DRAFT U.S. POSITIONS FOR THE 28th SESSION OF THE CODEX COMMITTEE ON FATS AND OILS (CCFO) February 19 -23, 2024 Kuala Lumpur, Malaysia

AGENDA ITEM 1 - Adoption of the Agenda

Current Document: CX/FO 24/28/1

BACKGROUND:

The CCFO will review the Provisional Agenda and consider its adoption.

DRAFT U.S. POSITION:

The United States supports adoption of the Provisional Agenda as proposed.

<u>AGENDA ITEM 2</u> – Matters Arising from the Codex Alimentarius Commission and other Subsidiary Bodies

Document: CX/FO 24/28/2

BACKGROUND:

Many of the items reported in the working document are for information only. CCFO28 is invited to note the information presented, and in particular to note that the provisions for methods of analysis in at existing CCFO standards, except for the *Standard for Olive Oils and Olive Pomace Oils* (CXS 33-1981) will be replaced with the following text:

For checking the compliance with this standard, the methods of analysis and sampling contained in the *Recommended Methods of Analysis and Sampling* (CXS 234-1999) relevant to the provisions in this standard shall be used.

CCFO28 is also requested to consider recommendations on four specific issues:

- (1) The 44th Session of the Codex Alimentarius Commission (CAC44, 2021) adopted the *General Standard for the Labelling of Non-retail Containers of Foods* (CXS 346-2021) and requested commodity committees, including CCFO, to review the labeling provisions for non-retail containers in their existing and draft standards and make consequential and conforming amendments as appropriate.
- (2) The 83rd Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC83, 2022) requested Codex committees, including CCFO, to consider the ongoing global efforts to achieve health and nutrition related goals by reducing non-communicable diseases risk factors, such as sodium intake, when prioritizing and undertaking work on new standards or review of standards or guidelines relating to composition of foods.
- (3) The Codex Committee on Food Additives (CCFA53, 2023) requested guidance from CCFO on technological justification for:
 - (a) Use of chlorophylls in vegetable oils to restore natural color lost in processing or for standardizing color, including virgin, cold pressed and other oils covered by CXS 19-1981, and especially use for this purpose in deep fat frying; and

(b) Use and level of use of paprika extract in products covered by the Codex *Standard for Dairy Fat Spreads* (CXS 253-2006) and the Codex *Standard for Fat Spreads and Blended Spreads* (CXS 256-1999).

DRAFT U.S. POSITION:

The United States notes and supports replacing the provisions in existing CCFO standards related to methods of analysis and sampling with the new standardized text. In addition, the United States would support similar text for the *Standard on Olive Oils and Olive Pomace Oils* in the future, when work to revise that standard is complete.

The United States supports the revision of the section "Labelling of non-retail containers" in all CCFO related standards to note that their labeling shall be in accordance with the newly adopted *General Standard for the Labelling of Non-Retail Containers of Foods* (CXS 346-2021), as requested by CAC44.

The United States also agrees that CCFO consider the recommendation of CCEXEC83 when prioritizing and undertaking work on new standards or reviewing existing standards relating to the composition of foods.

While chlorophyll is not typically used as a technological aid in frying oils in the United States, the United States does not object to the use of chlorophylls to restore natural color lost in processing or to standardize color in edible fats and oils covered by the *Standard for Edible Fats and Oils not Covered by Individual Standards* (CXS 19-1981) since colors are acceptable food additives for fats and oils covered in CXS 19-1981, except for virgin and cold pressed oils. (The Standard does not permit any additives in virgin or cold pressed oils.) The intended use of color should not give the appearance that the oil has increased value, such as making refined oil appear be like virgin oil.

The United States does not object to the use of paprika extract in dairy fat spreads covered in *Standard for Dairy Fat Spreads (CXS 253-2006)* and fat spreads and blended spreads covered in the *Standard for Fat Spreads and Blended Spreads* (CXS 256-1999) as colors are acceptable food additives for foods covered by these standards. The United States does not have a position on use levels for paprika extracts at this time.

<u>AGENDA ITEM 3</u> – Consideration of the Recommendations of the Reports of the 90th and 91st Meetings of the Joint FAO/WHO Expert Committee on Food Additives (JECFA)

Document: CX/FO 24/28/3 and CX/FO 24/28/3 Add. 1

BACKGROUND:

The JEFCA90th (2020) and JEFCA91st (2021) sessions completed the safety evaluation of 23 substances that are being considered for inclusion in the list of acceptable previous cargoes. The World Health Organization (WHO) Representative presented the outcome of JECFA evaluation and recommendations for consideration at CCFO27 (2021). JECFA concluded that 19 out of 23 substances met the criteria for acceptability as previous cargoes. Four substances (montan wax, non-food-grade calcium lignosulfonate, cyclohexane and acetic anhydride) did not meet the criteria. The full JECFA reports and monographs were not published and available to CCFO27, so the Committee agreed to postpone consideration of the JECFA safety evaluations and recommendations until CCFO28.

JEFCA recommended that CCFO consider revising Criterion No. 2 in the *Recommended International Code of Practice for the Storage and Transport of Edible Oils and Fats in Bulk* (CXC 36-1987) to read as follows:

- Based on the consumption of fats and oils by infants and young children, there is no health concern for the general population from dietary exposure to previous cargo chemical substances if the acceptable daily intake (ADI) or tolerable daily intake (TDI) is sufficiently protective, for example, if the ADI or TDI is greater than or equal to 0.3 milligram/kilograms per body weight (mg/kg) bw) per day. Substances for which there is no numerical ADI or TDI should be evaluated on a case-by-case basis (e.g., margin of exposure (MOE) approach).
- Where there are additional sources of dietary exposure to the previous cargo chemical substances, they should be considered in the exposure assessment.

From the 90th meeting (2020), JEFCA recommended that sufficient chemical and toxicological information for the evaluation of montan wax and non-food-grade calcium lignosulfonate liquid as shipped should be made available prior to the next evaluation. Further, from the 91st meeting (2021), JEFCA recommended that sufficient chemical information for the evaluation of acetic anhydride and cyclohexane transported as previous cargoes be made available prior to the next evaluation.

DRAFT U.S. POSITION:

The United States supports the JECFA recommendation that CCFO consider revising Criterion No. 2 in *Recommended International Code of Practice for the Storage and Transport of Edible Oils and Fats in Bulk* (CXC 36-1987). The United States also supports the recommendation that JECFA be provided with sufficient chemical and toxicological information to allow for the evaluation of montan wax, non-food-grade calcium lignosulfonate liquid, acetic anhydride and cyclohexane as previous cargoes.

<u>AGENDA ITEM 4.1</u> – Inclusion of Avocado Oil – Proposed Draft Amendment/Revision to the *Standard for Named Vegetable Oils* (CXS 210- 1999)

Document: CX/FO 24/28/4

Lead Country: Mexico, co-chaired by the United States

BACKGROUND:

At CCFO27 (2021), Mexico, as Chair of the Electronic Working Group (EWG) for inclusion of avocado oil in the *Standard for Named Vegetable Oils* (CXS 210-1999), presented the final report of the EWG and a proposed draft revision to the standard. The Committee agreed on the proposed definition for avocado oil, and the proposed value ranges in **Table 1: Fatty acid composition of avocado oil as determined by gas liquid chromatography from authentic samples** and **Table 2: Chemical and physical characteristics of crude avocado oil**. Overall, the Committee made good progress on the draft standard, but some items remained in square brackets for further deliberation.

CCFO27 agreed to forward the proposed draft revision for interim adoption by the CAC and to establish an EWG, chaired by Mexico and co-chaired by the United States, to consider the proposed values/texts in square brackets and comments submitted in reply to Circular Letters, and to prepare a report for consideration by CCFO28. The Committee also agreed to request the Codex Secretariat to issue a Circular Letter (CL) calling for submission of data on levels of tocopherols and tocotrienols in avocado

oil (Table 4), and to request CCEXEC/CAC to extend the timeline for completion of the work to CCFO28. CAC45 (2022) adopted the amendment at Step 5 (interim adoption) and the timeline was extended.

CCFO established an EWG in January 2022, chaired by Mexico and co-chaired by United States, to review the following ranges for sterols, which were in square brackets:

- The two proposed minimum values for 'Beta-sitosterol', [71.0] and [79.0]
- The two proposed minimum values for 'Delta-7-stigmastenol', [1.0] and [3.5]
- The two proposed minimum values for 'Total sterols (mg/Kg)', [3000] and [3500]
- The two proposed minimum values for "Others, [ND] and [0.0]
- The two proposed minimum values for 'Clerosterol', [0.6], and [1.0]

In addition, since clerosterol is not currently listed on Table 3, the EWG also considered how clerosterol content should be indicated in Table 3, either included as an extra line in Table 3, or as a footnote to Table 3 that reads "Avocado oil also contains [0.6][1.0]-2.0% clerosterol".

The EWG chair and co-chair also considered data on tocopherols and tocotrienol in avocado oil that were obtained in response to the CL issued by the Secretariat (CL 2022/12-FO) to propose ranges for Table 4. The final EWG report was filed in November 2023 (CX/FO 24/28/4).

DRAFT U.S. POSITION:

The United States submitted comments in response to CL 2021/94/OCS-FO and provided data on tocopherols and tocotrienols in avocado oils in response to CL 2022/13-FO. The United States supports the EWG report and supports forwarding the proposed revisions to CAC47 (2024) for final adoption, subject to suggested minor changes to the proposed parameters as detailed below.

In the current proposal to amend the Standard for Named Vegetable Oils (CXS 210-1999) Appendix, Other Quality and Composition Factors, **Table 3. Levels of desmethylsterols in crude vegetable oils from authentic samples as a percentage of total sterols,** The United States suggests the following changes to the proposed standard range for sterols:

- \circ For stigmasterol, the United States recommends a range of **ND** 2.0
- o For clerosterol, the United States recommends a range of 1 2.5.

<u>AGENDA ITEM 4.2</u> –Inclusion of Camellia Seed Oil – Proposed Draft Amendment/Revision to the *Standard for Named Vegetable Oils* (CXS 210-1999)

Document: CX/FO 24/28/5

Lead Country: China

BACKGROUND:

At CCFO27 (2021) the Committee agreed to recommend new work to amend the *Standard for Named Vegetable Oils* (CXS 210 1999) to include Camellia seed oil. CAC45 (2022) approved the new work. CCFO established an EWG, chaired by China, with participation by thirteen countries (Egypt, Chile, Germany, India, Iran, Japan, Republic of Korea, Mexico, Poland, Saudi Arabia, Thailand, and the United States). China prepared and circulated two drafts of the proposed revision for comment. The final draft and EWG report will be considered by CCFO28 (CX/FO 24/28/5).

DRAFT U.S. POSITION:

The United States did not receive any data or comments on the draft revisions circulated by the EWG, and therefore did not submit any data or comments to the EWG. The United States supports the work to amend/revise the *Standard for Named Vegetable Oils* (CXS 210-1999) to include camellia seed oil due to its enhanced functionality as a high oleic oil. The United States has no objection advancing the proposed draft.

<u>AGENDA ITEM 4.3</u> — Inclusion of Sacha Inchi Oil – Proposed Draft Amendment/Revision to the *Standard for Named Vegetable Oils* (CXS 210-1999)

Document: CX/FO 24/86/6

Lead Country: Peru

BACKGROUND:

At CCFO27 (2021) the committee agreed to forward a proposal from Peru for new work to amend the *Standard for Named Vegetable Oils* (CXS 210 1999) to include sacha inchi oil. CAC45 (2022) approved the new work. CCFO established an EWG, chaired by Peru with participation by thirteen countries (Brazil, Colombia, Dominican Republic, Egypt, Iran, India, France, Malaysia, Mexico, Peru, S. Korea, Saudi Arabia, N. Korea, Thailand, and the United States) and one observer organization (United States Pharmacopeia). Peru prepared and circulated a draft amendment/revisions through the EWG in July and October of 2022. The United States submitted comments during the second circulation. The final draft and EWG report will be considered by CCFO28 (CX/FO 24/28/5).

DRAFT U.S. POSITION:

The United States has no objection forwarding the proposed amendment/revision to the *Standard for Named Vegetable Oils* (CXS 210-1999) to include sacha inchi oil for final adoption by CAC47 (2024), subject to the change outlined below:

- Section 1. Product Definition
 - Propose changing to: Sacha inchi oil is derived from the seeds of the sacha inchi (*Plukenetia volubilis* L.) fruit

<u>AGENDA ITEM 4.4</u> –Inclusion of High Oleic Acid Soya Bean Oil – Proposed Draft Amendment/Revision to the *Standard for Named Vegetable Oils* (CXS 210-1999)

Document: CX/FO 24/28/7

Lead Country: United States

BACKGROUND:

In response to the Comment Letter CL 2019/54-FO (July 2019) calling for proposals for new work including amendments to existing standards, the United States submitted a proposal for new work to revise the *Standard for Named Vegetable Oils* (CXS 210-1999) to include high oleic acid soya bean oil.

At CCFO27 (2021), the United States presented the new work proposal to amend/revise the *Standard for Named Vegetable Oils* (CXS 210-1999) to include high oleic acid soya bean oil. The CCFO27 agreed to submit the proposal to CAC45 (2022), which approved the new work, and established an electronic working group (EWG), chaired by the United States, to prepare the proposed draft revision for circulation for comments and consideration by CCFO28. Experts from 21 member countries and 2 observers participated in the EWG and submitted a proposed draft standard draft for circulation, comment, and consideration by CCFO28 (CX/FO 24/28/7).

DRAFT U.S. POSITION:

The United States strongly supports forwarding the revision/amendment to the Codex Standard for *Named Vegetable Oils* (CXS 210-1999) to include high oleic acid soya bean oil for final adoption by CAC47. High oleic soya bean oil has enhanced functionality due to its relatively high oleic acid content. The revision would enable Codex member countries and the food industry to characterize, name, and appropriately market high oleic acid soya bean oil developed for improved functional and nutritional benefits for consumers and the food processing industry. The amendment would also facilitate fair trade practices and establish a new standard that is consistent with two current provisions in the standard, for high oleic acid sunflower oil and high oleic acid safflower oil.

<u>AGENDA ITEM 5</u> – Proposed Draft Revision to the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981): Revision of Sections 3, 8 and Appendix

Document: CX/FO 24/28/8

Lead Country: Spain, co-chaired by Argentina

BACKGROUND:

Work to revise Sections 3, 8 and the Appendix of the *Standard for Olive Oils and Olive Pomace Oils* (CXS 33-1981) has been ongoing for over five years. The goal is to develop revisions to meet the needs of Codex members and reflect the latest technological knowledge and scientific progress to promote fair trade, consumer health protection and encourage greater harmonization.

CCFO27 (2021) re-established an EWG, chaired by Spain and co-chaired by Argentina, to (a) review and revise the items in square brackets in Section 3 and the Appendix, taking into account comments made and written comments received at CCFO27; and (b) revise Section 8 of the main body and Section 3 of the Appendix. Representatives from 37 countries, including the United States, and two observer organizations participated in the EWG and discussed outstanding issues over three rounds of consultations. The EWG prepared the proposed draft revision of Sections 3, 8 and Appendix of the *Standard for Olive Oils and Olive Pomace Oils* (CXS 33-1981) for circulation and comments by CCFO28.

DRAFT U.S. POSITION:

The United States submitted comments in response to Comment Letter (CL 2021/29/OCS-FO), Request for Comments at Step 3 on the proposed draft revision to the *Standard for Olive Oils and Olive Pomace Oils* (CXS 33-1981): Revision of Sections 3, 8 and Appendix.

• The United States supports CCFO efforts to amend the *Standard for Olive Oils and Olive Pomace Oils* (CXS 33-1981) to safeguard the integrity of olive oils and to ensure fair practices in trade. However, as noted in previous U.S. comments, United States believes that changes to the standard should reflect variation in olive oils due to climatic, geographic, and varietal differences and that changes should be made to accommodate authentic oils from all Member countries.

Section 3. Essential Composition and Quality Factors

- Section 3.2.1/GLC ranges of fatty acid composition (expressed as percentages of total fatty acids)
 - The United States does not support the proposed value of 55% as the minimum value of C18:1. To include authentic oils with low C18:1, the United States supports the minimum value of 53%
 - o The United States does not support the footnote associated with values of C18:3 ≤ 1.0% and the inclusion of the International Olive Oil Council (IOC) proposed decision tree with the parameter "apparent β-sitosterol/campesterol ≥ 24" for olive oils with 1.0 < Ln ≤ 1.4%. The United States supports the development of a value that would accommodate authentic olive oils from all Member states. For example, the United States could support a value of ≤ 1.4 for C18:3.</p>
 - o The United States supports the use of two decimal places in the trans fatty acid limit.
- Section 3.2.3/4 α -Desmethylsterols composition (% total 4 α -desmethylsterols)
 - o The United States does not support the proposal to eliminate the footnote with the general statement on sterols in virgin olive oil. Climatic and geographic conditions can impact sterol composition and may result in some authentic virgin olive oils with a sterol value different from that in the proposed standard. Thus, the footnote "Virgin olive oil's authenticity is not compromised if one sterol, or their minimum content, does not fall within the ranges provided for, if all other sterols and parameters tested referred to in this standard fall within the stated ranges" should be maintained in the standard.
- Section 3.3.1 Organoleptic characteristics of virgin olive oils
 - The United States does not support increasing the value of the median of the most perceived defect for virgin olive oil from 2.5 to 3.5 with a footnote "includes the uncertainty predicted by the IOC method".

Appendix: Other Quality and Composition Factors

- Section 1.5/1,2-diglycerides (% total diglycerides)
 - The United States does not support the removal of the provision for 1,2-diglycerides (DAGs) and its associated analytical method as an additional quality factor in the appendix of the Standard. This parameter is useful to determine the quality of extra

virgin olive oil and thus, at very least, should be included in "Quality Characteristics" in the Appendix.

- Section 1.6/Pyropheophytin "a" (% total chlorophyll pigments)
 - The United States does not support the removal of the provision for pyropheophytin "a" (PPP) and its associated analytical method as an additional quality factor in the appendix of the standard. This parameter is useful to determine the quality of extra virgin olive oil and thus, at very least, should be included in "Quality Characteristics" in the appendix.

Section 8 and Section 3 of the Appendix: Methods of Analysis

• The United States supports the effort to harmonize the methods of analysis and agrees with the proposed list of methods with one minimal editorial comment: to remove the separating row between "Olive oils and olive" and "Pomace oils" for the iodine value.

<u>AGENDA ITEM 6</u> –Amendment/revision to the Codex *Standard for Fish Oils* (CXS 329-2017) - Inclusion of Calanus Oil

Document: CX/FO 24/28/10

Lead Country: Norway

BACKGROUND:

At CCFO27 (2021) the committee agreed to propose new work to amend the *Standard for Fish Oils* (CXS 329-2017) to include calanus oil as a named fish oil. CAC45 (2022) approved the new work. CCFO established an EWG, chaired by Norway to prepare a draft revision for circulation and comments and consideration by CCFO28. The EWG was established in 2022 with participation from 11 member countries and 2 observer organizations. Two draft revisions were circulated for comment prior to the preparation of the final proposed revision and EWG report (CX/FO 24/28/5).

DRAFT U.S. POSITION:

The United States has no objection to advancing the proposed draft revision to the Codex *Standard for Fish Oils* (CXS 329-2017) to include calanus oil.

<u>AGENDA ITEM 7</u> – Review of the *List of Acceptable Previous Cargoes* (Appendix II to CXC 36-1987)

Document: CX/FO 24/28/10

Lead Country: Malaysia

BACKGROUND:

CCFO23 (2013) agreed to have a standing agenda item in every session of the CCFO to consider the review of the *List of Acceptable Previous Cargoes*. CCFO26 (2019) discussed this topic and agreed to retain the standing agenda item. A Circular Letter (CL 2019/51/OCS-FO) was issued inviting interested members and observers to propose further amendments to the *List of Acceptable Previous Cargoes*,

Appendix II of the Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk (CXC 36-1987).

CL 2021/95//OCS-FO invited interested members and observers to propose further amendments. Based on the replies to the CL and the work of the EWG led by the CCFO Chair Malaysia, with participation from 12 Member countries, one Member organization and one observer organization (namely Brazil, Canada, Chile, India, Indonesia, Malaysia, Nigeria, Norway, Peru, Saudi Arabia, Thailand, the United States, and the European Union, and International Dairy Federation), the EWG report recommends the following:

- CCFO is invited to note that the proposed substances, namely drinks alcoholic and nonalcoholic, dairy products, glucose and lecithin, are regarded as foodstuffs and thus, do not need to be included in the *List of Acceptable Previous Cargoes in* relation to Section 2.1.3, Notes (1) and Criterion 3 of Appendix 2: List of Acceptable Previous Cargoes of CXC 36-1987. 19.
- Five new substances (ammonium sulfate solution, cyclohexanol, cyclohexanone, wine iodines and urea) proposed for inclusion should not be considered until adequate and relevant information is provided to the Committee.
- The Committee should agree to the assignment of the CAS numbers below to the following three substances:

Fructose: 57-48-7

Hydrogen peroxide: 7722-84-1

Urea ammonium nitrate solution (UAN): 15978-77-5

DRAFT U.S. POSITION:

The United States does not object to the EWG recommendations.

<u>AGENDA ITEM 8.1</u> Discussion paper on possible work that CCFO could undertake to reduce trans-fatty acid intake or eliminate partially hydrogenated oils: Proposed revisions to Codex standards on fats and oils

Document: CX/FO 24/28/11

Lead Country: Canada

BACKGROUND:

For several sessions, the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) has been supporting work on reducing trans-fatty acid (TFA) intake. At CCNFSDU41 (2019), Canada presented a discussion paper identifying risk management options for the reduction of TFA intake (see CX/NFSDU 19/41/7-REV) which included amending specific standards for fats and oils to include a prohibition on partially hydrogenated oils (PHOs) or limits on TFA levels. CCFO27 agreed that a discussion paper to consider work to reduce TFAs or eliminate PHOs would be prepared by Canada, in collaboration with the European Union, Egypt, India, Saudi Arabia, Uganda, the United States of America, and WHO.

The discussion paper and accompanying draft project document recommends that CCFO amend the following standards to include a prohibition on PHO and limits on TFA levels:

- · Standard for Edible Fats and Oils Not Covered by Individual Standards (CXS 19-1981)
- · Standard for Fat Spreads and Blended Spreads (CXS 256-1999)
- · Standard for Named Animal Fats (CXS 211-1999)

The proposed list of standards does not include the *Standard for Named Vegetable Oils* (CXS 210-1999) where pure oils are described. Partial hydrogenation of such oils would move them outside the scope of the standard. The paper also recommends that CCFO make necessary revisions to ensure that the scope of the above prohibition and limits apply to fats and oil products used as ingredients in other food products. This work may include introducing any necessary definitions in the standards, such as a definition for PHOs.

DRAFT U.S. POSITION:

- The United States supports the efforts to reduce TFA intake or eliminate PHOs by revising appropriate standards for fats and oils and agrees with the recommendation to amend some standards to prohibit PHO.
- The United States notes that it is critical to define PHOs and TFAs when considering revision to
 the standards for fats and oils. Clarification is needed on the scope of TFA limits, whether it is
 restricted to "industrially produced" TFA including sources such as TFAs from refined oils and
 fully hydrogenated oils or is intended to include any naturally occurring TFAs such as from
 ruminant sources.
- Regarding the recommendation to amend the mentioned standards to limit TFA, the United States
 understands that TFA may be produced in small quantities during processes such as refining,
 trans-esterification, and interesterification, and it is recognized that the amounts produced may
 vary depending on the oil and processing conditions. Therefore, it seems prudent to collect data to
 determine whether this is an issue of concern, and if so, to develop reasonable limits that will
 assist in reducing TFA in the food supply.
- One of the objectives of the proposed new work is to revise CCFO standards to include limits on industrially produced TFA levels. This may become challenging as the current methods cannot unambiguously distinguish between TFA generated by partial chemical hydrogenation and the ones from biohydrogenation, which are contained in dairy products and fats derived from ruminant animals and particularly in the case of blends. Milk fat, allowed at up to three percent in spreads and blended spreads that fall under Standard for Fat Spreads and Blended Spreads (CXS 256-1999), may contain natural trans fats.
- Given these challenges, the United States is of the view that focusing on the elimination of PHOs in the relevant standards and discussing alternative approaches with other the relevant Codex committee(s), such as declaration of total trans fats, may be more practical and effective in the short-term toward reducing TFA consumption and achieving positive public health outcomes.

It is not clear what revisions CCFO could make to the CCFO standards for fats and oils to ensure
that the scope of the above prohibition applies to fats and oil products used as ingredients in other
food products.

<u>AGENDA ITEM 8.2</u> –Proposals for New Work: Request for Comments on the Proposals for New Work and or Amendments to Existing Codex Standards

Document: CX/FO 21/27/8 Rev

Lead Country: NA

BACKGROUND:

A Circular Letter issued in December 2021 (CL 2021/96-FO) requested comments and proposals for new work. In reply, the Global Organisation for EPA and DHA omega 3s (GOED) submitted a proposal for new work to develop a standard for microbial omega-3 oils presented in a state for human consumption. In the submission, it was noted that for the purpose of the proposed standard, the term microbial omega-3 oils would be defined as referring to oils derived from microorganisms, including microalgae, and would only apply to microbial oils used in food and in food supplements where those are regulated as foods.

DRAFT U.S. POSITION:

The United States supports the work to develop a new standard for microbial omega-3 oils for use in human consumption. Currently, virtually all microbial oil production occurs in the United States and Canada and was estimated at 5,300 metric tons in 2022. While North America is a large consumer of microbial oil (about 2,000 metric tons annually), the majority of production is traded to the rest of the world, primarily to support infant formula production. This new work could potentially align with the CCEXEC83(2023) request to consider global efforts to achieve health and nutrition related goals by reducing non-communicable diseases risk factors when undertaking new work.