been pasteurised, sterilised, or UHT-treated they shall have the declaration "pasteurised", "sterilised" or "UHT", as appropriate, in close proximity to the designation.

### **7.2 DECLARATION OF MILKFAT CONTENT**

The milkfat content shall be declared in a manner acceptable in the country of sale to the final consumer, either as (i) a percentage of mass or volume, (ii) in grams per serving as qualified in the label, provided that the number of servings is stated.

### **7.3 LABELLING OF NON-RETAIL CONTAINERS**

Information required in Section 7 of this Standard and Sections 4.1 to 4.8 of the General Standard for the Labelling of Prepackaged Foods, and, if necessary, storage instructions, shall be given either on the container or in accompanying documents, except that the name of the product, lot identification, and the name and address of the manufacturer or packer shall appear on the container. However, lot identification and the name and address of the manufacturer or packer may be replaced by an identification mark provided that such a mark is clearly identifiable with the accompanying documents.

## **8. METHODS OF SAMPLING AND ANALYSIS**

See *Codex Alimentarius*, Volume 13.