

European Union reply to

CL 2023/55/OCS-SCH

Request for Comments, at Step 3, on the draft Standard for spices derived from dried fruits and berries: Part B - Requirements for Vanilla

Mixed Competence
Member States Vote

The European Union and its Member States (EUMS) would like to thank the United States of America and co-chair Members for updating the draft Standard for spices derived from dried fruits and berries: Part B - Requirements for Vanilla.

The EUMS would like to submit the following comments:

POINT	COMMENTS
General comment	The document will need editorial corrections. In many parts, spaces, punctuation marks are missing and there are inconsistencies in the notations (upper/lower case)
2.1. Product definition	<p>Table 1 on point 2.1.1 lists the variety of vanilla covered in this draft standard. The EUMS question whether <i>Vanilla pompona</i> Schiede should be included in this Codex standard.</p> <p><u>Reasoning</u>: Standard ISO 5565-1 refers to standard ISO 3493:2014. It is not applicable to <i>Vanilla pompona</i> Schiede (Antilles vanilla)". In addition, the European Spice Association (ESA) List of Culinary Herbs and Spices does not include <i>Vanilla pompona</i> Schiede. It only mentions <i>Vanilla planifolia</i> and <i>Vanilla tahitensis</i>.</p>
2.2. Styles	<p>a) What is “split vanilla”?</p> <p>Mature vanilla beans may split naturally due to dehiscence. The bean should not be split through the entire length (no maximum length specified in the ISO 5565-1 standard). The split part should contain seeds.</p>

	<p>b) How does the splitting of vanilla affect moisture and vanillin content – at it exposes a greater surface of the vanilla bean to the atmosphere.</p> <p>ISO 5565-1 provides a qualitative classification of vanilla pods, including 4 categories. Each category contains style forms “non-split” and “split”. The requirement on moisture content is provided as a maximum value for each category (both for “non-split” and “split”), which suggests that the splitting of the vanilla pods does not affect moisture content.</p> <p>Regarding the vanillin content, according to ISO standard ISO 5565-1 the vanillin content is mainly dependent on the conditions under which the pods are cultivated, harvested, and processed and on their length. The term “processed” may involve treatments that the vanilla may have undergone and that ‘splitting’ is not included in this term.</p> <p>Point 5 of ISO 5565-1 “General characteristics” for vanilla pods reads that “<i>they shall not have undergone any treatment which could induce a change in their natural vanillin content or in the content of any other constituent of the flavour</i>”. Considering the definition of vanilla pods suggested in this draft standard (vanilla pods, consisting of whole pods which may be split) it can be concluded that splitting does not affect the vanillin content.</p>
<p>2.2 Styles</p>	<p>The following text is proposed:</p> <p>Vanilla may be:</p> <ul style="list-style-type: none"> - Whole Pods/beans/split beans - Cut/broken. - Seeds/vanilla caviar. - Ground/powdered; processed into a powder. - <u>Vanilla in bulk, consisting of vanilla pods and cut vanilla.</u> <p>Other styles distinctly different for those four are allowed, provided they are labeled accordingly.</p> <p><u>Rationale:</u> It would be appropriate to consider alignment with the terms in both ISO 5565-1:1999 and ISO 3493:2014.</p> <ul style="list-style-type: none"> • Furthermore, the term “vanilla pod” is mentioned both in ISO standards and in point 9.2 (Sampling plan) of this

	<p>draft Codex standard. Therefore, the term vanilla pod should also be considered under point 2.2. Thus, it is suggested that the term “vanilla pod” should be used in this draft standard. In addition, we note that the ESA List of Culinary Herbs and Spices mentions “vanilla pods” as a primary common name and “vanilla beans” as a secondary or alternative name.</p> <ul style="list-style-type: none"> • The word “caviar” is defined in the Codex standard for sturgeon caviar (CXS 291-2010) as “<i>the product made from fish eggs of the Acipenseridae family by treating with food grade salt</i>”. This definition is in line with the interpretative communication of the European Commission 91/C 270. The association of “caviar” with another designation, such as “vanilla caviar” is neither precise, nor clear or easily understandable for the consumer and therefore it should be avoided. • Furthermore, we propose the inclusion of other forms (styles) of the product, such as vanilla in bulk, that are available on the market.
3.2 Quality criteria	<p>For consistency with the template for SCH standards, with the heading of that paragraph (point 3) of this draft standard and with other standards, it is proposed to use “Quality factors” instead of “Quality criteria”. In the “Template for SCH Standards”, the term “ESSENTIAL COMPOSITION AND QUALITY FACTORS” is used. In addition, the existing Codex standards (amended in 2022), e.g. standard for dried basil (CXS 345-2021) or standard for dried oregano (CXS 342-2021), this point is named “Quality factors”. Having regard to the above, in point 3.2 it should be consequently “quality factors” and not “quality criteria”.</p>
4.1	<p>This draft standard allows the use of anticaking agents in ground/powdered form of vanilla. This contradicts the provisions of the ISO standard 5565-1, that, for vanilla powder, reads as follows: “obtained by grinding vanilla pods after drying without additives”.</p> <p>To be also consistent with other standards, e.g., that of saffron, we suggest for this paragraph: “<u>No food additives are permitted in the products covered by this standard</u>”.</p> <p>This provision will impede unfair practices (food fraud/adulteration) such as increasing the weight of spice with various fillers.</p>
8.3.2	<p>Indicating the country of harvest should be mandatory. The producing country is an important information in terms of consumer’s purchasing choice. Vanilla is one of the most expensive spices in the world, information on the country of harvest should be easily accessible to consumers. Various product advertisements draw attention to different flavour and aromatic qualities depending on their place of harvest, so it may be crucial when choosing a product.</p> <p>In addition, taking into account the General standard for the labelling of prepackaged foods (CXS 1-1985), para 4.5.2:</p>

“When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.”, if there is no processing, the country of origin is, by definition, the country of harvest in the case of spices.

In conclusion: to cover all circumstances, both the country of origin and the country of harvest should be mandatory.

Annex 1. Table 1 Chemical characteristics

The preferred option is option 3 with the following proposed amendments:

Scientific name	Form/Style	<u>Classes</u>	Moisture content %w/w (<u>max</u>)	<u>Minimal</u> vanillin content in % of the raw material as traded
<i>Vanilla planifolia</i>	Whole Pods/beans/split beans	<u>Extra</u>	35-38	1.8
		<u>I</u>	32-38	1.6
		<u>II</u>	25-30	1.4
		<u>III</u>	18-25	1.2
	Cut/Broken	:	(18-38)	(1.2)
	Ground/powdered	:	(15-25)	(1.0)
	Seeds/caviar	:	(18-38)	(1.2)
<i>Vanilla tahitensis</i>	Whole Pods/beans/split beans	<u>I</u>	30-55	0.4

		<u>II</u>	15-45	0.3
	Cut/Broken	=	(15-55)	(0.3)
	Ground/powdered	=	(10-45)	(0.3)
	Seeds/caviar	=	(15-55)	(0.3)

Rationale:

- The table should be based on both scientific name and form/style in line with the approved revision of the ISO 5565-1 standard.
- *V. planifolia* and *V. tahitensis* represent the two main products currently traded globally. Their chemical specifications differ significantly. There are not enough data on the three remaining species proposed (*V. pompona*, *V. cribbiana*, *V. odorate*). If their characteristics are comparable, they could be grouped with one of the two former species.
- There is no information about total ash and acid insoluble ash, and this does not appear in ISO 5565-1 standard.
- It is suggested to include the quality classes with the values (see also in the table)

Extra. Pods which are whole or split, sound, supple and full of typical flavour, of uniform dark chocolate brown to reddish colour, and without any stain other than the mark.

- I. Pods which are whole or split, sound, supple and full of typical flavour, of uniform dark chocolate brown to reddish colour, and which may have a few stains, the total length of which does not exceed one-third of the length of the pod.
- II. Pods which are whole or split, sound, more or less supple, of typical flavour, of reddish colour and which may have numerous stains, the total length of which does not exceed half the length of the pod, as well as a few red filaments which do not exceed one-third of the length of the pod.
- III. Pods which are whole or split, sound, dry or wooded, of typical flavor, reddish in color and which may have several stains, the total length of which does not exceed half the length of the pod.

- ISO 5565-1 standard does not include any specifications on these other styles/forms (cut/broken, powdered, seeds). It requires that these products derived from beans meeting the requirements specified in the standard. For these other forms the data proposed by the EWG should be used.
- The same terminology should be used throughout the standard. Point 2.2 mentions “Seeds/vanilla caviar” the exact same term should be used in Table 1. Given the comment above, only “seed” would be preferable (delete “caviar”).
- The values of vanillin content are presented on dry basis. To facilitate comparison, we suggest aligning with the provisions of the ISO standard ISO 5565-1, that refer to the methods describe in ISO-5565-2 and present them on wet basis. Other reason for aligning with ISO standards for this parameter is that the recommended methods for vanillin content presented in Annex II of this draft Codex standard refers to ISO 5565-2. This would ensure consistency throughout the whole document.
- It is suggested adding an upper limit in the vanilla content column, as mentioned in ISO 5565-1, and not just the lower limit to prevent adulteration with synthetic vanillin.

Annex 1. Table 2

This table should be consistent with other standards (for e.g. saffron). Either the missing parameters are added (with values zero), or a generic sentence stating that, **Insects (live & dead) and mammalian excreta & hair, visible to the naked eye should aim to be zero.**

If these parameters are considered, it would be necessary to add appropriate methods of analysis in Annex II.

A footnote should clarify what colour tolerance is, and what colour is accepted for vanilla. Also applicable for shriveled, immature, broken. For example, what part of the pods may or may not be shriveled, as well as when a pod is classified as broken.