



## **Report of the United States Delegate to the 47th Session of the Codex Committee on Food Additives**

**March 23-27, 2015**

**Xi'an, Peoples Republic of China**

The 47<sup>th</sup> Codex Committee on Food Additives (CCFA) met in Xi'an, Peoples Republic of China, March 23-27, 2015. The meeting was chaired by Dr. Junshi Chen and attended by 51 member countries, one member organization (European Union), and 32 observers from international organizations, and Food and Agriculture Organization and the World Health Organization.

The United States was represented by Dr. Susan Carberry (U.S. Delegate) and Dr. Paul Honigfort (Alternate Delegate). The highlights of the decisions made by the Committee are outlined below.

### **Matters Referred by the Codex Alimentarius Commission (CAC) and Other Committees or Task Forces**

The Committee considered the responses to the implementation of the Codex Strategic Plan (2014-2019), which were prepared jointly by the Codex and CCFA Secretariats, and forwarded the replies to the Executive Committee (CCEXEC) and CAC for consideration.

The Committee considered the proposal by the Committee on Nutrition and Food for Special Dietary Uses (CCNFSDU) that CCFA consider inclusion of the statement "*Additives for use in CODEX STAN 72-1981 (Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants) shall require also an assessment from JECFA that explicitly states that the substance is safe to be used in infants below twelve weeks of age*" in the Preamble of the General Standard for Food Additives (GSFA). The Committee agreed to inform CCNFSDU that this inclusion was not necessary, as the relevant information was already included in Section 3.1(b) of the Preamble of the GSFA. Some delegations expressed concern with regard to the food additive provisions of the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CODEX STAN 72-1981) that had already been endorsed by CCFA. To respond to the concern, the Joint FAO/WHO Expert Committee on Food Additives (JECFA) Secretariat would check the JECFA assessments related to food additives used in infant formula, and report back at the next CCFA. CCNFSDU also asked CCFA to consider prioritization of the alignment of the food additive provisions in CODEX STAN 72-1981 with the GSFA. The Committee agreed to inform CCNFSDU that CCFA's ongoing work on alignment is focused on food standards developed by

inactive commodity committees, and that active commodity committees could prepare proposals for alignment for consideration by CCFA.

The Committee agreed that the Codex Secretariat would request, through a Circular Letter (CL), information on the commercial use of potassium hydrogen sulfate (INS 515(ii)), sodium sorbate (INS 201) and calcium hydrogen sulfite (INS 227) in food. These additives are currently listed in the GSFA but do not have specifications. Based on the information provided, the next session of CCFA will recommend either to: (i) remove from the GSFA the food additives for which information on their commercial use had not been provided; or (ii) include those on which information had been provided in the priority list for JECFA evaluation, with the understanding that they would be removed from the GSFA if Members would not commit to provide data for JECFA evaluation by the 49<sup>th</sup> CCFA (2017).

### **Matters of Interest from the 79<sup>th</sup> Meeting of JECFA**

The Committee was informed of the recommendations of the 79<sup>th</sup> JECFA regarding the food additives that were evaluated.

JECFA requested CCFA consider whether specific purity criteria for additives for use in infant formula should be considered, and the appropriate ways to present these criteria, and for a lead specification in particular. The Committee agreed that lower limits for lead in specifications for food additives used in infant formula should be established in existing specifications, as appropriate, and requested that JECFA take action with regard the three food additives evaluated at the 79<sup>th</sup> JECFA (i.e., citric and fatty acid esters of glycerol (INS 472c), pectin (INS 440), and starch sodium octenyl succinate (INS 1450)), and for future evaluations of food additives that could be proposed for use in infants formula.

The 79<sup>th</sup> JECFA recommended that the specifications monograph for modified starches be split into 16 individual specification monographs. The information necessary to complete this work would be requested through a call for data, with the aim of completion in 2016-2017.

The Committee also agreed to:

- Request the in-session Working Group (WG) on the International Numbering System (INS) to assign an INS Number to lutein esters from *Tagetes erecta*.
- Endorse the provision for carrageenan (INS 407) in the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CODEX STAN 72-1981), and to inform CCNFSU and CAC.



- Request proposals on the use of paprika extract (INS 160c(ii)) for inclusion in Tables 1 and 2 of the GSFA.

### **Endorsement and/or Revision of Maximum Levels for Food Additives and Processing Aids in Codex Standards**

The Committee endorsed the food additive provisions forwarded by the Codex Committee on Processed Fruits and Vegetables (CCPFV), including the *Standard for Certain Canned Vegetables – Annex on Mushrooms* (CODEX STAN 297-2009), the *Standard for Pickled Fruits and Vegetables* (CODEX STAN 260-2007); the *Draft Standard for Quick Frozen Vegetables*, including *Annexes on Carrots, on Corn on the Cob, on Leek, and on Whole Kernel Corn*; the *Draft Standard for Certain Canned Fruits*, including *Annexes on Mangoes, and on Pears*; the *Proposed Draft Standard for Ginseng Products*; the *Draft Regional Standard for Non-fermented Soybean Products*; the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CODEX STAN 72-1981); and the *Draft Standard for Fish Oils* submitted by the Codex Committee on Fats and Oils.

### **Alignment of the Food Additive Provisions of Commodity Standards and Relevant Provisions of the GSFA**

The Committee considered the document prepared by the electronic Working Group (eWG), led by Australia. The Committee agreed to the Principles for the Application of the Decision Tree and to the criteria for prioritizing future work on alignment. The Committee also agreed to remind active commodity committees that they were responsible for considering the alignment of food additive provisions of commodity standards under their purview with the GSFA.

The Committee agreed to forward to the CAC for adoption:

- Revised food additive section of the *Standard for Bouillons and Consommés* (CODEX STAN 117-1981);
- Revised food additive provisions of the GSFA in food category 12.5 (Soups and broths) and its sub-categories that correspond to CODEX STAN 117-1981; and
- Corrections to the GSFA provisions related to the five meat commodity standards (CODEX STAN 88-1981, CODEX STAN 89-1981, CODEX STAN 96-1981, CODEX STAN 97-1981, and CODEX STAN 99-1981).

The Committee also agreed to re-establish an eWG, led by Australia and co-chaired by the USA, to:

- Further develop the alignment proposal of the *Standards for Cocoa Butter* (CODEX STAN 86-1981); *Chocolate and Chocolate Products* (CODEX STAN 87-1981); *Cocoa Powders (Cocoas)* and *Dry Mixtures of Cocoa and Sugars* (CODEX STAN 105-



1981); and *Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake* (CODEX STAN 141-1983);

- Consider the work that could not be addressed by the eWG established at the 45<sup>th</sup> CCFA on:
  - food additive provisions of the GSFA that, according to the Codex Committee on Fish and Fishery Products (CCFFP), are not technologically justified in the products covered by the *Standard for Smoked Fish, Smoked-Flavoured Fish and Smoke-Dried Fish* (CODEX STAN 311-2013); and
  - food additive provisions of the GSFA that, according to the CCPFV, are not technologically justified in specific food categories covered by the *Standards for Certain Canned Citrus Fruits* (CODEX STAN 254-2003), *for Preserved Tomatoes* (CODEX STAN 13-1981), *for Processed Tomato Concentrates* (CODEX STAN 57-1981) and *for Table Olives* (CODEX STAN 66-1981).

## GSFA

The Committee discussed:

- recommendations for provisions in Tables 1 and 2 of Table 3 food additives with: (i) “acidity regulator” function for other use than acidity regulators; and (ii) for other Table 3 food additives with functions other than “emulsifier, stabilizer, thickener,” “color,” and “sweetener” pending from the 46<sup>th</sup> CCFA (CX/FA 15/47/7)
- recommendations for provisions in Tables 1 and 2 of Table 3 food additives with “emulsifier stabilizer, thickener” function for their use for technological functions other than as emulsifier, stabilizer, thickener (CX/FA 15/47/8)
- recommendations for food additive provisions in Tables 1 and 2 in food categories 01.2 through 08.4, with the exclusion of food categories 04.1.2.4, 04.2.2.4, 04.2.2.5, 04.2.2.6, 05.1.1, 05.1.3, and 05.1.4 (CX/FA 15/47/9)
- recommendations for food additive provisions of food category 14.2.3 (Grape wines) and its sub-categories (CX/FA 15/47/10)
- Provisions for cyclotetraglucose (INS 1504(i)), cyclotetraglucose syrup (INS 1504(ii)) and nisin (INS 234) (CX/FA 15/47/11)
- proposals for revision of food category 01.1 (Milk and dairy-based drinks) and its sub-categories (CX/FA 15/47/12)
- Note 161 – application of alternative notes to provisions for sweeteners (CX/FA 15/47/13); and
- Proposals for new and/or revision of food additive provisions (replies to CL 2014/15-FA (CX/FA 15/47/14)

The Committee forwarded 302 food additive provisions for adoption at Step 8 or 5/8 by the CAC, discontinued work on 289 draft and proposed draft provisions, revoked 28 adopted provisions, and entered 28 new provisions at Step 2. This will result in approximately 3700 adopted (Step 8) provisions and 2050 provisions in the step process in the GSFA.



The physical Working Group (pWG) on the GSFA, chaired by the United States, made recommendations on items (a), (b), (d), (e), and (h) listed above. The other items were not discussed in the pWG due to time constraints.

The Committee endorsed the recommendations of the pWG regarding the adoption at Step 8 or 5/8 of certain draft and proposed draft provisions for Table 3 food additives with “acidity regulator” function, for Table 3 food additives with functions other than “emulsifier, stabilizer, thickener,” “color,” or “sweetener” function, and for Table 3 additives with “emulsifier, stabilizer, thickener” function for their use for technological functions other than “emulsifier, stabilizer, thickener.”

The Committee endorsed the recommendations of the pWG regarding discontinuation of work on the draft and proposed draft provisions and regarding revocation of adopted provisions for Table 3 food additives with “acidity regulator” function, for Table 3 food additives with functions other than “emulsifier, stabilizer, thickener,” “color,” or “sweetener” function, and for Table 3 additives with “emulsifier, stabilizer, thickener” function for their use for technological functions other than “emulsifier, stabilizer, thickener.”

The Committee endorsed the recommendations of the pWG regarding requests to seek advice from Codex commodity committees regarding:

- Technological justification on the use of antioxidants and anticaking agent, in general, and L-ascorbic acid (INS 300), sodium ascorbate (INS 301), and amorphous silicon dioxide (INS 551) in particular, in herbs (Codex Committee on Spices and Culinary Herbs (CCSCH))
- Technological justification of certain additives in products covered by standards under the purview of the Codex Committee on Fats and Oils (CCFO)
- Clarification of the use of gum Arabic (acacia gum) (INS 414) in food categories 13.1 (Infant formula, follow-up formula, and formula for special medical purpose for infants) and 13.2 (Complementary foods for infants and young children) in products corresponding to the relevant commodity standards
- Technological justification for emulsifiers, stabilizers, and thickeners, in general, and xanthan gum (INS 415) in particular, in food categories 14.1.2 (Fruit and vegetable juices) and 14.1.3 (Fruit and vegetable nectars) (CCPFV)

The Committee endorsed the recommendations of the pWG regarding the addition of notes to the food additive provisions in food categories 13.1.2 (Follow-up formula) and 13.2 (Complementary foods for infants and young children) for consistency with the relevant Codex commodity standards, and the revision of the text of Note 267 [(Excluding products conforming to the Standard for Salted Fish and Dried Salted Fish of the Gadidae Family of Fishes (CODEX STAN 167-1989), the Standard for Dried Shark Fins (CODEX STAN 189-1993), the Standard for Crackers from Marine and



Freshwater Fish, Crustaceans and Molluscan Shellfish (CODEX STAN 222-2001), and the Standard for Boiled Dried Salted Anchovies (CODEX STAN 236-2003)] of the GSFA to reflect an additional commodity standard.

The Committee did not have time to consider the agenda item (c), above, and agreed to consider it at the next session, including the written comments submitted at the current session.

The Committee endorsed the recommendation of the pWG regarding the adoption of the GSFA provision for carbon dioxide in food category 14.2.3 (Grape wines). The Committee agreed to re-establish an eWG, led by France and co-chaired by Australia, to:

In the context of the general use of (i) emulsifiers; (ii) stabilizers; (iii) thickeners; (iv) acidity regulators; and (v) antioxidants in the production of wine to:

- Provide clarity and specificity on the general concerns of (i) wine identity; (ii) wine stability; (iii) global applicability of limitations for the use of food additives in wine; and (iv) innovation in wine production.
- Based on the outcome of point "a" above, perform an examination on the effect of expressing a maximum use of additives in wine: (i) on a numerical basis; and (ii) as GMP.

The eWG will not examine specific provisions.

France, which initially chaired the ewg on additives in grape wines advocated using the numeric values, established by OIV, rather than GMP as recommended by JECFA. The Chair, pwg, expressed strong reservations about relying on input from an observer organization rather than JECFA in developing the GSFA. During the discussion on additives in wine, several countries expressed concern that OIV was usurping the responsibilities of JECFA to determine the additive provisions in the GSFA. While other countries, notably the European Union, stated that OIV was an international nongovernment organization with considerable knowledge and experience in the wine industry. Some countries pointed out there were several observer organizations in Codex that were concerned with wine and it was not the Codex position to defer to one observer organization over the others.

The Committee endorsed the recommendation of the pWG regarding the adoption at Step 8 or Step 5/8 of the draft and proposed draft provisions for cyclotetraglucose (INS 1504(i)), cyclotetraglucose syrup (INS 1504(ii)) in Table 3, and for nisin (INS 234) in food categories 08.2.2 (Heat treated processed meat, poultry and game products in whole and pieces or cuts) and 08.4 (Edible caseins).



The Committee noted the discussion of the pWG regarding the provision for nisin (INS 234) in food category 08.3.2 (Heat treated comminuted meat, poultry and game products) and the compliance with the provisions in the corresponding commodity standards (*Standards for Canned Corn Beef* (CODEX STAN 88-1981), *for Luncheon Meat* (CODEX STAN 89-1981) and *for Cooked Cured Chopped Meat* (CODEX STAN 98-1981)). The Committee agreed to establish an eWG, led by the USA, to request information and justification on the use of nisin in food category 08.3.2, and specifically in products conforming to the corresponding commodity standards.

The Committee considered the discussion paper on the revision of food category 01.1 (Milk and dairy-based drinks) and its sub-categories that was prepared by the eWG led by New Zealand. The Committee generally supported this as new work, and revised the Project Document that was appended to the discussion paper. The Committee agreed to: (i) request the CAC to approve new work on the revision of food category 01.1 (Milk and dairy-based drinks) and to forward the revised Project Document to CCEXEC for critical review; and (ii) re-establish an eWG, led by New Zealand, to prepare a proposed revision of food category 01.1 and its sub-categories for circulation for comments at Step 3, and consideration at the next session.

The Committee considered the discussion paper on the application of alternative notes to Note 161 (“Subject to national legislation of the importing country aimed, in particular, at consistency with Section 3.2 of the Preamble.”) for certain sweetener provisions. The Chairperson summarized the history of Note 161, observing that the Committee had unanimously agreed that the situation regarding the use of Note 161 should change, but could not decide how to make that change. An eWG, chaired by the UK with technical assistance from the United States, had been tasked with preparing a discussion paper exploring the application of alternative notes to Note 161 to the provisions for certain sweeteners. In particular, the committee had considered an alternative replacement to the note, that would have tied the use of sweeteners to a 25 percent reduction in calories. With the exception of the European Union and a few other countries, the alternative was soundly rejected. Countries from every Codex region, with the exception of CCEuro, stated that the use of sweeteners was not always tied to a reduction in calories. These countries wanted either the complete elimination of Note 161 or an alternative that would tie the use of sweeteners more broadly to the replacement of sugars, wholly or in part. The Committee had an extensive debate on how to consider the eWG report. The Chairperson noted that there was no agreement on how to consider the eWG recommendations, and further noted that, despite several attempts, there was no consensus on how to progress. Many countries supported the Chairman’s proposal that we consider replacing the note in the few instances on which everyone could agree, but the European Union “insisted” the committee review the use of the note for purposes for which there was no consensus. Several observer organizations

spoke to the fact that the use of Note 161 contravenes harmonization and would prompt companies to start using private standards. The Chairperson considered it necessary to stop the discussion, but encouraged all Members, including Observers, to make further suggestions on how to reduce the current number of applications of Note 161 in the GSFA. The Chairperson and many delegations were of the view that it was very unfortunate not to progress on this issue because it could negatively impact the further development of the GSFA. The Chairperson closed this agenda item expressing the hope to find a solution in the future and said that today's failure did not mean that the Committee would not be able to find a way forward in the future.

The Committee agreed with the recommendation of the pWG to include new and revised provisions in the GSFA at Step 2, or to discard the proposals. The Committee discussed the form used to submit the information for new or revised provisions in the GSFA, noting that this was the first time the form was used. However, due to time constraints, the Committee suspended the discussion, noting that the form was for the Committee's use, and could be revised when necessary.

The Committee also agreed to establish a pWG on the GSFA that would meet immediately prior to the 48<sup>th</sup> Session, chaired by the United States, to consider and prepare recommendations for the plenary on:

- outstanding provisions related to CX/FA 15/47/9, including written comments submitted at the 47<sup>th</sup> Session (CRDs 12 and 20);
- the report of the eWG on the GSFA;
- comments submitted in responses to the Circular Letter on revising the provision for quillaia extracts (INS 999 (i), (ii)) in food category 14.1.4 (Water-based flavoured drinks, including "sport", "energy" or "electrolyte" drink and particulated drinks);
- comments submitted in responses to the CL requesting proposals on uses and use levels of paprika extract (INS 160c(ii)) for inclusion in Table 1 and 2 of the GSFA; and
- new proposals for entry or revision of food additive provisions (replies to CL).

#### **Discussion Paper on the Use of Secondary Additives**

The Committee considered the discussion paper, prepared by the eWG led by the EU, on secondary additives. The Chairperson proposed a three-step approach: (i) to consider the proposed definition in detail, with a view to making it a working definition to facilitate the understanding of the issue; (ii) to further analyse the Preamble of the GSFA to determine if all aspects of the working definition were already covered; and (iii) to analyse the impact of these gaps, if any, on the GSFA. The Committee agreed to a revised working definition, and also agreed to establish an eWG, led by the EU to: (i) compare the working definition with Section 4 of the Preamble of the GSFA; and if the analysis under (i) establishes that Section 4 does not appropriately cover all the aspects of the definition, then (ii) analyze the impact of the definition on the GSFA.





## **Discussion Paper on the Inconsistent Terminology Related to Flavorings in Codex Texts**

The 46<sup>th</sup> CCFA (2014) agreed that there was a need to address the inconsistent terminology regarding flavorings in Codex texts. The United States, with the assistance of International Organization of the Flavor Industry, prepared a discussion paper on this issue for consideration at this session. The discussion paper included a comparison of the relevant definitions in Codex texts and proposed options for addressing the inconsistencies; it also contained a Project Document for the revision of relevant sections of the *General Standard for the Labelling of Food Additives when Sold as Such* (CODEX STAN 107-1981). The Committee discussed and revised the Project Document and agreed to request the CAC to approve this as new work, and to forward the Project Document to CEXEC for critical review. The Committee also agreed to establish an eWG, led by the United States, to prepare a proposed draft revision of the *General Standard for the Labelling of Food Additives when Sold as Such* (CODEX STAN 107-1981) for circulation for comments at Step 3, and for consideration at the next session.

## **Other Agenda Items**

The Committee also considered amendments to the International Numbering System (INS) for food additives; specifications from the 79<sup>th</sup> JECFA; and the priority list of additives for JECFA review, which would include two of the prioritized colors per JECFA meeting.

The Delegation of China provided information on the status of the database on processing aids and encouraged members to use the online system ([www.ccfa.cc/IPA](http://www.ccfa.cc/IPA)), which would be updated as new information was submitted.

The next session of the CCFA is tentatively scheduled for March 14 – 18, 2016 in the Peoples Republic of China.