

Reply of the European Union on**CL 2023/27/OCS-EXEC
REQUEST FOR COMMENTS ON A PROPOSAL FOR AN AMENDMENT OF THE
GENERAL STANDARD FOR FRUIT JUICES AND NECTARS*****European Union Competence
European Union Vote***

The European Union (EU) thanks Brazil for the proposed amendment to the General Standard for Fruit Juices and Nectars (CXS 247-2005) and appreciates the opportunity to provide comments. The EU is not supporting this proposal for the following reasons:

The CL 2023/27/OCS-EXEC includes a separate minimum Brix level of 14 °Bx for grape juices for a new group from *Vitis labrusca* and hybrids thereof, keeping the minimum Brix level of 16 °Bx for the existing group of *Vitis vinifera* and hybrids thereof.

No method is known by now to distinguish the grape juices from *Vitis vinifera* from those of *Vitis labrusca* properly. Only the anthocyanin malvidine-3-5-diglucoside may serve as a parameter for this. But as this could only be done in red grape juices the control of the legal implementation would not be possible. The introduction of two Brix values would require a new method to be added to the General Standard for Fruit Juices and Nectars (CXS 247-2005) in order to differentiate between the two types of grape juice. This would probably require the use of DNA testing for an accurate assessment, resulting in additional and unnecessary costs for the industry.

Establishing different Brix levels for different grape species could set a challenging precedent for the fruit and vegetable juice industry. It could make it difficult to manage and potentially hinder international trade.

A lower minimum Brix level could make it easier to adulterate the product by adding water. Adulteration of fruit juices and nectars is a significant issue in the industry, and lowering the minimum Brix level could make it more difficult to detect such practices.

The current amendment considers the minimum Brix level for reconstituted fruit juices and purée, indicating that it is not a limit for direct juice. Therefore, the existing Brix value of 16 is not a restricting factor. This minimum Brix value is justified by the utilization of fruit juices with Brix values both below and above 16 during the processing of the fruit juice concentrate used for reconstitution. Furthermore, the average Brix shown in the Brazilian discussion paper CRD07 (Figures 02 and 03) is 16, which supports the validity of the current minimum Brix.

Establishing different Brix values within the same genus of fruit could be analogous to establishing Brix values for different geographic areas. Defining Brix values for the various species belonging to the genus *Vitis* could set a precedent for the fruit and vegetable juice industry that could be difficult to manage (i.e., establishing Brix levels for multiple species of fruits and vegetables) and hinder international trade.

The Brix of fruit is influenced by the growing environment and conditions. To enhance the Brix level, farmers prune excess buds, ensuring that they were able to meet industry

standards. Since processors will not accept grapes below the 16 Brix standard, there are no records of grapes received at a lower Brix value. The juice industry must consider standards that represent the industry rather than a specific growing region.

Brazil's vineyard area is relatively small compared to other major grape-producing regions, such as Spain, China, and the USA. When the Codex General Standard for Fruit Juices and Nectars was developed, it was based on data that was presented from various regions of the world that grew grapes for nonalcoholic purposes including Brazil. This information was studied in great detail and the Brix of 16.0 was agreed by all stakeholders based on that data.