

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of
the United Nations



World Health
Organization

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Agenda Item 6

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

36th Session, FAO Headquarters

Rome, Italy, 1-5 July 2013

COMMENTS ON PROPOSED DRAFT STANDARDS AND RELATED TEXTS SUBMITTED TO THE COMMISSION FOR ADOPTION AT STEP 5

(Comments submitted by 20 June 2013)

Committee on Fish and Fish Products
Comité sur les poissons et les produits de la pêche
Comité sobre Pescado y Productos Pesqueros

Proposed Draft Performance Criteria for Reference and Confirmatory Methods for Marine Biotoxins (Section I-8.6 Determination of Biotoxins) in the *Standard for Live and Raw Bivalve Molluscs* (CODEX STAN 292-2008) (REP13/FFP para. 99, Appendix VII)

Comments of Cuba, Philippines

CUBA

Cuba está de acuerdo con el proyecto de norma.

PHILIPPINES

The Philippines supports to advance the proposed draft Section to the 36th Session of the Commission for adoption at step 5 and to CCMAS for endorsement.

FAO/WHO Coordinating Committee for Asia
Comité FAO/OMS de coordination pour l'Asie
Comité Coordinador FAO/OMS para Asia

Proposed Draft Standard for Non-Fermented Soybean Products (REP 13/ASIA para. 109, Appendix III)

Comments of Philippines, India, IDF

INDIA

Section 2.2 Classification

Sub-sections 2.2.1 Soybean Milk and Related Products and 2.2.4 Dehydrated Soybean Milk Film

It is proposed that the names of the products proposed to be covered under the subsections 2.2.1 and 2.2.4 of this draft standard should be appropriately amended as follows:

'2.2.1 Soybean-based ~~milk~~ beverage and related products'

'2.2.4 Dehydrated Soybean-based ~~milk~~ beverage film'

Also, the names in the sub-subsections under these sub-sections and the term 'milk' used elsewhere in the draft standard should be suitably amended to ensure consistency with the above proposed amended names.

India does not intend to stall the progress of the draft Regional Standard. Therefore, the Commission may adopt the same at Step 5 with an advice to CCASIA to amend the draft standard during finalization at subsequent steps of the Codex procedure.

Rationale: The draft proposed product names ‘Soybean Milk and Related Products’ and ‘Soybean Milk Film’ use the term ‘Milk’. As these products are non-dairy products and do not include milk in their formulation in any form, use of the term ‘milk’ in their name could mislead the consumer.

Indian delegation, among other delegations, had raised the above in the 18th session of the CCASIA based on the following reasons (CRD 4):

- The Codex Standard for the Use of Dairy terms (GSUDT) (CODEX/STAN 206), in its Section 4 Application of Dairy Terms, Sub-section 4.6 Use of Dairy Terms for Other Foods, Clause 4.6.3 mentioned that *‘In respect of a product which is not milk, a milk product or a composite milk product, no label, commercial document, publicity material or any form of point of sale presentation shall be used which claims, implies or suggests that the product is milk, a milk product or a composite milk product, or which refers to one or more of these products’*.
- The Codex General Standard for Food Additives (GSFA) (CODEX/STAN 192), in its Annex B providing the Food Category System covered the above products under the Food Category 6.8 Soybean Products. More specifically, the subcategory 6.8.1 Soybean-based Beverages and subcategory 6.8.2 Soybean-based Beverage Film of the GSFA covered the products proposed to be included under sub-sections 2.2.1 and 2.2.4, respectively, of this draft standard. The names used in these subcategories in the GSFA were consistent with the guidance provided in the Codex Standard for the Use of Dairy terms (CODEX/STAN 206).

The 18th session of the CCASIA provided following clarification in support of the use of the term ‘milk’ in the proposed draft names (REP 13/ASIA, Para 103):

“...according to the GSUDT, the term “milk” can be used for product “the exact nature of which is clear from traditional usage” and that the food category descriptors of the GSFA are “not intended for labelling purposes”. It was also noted that Section 8.4 of the proposed draft Standard allowed designating the products “with the appropriate term in Section 2.2 or other names in accordance with the composition and the law and custom of the country in which the product is sold and in the manner not to mislead the consumer”.

India has deliberated upon the issue once again and is of the strong opinion that it would not be appropriate to develop a regional Codex standard that uses terminology that could be misleading in its member countries as it is not customary (traditional usage) in all the countries to use the term ‘milk’ when referring to the products proposed to be covered under the draft Regional Standard. On the other hand, it would be a prudent approach to use generic terminology, as proposed above, which alongwith the Section 8.4 of the proposed draft Standard would still allow designating the products with the term ‘milk’ in the countries where it is not misleading to do so owing to the customs in such countries.

Therefore, India strongly re-emphasizes the need to amend the product names as above.

PHILIPPINES

The Philippines supports the adoption of the Proposed Draft Standard for Non-Fermented Soybean Products at Step 5.

Rationale:

No registered local manufacturers, for regulation purposes, a standard is vital.

INTERNATIONAL DAIRY FEDERATION (IDF)

IDF would like to thank for the opportunity to provide comments.

IDF submits that the term “Soybean milk” as used in section 2.2 of the Proposed Draft Regional Standard for Non-Fermented Soybean Products is not appropriate because:

The term “soybean milk” is inconsistent with the use of terminology in the Codex General Standard for Food Additives, CODEX STAN 192, (GSFA), section 06.8.1 which uses the term “Soybean-based beverages” and does not use the term “Soybean milk”.

- Furthermore, the GSFA 06.8.1 acknowledges that in a number of countries the category “Soybean-based beverage” includes products referred to as “soybean milk” but does not use this terminology in the Codex standard.
- The constraints imposed by the Codex General Standard for the Use of Dairy Terms, CODEX STAN 206 (GSUDT), section 4.6.1, prevent the use of the term ‘soybean milk’ as the term ‘milk’ is defined in section in 2.1 of the GSUDT as follows: “*Milk is the normal mammary secretion of milking animals obtained from one or more milkings without either addition to it or extraction from it, intended for consumption as liquid milk or for further processing.*”
- The provisions of section 4.6.2 of the GSUDT allow the use of dairy terms for other foods under the condition that “*the exact nature of which is clear from traditional usage or when the name is clearly used to describe a characteristic quality of the non-milk product*”.

IDF notes that there are provisions within Section 8.4 of the Proposed Draft Regional Standard for Non-Fermented Soybean Products allowing the use of other terms (such as “soybean milk”) in accordance with the law of the country in which the product is sold.

To be consistent with the GSFA approach to food categories, Section 2.2.1 of the Proposed Draft Regional Standard for Non-Fermented Soybean Products should be “Soybean-based Beverages and Related Products” or “Soybean Beverages and Related Products”.

IDF recommends the following changes to section 2.2 of the Proposed Draft Regional Standard for Non-Fermented Soybean Products to align with the GSFA and GSUDT while still differentiating the different types of soybean beverages.

2.2 Classification

2.2.1 Soybean [~~-based~~] ~~Milk~~ Beverages and Related Products

2.2.1.1 Plain ~~Soybean milk-beverage~~

Plain ~~Soybean milk-beverage~~ is the ~~milky~~ **pale** liquid, prepared from soybeans with eluting protein and other components in hot/cold water or other physical means, without adding optional ingredients. Fibres can be removed from the products.

2.2.1.2 Composite / flavoured soybean ~~milk-beverage~~

Composite / flavoured soybean ~~milk-beverage~~ is the ~~milky~~ **pale** liquid, prepared by adding optional ingredients to **plain** soybean ~~milk-beverage~~. It includes products such as soybean ~~milk-beverage~~ sweetened with sugar, spiced soybean ~~milk-beverage~~, salted soybean ~~milk-beverage~~.

2.2.1.3 Soybean-based beverages

Soybean-based beverage ~~is~~ are the ~~milky~~ **pale** liquid products prepared by adding optional ingredients to **plain** soybean ~~milk-beverage~~, with lower protein content than composite/ flavoured soybean ~~milk-beverage~~ (2.2.1.2).

The amendments suggested above may be considered further in terms of the replacement words for ‘milk’ and ‘milky’.

Committee on Contaminants in Foods
Comité sur les contaminants dans les aliments
Comité sobre Contaminantes en los Alimentos

Proposed Draft Maximum Levels for DON in Raw Cereal Grains (Maize, Wheat and Barley) and Associated Sampling Plan and in Flour, Semolina, Meal and Flakes from Wheat, Maize or Barley (REP13/CF para. 70, Appendix III)

Comments Costa Rica

COSTA RICA

Costa Rica; desea ratificar su apoyo a los Anteproyectos de normas y textos afines en el Trámite 5 del Procedimiento de los siguientes documentos:

Niveles máximos para el deoxinivalenol en los cereales sin elaborar (maíz, trigo y cebada) y plan de muestreo asociado y en las harinas, sémola y copos de trigo, maíz o cebada

Committee on Pesticide Residues
Comité sur les résidus de pesticides
Comité sobre Residuos de Plaguicidas

Proposed Draft Revision to the Codex *Classification of Food and Animal Feed* – selected vegetable commodity groups Draft Maximum Residue Limits for Pesticides, at Step 8 and 5/8 (REP13/PR para. 123, Appendix X)

Comments of Canada

CANADA

Canada supports the recommendation and the revisions proposed at the CCPR meeting.

Committee on Processed Fruits and Vegetables
Comité sur les fruits et légumes traités
Comité sobre sobre Frutas y Hortalizas Elaboradas

Proposed Draft Standard for Certain Quick Frozen Vegetables (REP13/PFV para. 86, Appendix V)

Comments of IIR

INSTITUT INTERNATIONAL DU FROID (IIF)

The IIR suggests the following changes:

2.3 HANDLING PRACTICE

The product shall be handled under such conditions as will maintain the quality during transportation, storage and distribution up to and including the time of final sale.

~~It is recommended that d~~During storage, transportation, distribution and retail, the product should be handled in accordance with the provisions of the Code of Practice for the Processing and Handling of Quick Frozen Foods (CAC/RCP 8-1976).

6. HYGIENE

6.1 ~~It is recommended that t~~The products covered by the provisions of this Standard should be prepared and handled in accordance with the appropriate sections of the General Principles of Food Hygiene (CAC/RCP 1-1969), the Code of Practice for the Processing and Handling of Quick Frozen Foods (CAC/RCP 8-1976), Code of Hygienic Practice for Fresh Fruits and Vegetables (CAC/RCP 53/2003) and other relevant Codex texts such as codes of hygienic practice and codes of practice.