

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 2, 3(a), 3(b), 4(a), 4(b), 5(a), 5(b), 5(d), 5(e), 6, 7

CRD31

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES

Fifty-First Session

(Comments of African Union)

African Union

AGENDA ITEM 2: MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER SUBSIDIARY BODIES, CX/FA 19/51/2

Matters Arising from other Subsidiary Bodies

The 75th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC75)

Issue 1: The cross-cutting nature of the new work proposal by CCFH for guidelines for the management of (micro)biological foodborne crises/outbreaks

Position: African Union (AU) recognizes that it is a very important work for the CAC to manage foodborne diseases.

Issue 2: CCSCH4 noted that anticaking agents may be used in spices and culinary herbs and only in the powdered form of such products and therefore agreed to forward the following generic statement to CCFA for endorsement: *“Anticaking agents may be used in the powdered form of the product in accordance with Table 3 of the General Standards for Food Additives (CXS 192-1995).”*

Position: AU supports the endorsement of the proposed text.

Rationale: The Technological justification given is acceptable and consistent with the GSFA. The statement is consistent with ensuring use of food additives in accordance with the Codex procedural manual.

Issue 3: The request by CCSCH for the endorsement for the use of magnesium stearate (INS 470 (iii)) and amorphous silicon dioxide (INS 551) as anticaking agents at GMP.

Position. AU supports the use of anticaking agents as proposed by CCSCH4.

Rationale: CCSCH has provided the technological justification as required in the Codex procedural manual.

Issue 4: Clarification on how processing aids could be addressed under the Section 4 “Food additives” in accordance with relevant provisions in the Codex Procedural Manual.

Position: AU proposes the following statement to be included in the Codex Procedural Manual: *The processing aids used in products covered by this standard should comply with the guidelines for the use of processing aids (CAC/GL75/2010).*

Rationale: The current Codex Procedural Manual does not have provisions for processing aids. Inclusion of the proposed statement will enable proper alignment to the GSFA.

The 50th Session of the Codex Committee on Food Additives (CCFA50): The review of all group food additives in the GSFA

Background:

During the CCFA50, the Codex Secretariat informed the committee that, as they were preparing the document for endorsement and/or revision of maximum levels for food additives in commodity standards, they noted that carotenoids (INS 160a(i), INS 160a(iii), INS 160e, INS 160f); chlorophylls and chlorophyllins, copper complexes (INS 141(i), INS141(ii)); and polysorbates (INS 432, INS 433, INS 434, INS 435, INS

436) are listed under the same respective food additive groups although they do not share the same group ADIs. As a result of these disparities, CCFA50 requested the Secretariat, in consultation with JECFA Secretariat to undertake a review of all group food additives in the GSFA and prepare a more comprehensive document for consideration at CCFA51 including proposals on how to deal with the issue.

Issue. A decision of CCFA51 is required on the pragmatic follow-up action on the report on the review of all group food additives in the GSFA presented in Appendix I of the CX/FA 19/51/2 Add.1.

Position: African Union (AU) agrees with the recommendations in table 1 of CX/FA 19/51/2 Add.1 as proposed by Codex and JECFA Secretariats.

AGENDA ITEM 3(a): MATTERS OF INTEREST ARISING FROM FAO/WHO AND FROM THE 86TH MEETING OF THE JOINT FAO/WHO EXPERT COMMITTEE ON FOOD ADDITIVES (JECFA), CX/FA 19/51/3

Background:

At its 86th meeting, JECFA evaluated the safety of 8 food additives. These are Anionic methacrylate copolymer (AMC) (1207), Basic methacrylate copolymer (BMC) (1205), Erythrosine (127), Indigotine (132), Lutein and lutein esters from *Tagetes erecta* and zeaxanthin (synthetic), Neutral methacrylate copolymer (NMC) (1206), Sorbitol syrup (420(ii)), and Spirulina extract (134). The toxicological recommendations or other scientific advice for these food additives are provided in the attached Table 1 of the CX/FA 19/51/3.

Issue: Consideration of the JECFA recommended actions which might be required following the evaluations of the food additives which resulted of changes in acceptable daily intake (ADI) status and other toxicological or safety recommendations from JECFA.

Position: African Union agrees with JECFA recommended actions and other toxicological or safety recommendations on the 8 food additives

Rationale: The recommendations are based on sound scientific evaluations conducted by JECFA and the additives do not present safety concerns.

AGENDA ITEM 3(b): PROPOSED DRAFT SPECIFICATIONS FOR THE IDENTITY AND PURITY OF FOOD ADDITIVES ARISING FROM THE 86TH JECFA MEETING, CX/FA 19/51/4

Background:

During the 86th JECFA meeting (Geneva, 12-21 June 2018), new specifications for food additives were prepared. In that view, Full specifications for 24 flavourings were developed, specifications for 3 flavourings were revised, and the specifications for 45 flavourings were maintained (Annex 1, CX/FA 19/51/4). The Committee further recommended a new approach to the specifications monographs for modified starches to account for the chemical similarity between all modified starches, their functional diversity, the variety of chemicals used in their manufacture, and the corresponding diversity of impurities. The Committee recommended that all modified starches be included in a modular monograph titled "Modified starches" that contains common requirements "General specifications for modified starches" and annexes with specifications applicable to each individual modified starch based on the treatment(s) received. The Committee drafted a new modular specifications monograph titled "Modified starches" consisting of an explanatory introduction, "General specifications for modified starches," and eight annexes. The new modular specifications monograph for modified starches is printed in FAO Monograph 22, and will replace the 16 existing individual specifications for modified starches.

Issue: JECFA has recommended to CCFA51 to review the specifications designated as "Full" for the food additives listed in Annex 1 of document CX/FA 19/51/4 with a view to recommending their adoption by CAC42 as Codex specifications, taking into account comments received.

Position: African Union supports JECFA recommendations for the adoption of the food additives specifications designated as "Full" as listed in Annex 1 of CXFA 19/51/4.

Rationale: The food additives have undergone full safety evaluation by JECFA.

AGENDA ITEM 4(a) ENDORSEMENT AND/OR REVISION OF MAXIMUM LEVELS FOR FOOD ADDITIVES AND PROCESSING AIDS IN CODEX STANDARDS, CX/FA 19/51/5

Background: All provisions in respect of food additives (including processing aids) contained in Codex commodity standards should be referred to the Committee on Food Additives, preferably before the Standards have been advanced to Step 5 of the Procedure for the Elaboration of Codex Standards or before they are considered by the commodity committee concerned at Step 7. Food additive and processing aids provisions of Codex standards have been submitted for endorsement since the 50th Session of the Codex Committee on Food Additives.

Issue: The Committee is invited to consider for endorsement the following food additive provisions:

- Proposed Draft Standard for Dried or Dehydrated Garlic (At Step 5/8),
- Proposed Draft Standard for Dried Oregano (At Step 5),
- Proposed Draft Standard for Dried Roots, Rhizomes and Bulbs – Dried or Dehydrated Ginger (At Step 5),
- Proposed Draft Standard for Dried Leaves - Dried Basil (At Step 5) and Proposed Draft Standard for Dried Floral Parts - Dried Cloves (At Step 5): Anticaking agents
- Proposed Draft Standard for Saffron (at Step 5): no food additives

Position: African Union recommends endorsement of the proposed texts in the food additives as provided in CXFA 19/51/5.

Rationale: The recommended text is consistent with Codex Procedural Manual on the alignment of the food additives in commodity standards with the GSFA.

AGENDA ITEM 4(b): ALIGNMENT OF THE FOOD ADDITIVE PROVISIONS OF COMMODITY STANDARDS. Report of the EWG on Alignment, CX/FA 19/51/6

Issue 1: The EWG on alignment sought comments whether the PWG should agree amending the MLs of specific food additives when JECFA has re-evaluated the ADI to “not limited” can be made for the ML to be GMP and so added to Table 3 by the GSFA WG or the alignment WG

Position: African Union does not support the work to be assigned to the working group on alignment.

Rationale: The appropriate working group to address the inclusion of food additives to the GSFA is the working group for the GSFA.

Issue 2: Proposed amendments to the food additive provisions of the standard 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), Brie (CXS 277-1973) by introducing a text making reference to GSFA

Position: African Union in principle agrees with the recommendation of the eWG to ensure full alignment of the commodity standards and GSFA. However, we propose amendment to the recommendation by deleting the words, ‘**only certain**’ in the proposed text to the food additive provisions for each of the standard as indicated in appendix 2 CX/FA 19/51/6, so as to read

‘Only those additives classes indicated as justified in the table below may be used for the product categories specified. Anticaking agents, colors and preservatives used in accordance with Tables 1 and 2 of the General Standard for Food Additives (CXS 192-1995) in food category 01.6.2.1 (Ripened cheese, includes rind) and ~~only certain~~ acidity regulators, anticaking agents and colors in Table 3 are acceptable for use in foods conforming to this standard’

Rationale: The GSFA provides a corresponding standard to which the acidity regulators, anticaking agents, and colors in food categories may be used and therefore the words proposed for deletion adds no value to the commodity standards rather may introduce ambiguity in the standards.

Issue (2): Proposed amendments to Table 1, 2 and 3 of the GSFA related to ripened cheeses, standards for sugars (CCS) and Natural Mineral Waters (CCNMW)

Position: African Union supports the proposed amendment

Rationale: The proposed amendments to table 1, 2 and 3 for the products has accurately ensured full alignment of the commodity standards to the GSFA as guided by the Codex Procedural Manual.

Issue 3: Consideration of the addition of a footnote in table 3 of the GSFA: A request was made that the EWG on Alignment consider adding a footnote to make it clear to users of this portion of Table 3 that only commodity standards that fall under GSFA food categories that are not in the Annex to Table 3 will be listed. A proposed text of the footnote was done.

Position: African Union proposes the following amendment to the footnote:

“This Section only lists Commodity Standards where the corresponding GSFA Food Category is not listed in the Annex to Table 3. Provisions for the use of specific Table 3 additives in Commodity Standards where the corresponding GSFA Food Category is listed in the Annex to Table 3 can be found in the corresponding Food Categories in Tables 1 and 2. ~~Be aware that the process to align food additive permissions in commodity standards with the GSFA is a work in progress, and as a result not all commodity standards are yet listed in this Section.~~”

Rationale: The text proposed for deletion is ambiguous and that the information does not add value to the users of the GSFA. The content of the information is obvious as is the case of pending food additives to which the GSFA does not indicate more additives are to be included in it.

Issue 4: Proposed revisions to the adopted provisions contained in CRD 2 annex 4 part c, i.e. ascorbyl esters in food categories 13.1.1, 13.1.2 and 13.1.3 of the GSFA

Position: African Union does not support the deletion of note 10 (As ascorbyl stearate) in food category 13.1.3 and recommend to include the note in categories 13.1.1 and 13.1.2.

Rationale: Both forms of Ascorbyl Esters (Ascorbyl palmitate - INS 304 and Ascorbyl Stearate -INS 305) are approved for use in food categories 13.1.1, 13.1.2 and 13.1.3 and hence the need to retain and add the notes so as to provide specific expression of results depending on the compound used in the product.

AGENDA ITEM 5(a): GENERAL STANDARD FOR FOOD ADDITIVES (GSFA): PROVISIONS FOR COLOURS IN THE STEP PROCESS IN FOOD CATEGORIES 05.2, 05.3 AND 05.4; PROVISIONS IN TABLE 1 AND 2 OF THE GSFA IN FOOD CATEGORIES 01.0 THROUGH 16.0; PROPOSED DRAFT PROVISIONS IN TABLE 3 FOR GUM GHATTI (INS 419) AND TAMARIND SEED POLYSACCHARIDE; THE TECHNOLOGICAL JUSTIFICATION FOR THE USE OF PRESERVATIVES AND ANTICAKING AGENTS FOR SURFACE TREATMENT OF MOZZARELLA WITH HIGH MOISTURE; REQUEST FOR AND COMPILATION OF INFORMATION ON AVAILABLE RELEVANT DIETARY EXPOSURE DATA AND THE ACTUAL USE LEVEL AND TECHNOLOGICAL JUSTIFICATION FOR CERTAIN FOOD ADDICTIVES IN FOOD CATEGORIES 14.1.4 AND 14.1.5 (REPORT OF THE eWG ON THE GSFA), CX/FA 19/51/7

Issue: The CCFA51 is requested to consider recommendations of the eWG as given in document CX/FA 19/51/7 and the appendices 1 to 7.

Appendix 1

Draft and proposed draft provisions for colors in the Step process in food categories 05.2 (Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4), 05.3 (Chewing gum), 05.4 (Decorations (e.g. for fine bakery wares), toppings (non-fruit) and sweet sauces)

Position: African Union supports adoption of the recommendations of the eWG in appendix 1 of CX/FA 19/51/7

Rationale: Use of the colors are technologically justified and the proposed levels are safe for use in the products to which they are added.

Appendix 2

Use of tri-sodium citrate in food category **FC 01.1.1(Fluid milk plain)** at GMP level (Appendix 2).

Background: Provision for trisodium citrate in FC 01.1.1

CCFA50 discussed the possibility of allowing the use trisodium citrate in FC 01.1.1 (Fluid milk). During the session, there was no consensus that milk as defined in this category should not contain food additives. However, the proposal was varied such that it excluded milk originating from bovine animals and thus a note A17 which originally read as ‘For UHT milk from non-bovine species only’ was amended to read as, ‘For use in sterilized and UHT treated milks from non-bovine species only’ to accommodate the reservation

of some member countries. The committee agreed to hold the standard in step 7 awaiting comments to confirm whether there was any technological justification to support the use of the additive in milk from bovine species. Africa Union had opposed the use of food additives in this category whether from bovine or non-bovine animals as the additives are not only technologically unnecessary but will change the nature of the product. Further, milks in Africa are used as part of weaning diet and thus allowing use of food additives in milks provides an opportunity for fraud and adulteration of the products thus compromising the nutritional status of children fed on it resulting to increased malnutrition.

Position: African Union does not support the use of tri-sodium citrate in this food category **FC 01.1.1 (Fluid milk plain)**.

Rationale: UHT milk has been in existence for a long time. This processing method has significantly contributed to the safety of milk without the need for additives. UHT treatment destroys microorganisms in milk that are responsible for pH changes and heat treatment does not interfere with the acidic status of milk to warrant the use of sodium citrates as acidity regulators.

Appendix 3:

Background: Proposed draft provisions related to FC 01.1.2 (Other fluid milks (plain)) with the technological function of emulsifier and stabilizer.

CCFA48 noted that FC 01.1.2 (Other milks) that there were no assigned food additives to this category and called for proposal of applicable food additives for this category. IN CCFA50, the meeting discussed the proposal that had been submitted for this category. However, during the discussions it was evident that it was not clear what products are covered under this food category. Proposals included reconstituted milks which in some jurisdictions are regulated as milk products in FC 01.1.1 thus potentially introducing conflict. However, the committee proceeded with the discussions but was unable to reach consensus on the draft provisions for the use of additives with functional classes that include “thickener”. Further, use of stabilizers and emulsifier could not also be concluded. The committee therefore agreed that discussion will continue during CCFA51.

Issue: Use of food additives (List of proposed food additives) in food category FC 01.1.2 (Other fluid milk plain)

Position: African Union does not support the use of proposed food additives in this category

Rationale: The distinction between FC 01.1.1 and FC 01.1.2 is unclear and thus very difficult to distinguish the products in the market especially by consumers. There is a potential to use one instead of the other thus providing an opportunity for milk fraud. AU is therefore of the opinion that food subcategories under category 01.1 should not contain food additives.

Appendix 4:

Draft and proposed draft provisions in Table 1 and 2 of the GSFA in food categories 01.0 through 16.0, with the exception of those additives with technological functions of color (excluding those provisions discussed in point (i)) or sweetener, adipates, nitrites and nitrates, the provisions in food category 14.2.3 and its subcategories, and provisions awaiting a reply from CCSCH, CCPFV or CCFO 1. Among several topics, CCFA50 requested the EWG on the GSFA to CCFA51 to:1 - Request information on actual use levels and technological justification on the proposed food additive provisions held at the current step in Table 1 and 2 of the GSFA in food categories 01.0 through 016.0, with the exception of those additives with technological functions of color (excluding those provisions discussed in the Step process in food categories 05.2 (Confectionery including hard and soft candy, nougats, etc. other than food categories 05.1, 05.3 and 05.4), 05.3 (Chewing gum), 05.4 (Decorations (e.g. for fine bakery wares), toppings (non-fruit) and sweet sauces)) or sweetener, adipates, nitrites and nitrates, the provisions in food category 14.2.3 aligned its subcategories, and provisions awaiting a reply from CCSCH, CCPFV or CCFO.

Food Category No. 01.1.2 (Other fluid milks (plain))

Issue: Adopt use of sodium hydroxide with note “excluding lactose reduced milks” – no information provided why use would mask spoiled milk when other approved acidity regulators were found to be technologically justified at GMP by 50th CCFA

Position: African Union does not support this recommendation.

Rationale: There is no technological justification for the use of sodium hydroxide in plain fluid milk.

Food category 4 Fresh fruits and vegetables

Issue: Proposed use of food additives as glazing agents as listed in appendix 4 of CX/FA 19/51/7.

Position: African Union supports the use of the listed food additives in this food category as indicated in appendix 4 of the document CX/FA 19/51/7.

Rationale: Glazing agents reduce post-harvest loss and extend shelf life of food products.

Appendix 6: Standard for Mozzarella (CXS 262-2006)

Issue: The technological justification for the use of preservatives and anticaking agents for surface treatment of mozzarella with high moisture content covered by the Standard for Mozzarella (CXS 262-2006)

Position: African Union supports the recommendation of the eWG for CCFA to inform CAC on the technological justification for the use of preservatives and anticaking agents for surface treatment of mozzarella with high moisture and the recommendation of revision of the standards.

AGENDA ITEM 5(b) GENERAL STANDARD FOR FOOD ADDITIVES (GSFA), CX/FA 19/51/8

Issues: Proposals for new and/or revision of food additive provisions replies to CL 2018/27-FA from member states and observers Brazil, China, Japan, Senegal, EFEMA, EU Specialty Food Ingredients and ICGMA

Position: African Union in principle supports the proposal to include BMC in the GSFA but in table 3 under GMP with no corresponding food category or commodity standards.

Rationale: The use of BMC as a glazing agent/carrier especially for vitamins and minerals in food fortification processes prevents degradation of the nutrients. This will ensure that fortified products retain and deliver the nutrients in sufficient amount to address the challenge of malnutrition. JECFA86 established an ADI of “not specified” for BMC copolymer and concluded that the use of BMC that complies with the current specifications is not of safety concern when the food additive is used as a coating or glazing agent for solid food supplements and for foods for special medical purposes and micronutrient encapsulation for food fortification. JECFA86 further concluded that the toxicological data on the residual monomers do not give rise to concerns when taking into account the low dietary exposures.

AGENDA 5 (d) DISCUSSION PAPER ON THE DEVELOPMENT OF WORDING FOR AN ALTERNATIVE TO NOTE 161 RELATING TO THE USE OF SWEETENERS (REPORT OF THE EWG) CX/FA 19/51/10

Background: The discussion paper is on development of wording for an alternative to Note 161 (*Subject to national legislation of the importing country aimed, in particular, at consistency with Section 3.2 of the Preamble*) relating to the use of sweeteners consistent with Section 3.2 of the Preamble to the GSFA and the Statement of Principles in the Procedural Manual to address concerns of those Codex Members requiring significant energy reduction or food with no added sugars when sweeteners were used and those Codex Members requiring flexibility in the use of sweeteners; and, subject to agreement on the wording of an alternative, review CXFA 15/47/13, in particular recommendations 1 to 6, in the context of pending and adopted provisions.

Issue: Alternative wording to note 161 as provided in the recommendations 1-5 as submitted by the co-chairs, in CX/FA 19/51/10.

Position: African Union has considered the recommendations provided by the eWG as alternatives to note 161 and does not support any of the proposed options.

Rationale: The recommendations as drafted, do not offer solution to the problems associated with note 161. In particular, they may be interpreted in different ways by Codex Members and thus introducing ambiguity in the regulation of food additives.

AGENDA 5(e) DISCUSSION PAPER ON THE USE OF THE TERMS” FRESH” “UNPROCESSED” AND “PLAIN” IN THE GSFA, CX/FA 19/51/11

Background: CCFA50 agreed to request that the Russian Federation prepare a discussion paper on how the terms “fresh”, “plain”, “unprocessed” and “untreated” were used in existing Codex texts to determine

whether definitions could be developed for the purposes of allocating food-additive provisions. The author of the discussion paper has proposed definitions of the terminologies “unprocessed” and “untreated”.

Issue: Definition of the terms “unprocessed” and “untreated” in Codex Alimentarius to facilitate the use of these terminologies in the GSFA and approval of new food additive provisions.

Position: African Union does not support recommendation as submitted by the author of the discussion paper.

Rationale: The terms are self-explanatory and understandable as currently used in the GSFA.

AGENDA 6 PROPOSED DRAFT AMENDMENTS TO THE INTERNATIONAL NUMBERING SYSTEM FOR FOOD ADDITIVES (CXG 36-1989) CX/FA 19/51/12- COMMENTS AT STEP 3 (REPLIES TO CL 2019/12-FA) CX/FA 19/51/12 Add.1

Issue: Addition of functional class and technological purpose of Methacrylate copolymer, basic (BMC); change of name of carotene, beta, algae and deletion of Red 2G and Distarch glycerol, document CX/FA 19/51/12

Position: African Union supports the proposed changes and/ or additions to the INS.

Rationale: The proposed changes /or addition are consistent with current scientific findings. In particular, BMC has been evaluated for safety by JECFA and its use in micronutrients encapsulation will protect micronutrients from degradation due to light and humidity exposure during storage and consequently impacts positively micronutrients deficiencies

AGENDA 7 PROPOSALS FOR ADDITIONS AND CHANGES TO THE PRIORITY LIST OF SUBSTANCES PROPOSED FOR EVALUATION BY JECFA (Replies to CL 2018/28-FA), CX/FA 19/51/13

Issue: The committee has been invited to consider the list of submitted food additives, as indicated in the document CX/FA 19/51/13, for prioritization and evaluation by JECFA.

Position: African Union supports the list submitted for priority and recommends that fulvic acid be considered on higher priority.

Rationale: Fulvic acid is an important alternative preservative for prevention of decomposition by microbiological growth and hence the reduction the risk of foodborne disease to consumers.