

codex alimentarius commission



FOOD AND AGRICULTURE
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Agenda Item 4 (c)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON MILK AND MILK PRODUCTS

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PROPOSED DRAFT REVISED STANDARD FOR DAIRY SPREADS

COMMENTS AT STEP 3

The following comments were received from: Argentina, Canada, Czech Republic, Denmark, New Zealand, Japan, Poland, United Kingdom, United States of America and International Dairy Federation.

GENERAL

UNITED KINGDOM

We believe that this standard should align with that for the Draft Standard for Fat Spreads and Blended Spreads, but we accept that dairy ingredients should not be replaced by non-dairy ingredients.

TITLE

DENMARK

The term "dairy spread" may overlap with products marketed as e.g "cheese spreads", "processed cheese spreads", and we wonder whether the term "milkfat spread" would be more appropriate.

1 SCOPE

DENMARK

A cross reference to the Butter Standard (A-1) is needed to ensure that the terms "butter" can be used for products not complying with that standard.

We refer to section 4.3.3 of the GSUDT which states as follows (our emphasis):

"Products that are modified through the addition and/or withdrawal of milk constituents may be named with the name of the relevant milk product in association with a clear description of the modification to which the

milk product has been subjected, provided that the essential product characteristics are maintained and that the limits of such compositional modifications shall be detailed in the standards concerned as appropriate.

This principle means that the name butter can be used only to the extent that limitations for its use are detailed in the butter standard. Since no such specification is made in Standard A-1, at least appropriate reference to the Butter standard should be included to the effect that, despite not being mentioned in A-1, the term butter can be used for fat reduced product in accordance with the standard for dairy spreads.

2 DESCRIPTION

CZECH REPUBLIC

We full agree with the definition in para 2 that the products are in the form of emulsion of water in milk fat, containing less than 80% milk fat. However, the minimum 10% milk fat is not derived from the actual limit. These dairy spreads do not consist of any other fat and it means that the range of milk fat content could not be the same as Standard for Fat Spreads and Blended Spreads.

DENMARK

We do not support an absolute minimum of 10% fat, as such a low level will necessitate the use of a number of food additives and as an emulsion of the type water-in-oil hardly can be obtained. We suggest alignment with the definition established by the World Customs Organization (Explanatory Note 2 (b) to Nomenclature Heading 04.05), that is, an absolute min. of 39% milk fat.

3.2 PERMITTED INGREDIENTS

ARGENTINA

Fourth point: delete the square brackets.

CANADA

To clarify and simplify the reference to vitamins in this section, Canada suggests that “Vitamins” be listed as the fourth ingredient and that the reference to the specific Codex document be moved to the asterisked phrase at the end of this Section and all square brackets be removed.

3.3 COMPOSITION

ARGENTINA

Half-fat butter: Milkfat content: 39 – 41%

Three-quarter fat butter: Milkfat content: 59 - 61%

CZECH REPUBLIC

We suggest the minimum of milk fat 30% w/w for the composition of dairy spreads according para 3.3.3.

INTERNATIONAL DAIRY FEDERATION

To properly recognize that the Title of this standard and the Scope of this standard refer first and foremost to “Dairy Spreads”, the initial listing in this Section should also emphasize this term. Consequently, Sections 3.3.1, 3.3.2, and 3.3.4 should be revised as follows:

3.3.1 Dairy Spreads

Any product that meets the description in Section 2, subject to a minimum milkfat content of 10%, but less than 80%.

3.3.2 Three-quarter fat butter

Milkfat content: 59 - 61%

3.3.3 Half-fat butter

Milkfat content: 39 – 41%

4 FOOD ADDITIVES

ARGENTINA

To maintain the use of the term “butter”, only the additives permitted in the Standard for Butter (Codex Stan A 1 1971, Rev 1999) should be used.

DENMARK**Page 14 – antioxidant synergists**

INS 510 ammonium chloride is not a flavour enhancer. We cannot suggest a proper place for this substance but a clarification of the technological need for including it might be useful when deciding if and where to include the substance.

Page 14 – miscellaneous

INS 1520 propylene glycol is a solvent and we fail to see why it has been included in the list. If it must stay a GMP limitation is unacceptable as the proper limitation is 1g/kg end product.

JAPAN

Japan proposes that the use of additive classes “Emulsifiers, Thickeners and stabilizers, Antioxidants, Antioxidant synergists and Natural flavours” should be permitted for products with fat content 59% to less than 80% and the use of additive classes “Natural flavours” should be permitted for products with fat content 39% to less than 59%.

Japan proposes that the use of food additives listed below of which evaluation of JECFA has been completed should be permitted for dairy spreads.

INS No	Food Additives
<Emulsifiers>	
473	Sucrose esters of fatty acids
<Preservatives>	
1105	Lysozyme hydrochloride
<Sweetener>	
950	Acesulfame Potassium

NEW ZEALAND

New Zealand suggests that this section needs further consideration. Emulsifiers may be needed in 59-80% dairy spreads, and flavour enhancers in 39-50% fat dairy spreads. New Zealand also supports the listing of categories of food additives, and does not see a need to list individual additives when they are already listed in the GSFA.

POLAND

In accordance with Polish legislation:

- in this type of products it is not permitted to use the following additives: 160e; 160f; 100 (i); phosphorus compounds [339; 338; 340; 241; 452 (i); 452 (ii)] and 210; 385; 319; 389; 1421; 211; 212; 213; 266; 420; 421; 953; 956; 966; 967.
- 474 - is permitted only to the fat emulsion for baking purposes;
- 479 - is permitted only to the fat emulsion for frying purposes;
- 200; 202; 203 are permitted to the fat emulsion in doses:
 - 1g/kg in emulsions in which fat content is higher than 60%
 - 2g/kg in emulsions in which fat content is lower than 60%
- 160b is permitted to use in dose 10 mg/kg;
- 1400; 1401; 1402; 1403; 1405 do not belong to food additives, these are classified as food ingredients;
- 310; 320; 321 are permitted only to fat emulsion for frying purposes or to the production of foodstuff which are heat treated;
- natural flavours and their identical synthetic equivalents are permitted to use in mixture of butter and vegetable fats.

7.1 NAME OF THE FOOD

CANADA

Canada has concerns that this section is not clear. Three common names are identified for dairy spreads. It appears that only the common name of Dairy Spread may be modified by “reduced fat” or “light”. As the fat range is broad for dairy spreads, the descriptors would be misleading. We recommend the following wording:

The term “reduced fat” (or “light”) may be used to describe “Three-quarter fat butter” or “half-fat butter” with a fat content below 61%, replacing the terms “three-quarter” or “half” in the common name with “reduced fat” or “light”. “Reduced fat” or “light” cannot be used in the common name “dairy spread”.

Canada also recommends that text be added to explain that if inert gases are added to the products, the term “whipped” be used to describe the product.

NEW ZEALAND

New Zealand is concerned that the proposed product names “three-quarter fat butter” and “half fat butter” pose a number of problems:

- the market for products using these names is very limited (or even non-existent),
- the qualifiers indicate only a change of fat content, but the products also have significantly different provisions for ingredients and additives from the standard for butter,
- the standard allows for 60% fat product to be sold under three possible names: dairy spread, reduced fat dairy spread and three-quarter fat butter, and
- it is not clear how consumers would understand the names (but at least they are less misleading than “three-quarter butter” and “half-butter”).

New Zealand recommends that either the names should be deleted from the standard, or they should be used only if allowed by national legislation in the country of retail sale.

New Zealand is also concerned that there may also be confusion with the term “dairy spread” in countries where it is currently used to designate blended products, or spreads containing milk solids but no milk fat.

UNITED STATES OF AMERICA

The U.S. recommends section 7.1 be rewritten as follows:

“The name of the food shall be Dairy Spreads. When the milkfat content is within the range included in 3.3, the name of the food may be Three-quarter fat butter or Half fat butter. The term “reduced fat butter” (or “light”) may be used to describe dairy spreads with a fat content below 61 %, but not together with the terms “three quarter” and “half”.

The designations and any qualifying terms should be translated into other languages in a non-misleading way and not necessarily word for word.

The products may be labeled to indicate whether they are salted or unsalted according to national legislation.’

INTERNATIONAL DAIRY FEDERATION

For consistency with the changes recommended in Section 3, and to more clearly specify that the terms “Three-quarter fat butter” and “Half fat butter” are voluntary designations, Section 7 should be revised as follows:

7.1 Name of the Food

The name of the food shall be Dairy Spread as in accordance with Section 3.3.1. The name of the food may alternatively be “Three-quarter fat butter” or “Half fat butter” as in accordance with Sections 3.3.2 and 3.3.3, respectively.”

7.2 DECLARATION OF MILK FAT CONTENT

CANADA

Canada supports the deletion of the text currently in square brackets.

DENMARK

As milk fat is the essential component in dairy spreads, we find it adequate and necessary to require declaration of fat content in all cases. Thus, we request deletion of the phrase “If the consumer would be misled by the omission”, as omission will always be misleading (dairy spreads are “fatty products”).

Finally we strongly support the recommendation to delete egg yolk. Not only for the reasons stated in the draft but primarily because persons allergic to eggs should be able to eat products with a label including the word butter without fearing an allergic reaction.

UNITED STATES OF AMERICA

The U.S. recommends deleting the words contained in the brackets. Section 7.3 would then read as follows:

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

INTERNATIONAL DAIRY FEDERATION

Since the critical component of products maintained within this standard is milkfat, it is logical that the declaration of milkfat be made mandatory. As a result, Section 7.2 should be revised as follows:

7.2 Declaration of Milkfat Content

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