6 February 2024 (Final)

CODEX COMMITTEE ON FATS AND OILS

28th Session

Kuala Lumpur, Malaysia

19 - 23 February 2024

European Union Comments

Agenda Item 5:

Proposed Draft Revision to the Standard for Olive Oils and Olive Pomace Oils (CODEX STAN 33-1981)

(CX/FO 24/28/8 and CL 2023/61-FO)

European Union Competence.
European Union Vote.

General comments

The European Union (EU) thanks the chair and co-chair of the electronic Working Group (eWG) on the Revision of the Standard for Olive Oils and Pomace Olive Oils for the good progress on this subject and welcomes the proposed draft revision of the standard.

Overall, the EU acknowledges significant progress in the revision of this standard since discussions started in 2017. While important progress was achieved since CCFO27 with regard to Section 8 of the standard, Methods of Analyses and Sampling, consensus has not yet been found in a few parameters.

The EU would like to signal some editorial issues:

- In point 3.2.1 GLC ranges of fatty acid composition, in front of the trans-fatty acids the less or equal sign is deleted. We believe that this is a mistake and the less or equal sign should be kept;
- In point 3.2.4 Total 4α desmethylsterols content (mg/kg), the virgin olive oils are missing from the table; The CCFO27 report says: in paragraph 132 "*CCFO27 agreed to retain the provision for total 4α-desmethylsterols content of the virgin olive oils in the main body under Section 3.2.4.*". We believe this is a mistake and the virgin olive oils should be included in the same line with Refined olive oil and Olive oil composed of refined olive oil and virgin olive oils.

Given the above, the EU supports the organisation of an in-session meeting on the Revision of the Standard for Olive Oils and Pomace Olive Oils, to take stock of the progress achieved so far and reach consensus on the remaining parameters.

Specific comments on the Sections 3 and 8 and Appendix:

Section 3. Essential composition and quality factors

- Point 3.2.1 GLC ranges of fatty acid composition (expressed as percentages of total fatty acids)
  - Changing the lower limit for oleic acid (C18:1) to 53.0%

    The EU does not support this proposal, as a high oleic acid content is a factor of identity of olive oil and confers to the product part of its healthy properties. Therefore, the EU agrees not to change the lower limit for the oleic acid content.
  - Setting a limit for linolenic acid (C18:3)

    The EU supports setting the linolenic acid limit at **≤ 1,00** with a footnote stating the following: "***For extra virgin and virgin olive oil with 1.00<linolenic acid%≤1.40, apparent β-sitosterol/campesterol must be ≥ 24***"

    Linolenic acid is critical for detecting adulteration with other vegetable oils, most notably rapeseed oil.
  - Not changing the limit of trans-fatty acids (Σ(t-C18:1) and cΣ(t-C18:2) + Σ(t-C18:3))

    The EU supports the proposal to keep the limits for trans-fatty acids unchanged, as they are essential in the detection of fraud. The rounding up of the limit to one decimal place would endanger this role.
- Point 3.2.3 4α-desmethylsterols composition (% total 4α-desmethylsterols)
  - The sentence "[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.]"

    The EU agrees not to include this footnote in the standard. Furthermore, we note that this footnote was introduced at CCFO 27 as a compromise attempt. The EU considers that all sterol fractions are essential to check the authenticity of an olive oil, as olive oils have a characteristic pattern regarding sterols. No independent sterol can be replaced by another, because the limits for each sterol are set to detect fraud with a different kind of extraneous oils. While natural deviations in the sterol composition of olive oils do exist, decision trees can be introduced to acknowledge, through scientific evidence, the variability of some levels of sterols present in some olive oils coming from cultivars of specific origins. Such decision trees are used to verify that no extraneous oils are added to olive oil. For example, the IOC has introduced decision trees for delta-7-stigmastenol in all olive oil categories.

    Furthermore, the EU considers that all parameters in a standard have to be checked to confirm the category and authenticity of an olive oil and all parameters are equally important and valid. No analyses of the relative importance of the parameters in this standard has been presented to support this proposal.

    Last, but not least, it is the prerogative of the control authorities of Codex members to decide on the level of risk they wish to assume. This decision should not be pre-empted by the standard.
- Point 3.3.1 Organoleptic characteristics of virgin olive oils
  - The median of the most perceived defect for the virgin olive oil category

The EU supports that the above-mentioned limit is set at 3.5, as it will promote the harmonisation between the International Olive Council (IOC) standard and the Codex standard, and will help the fair trade of olive oil and increase consumer understanding. However, a footnote should be included to clarify that the limit of 3.5 includes the uncertainty of measurement.

Section 8. Methods of analysis and sampling

The EU notes that the list of methods of analyses and sampling included in this section contains the methods of analyses for all parameters: both those contained in Section 3 of the Main Document and those contained in the Appendix. In addition, it contains the methods of analyses for the parameters 2-Diglycerides and Pyropheophytin "a".

The EU considers that the inclusion of the two methods should depend on the inclusion of the two parameters themselves.

The EU supports the list of methods of analyses and sampling amended as above and agrees that it is sent to CCMAS. However, if other Codex Members can only accept that the full list of methods of analyses is sent to CCMAS, the EU could also agree to it.

Appendix - Other quality and composition factors

- Point 1.5 1,2-diglycerides (% total diglycerides)

  The EU agrees not to include this parameter in the standard. The EU would like to remind of the study carried out by the IOC in 2020 on this matter, which concludes that many doubts remain on its usefulness as quality parameter and on the methods for its determination.

  The % value of 1,2-diacylglycerol does not add any additional qualitative information to the current parameters used to classify extra virgin olive oil. Indeed, the evolution over time of this parameter is not very predictable and not strictly related to oxidation. This parameter has a poor correlation with the other quality parameters (organoleptic, chemical and chemical-physical).

- Point 1.6 Pyropheophytin "a" (% total chlorophyll pigments)

  The EU agrees not to include this parameter in the standard. The EU would like to remind of the study carried out by the IOC in 2020 on this matter. The study casts some doubts on the predictability of this parameter, which in turn raises questions on its usefulness as quality parameter. Indeed, the parameter is extremely susceptible to light and heat, to the point that an oil could be altered only when exposed for some time to standard illumination conditions in a supermarket.

- Point 3. Methods of Analysis and Sampling

  The EU notes that the methods included in this section are identical to the methods included in Section 8 of the Main Document. Therefore, please see our comments on Section 8 above.