

European Union comments on
Codex Circular Letter CL 2015/28-MMP:
Proposed Draft Standard for Dairy Permeate Powders (Step 3)

Mixed Competence.

Member States Vote.

The European Union and its Member States (EUMS) would like to thank Denmark for chairing the electronic working group to develop a Codex Standard for Dairy Permeate Powders and for the opportunity to submit their comments.

- **Section2: Description**

The EUMS support the proposed definitions for dairy permeate powders, whey permeate powder and milk permeate powder as products currently on the market are adequately covered. Furthermore, the EUMS are of the view that the text as drafted would allow that products derived from new technologies that could emerge are also covered by the Standard.

- **Section 3.2: Permitted ingredients**

As regards the reference to processing aids it seems that such reference might not be appropriate in section 3.2 “Permitted ingredients” of the draft Standard. According to Section II, "Format for Codex Commodity Standards" of the Procedural Manual, provisions for processing aids should be included in the Section on Food Additives. Therefore, the EUMS suggests that the sentence on processing aids is moved to section 4 of the draft standard. In addition, the EUMS suggest the following amendments to the text on processing aids:

Add the title "**Processing aids**" under section 4 on Food Additives for the sake of clarity and in accordance with the provisions of the Procedural Manual.

Safe and suitable processing aids **could be used** including **acidity regulators used substances changing the pH** to improve process efficiency such as flux rates and preventing fouling in product streams.

For the sake of clarity and consistency, the EUMS suggest using the term “substances changing the pH” rather than “acidity regulators”. "Acidity regulators" is a functional class of food additives which might lead to confusion on whether the text refers to food

additives or processing aids. The EUMS do not support the use of acidity regulators as food additives.

- **Section 3.3: Composition**

The EUMS are of the opinion that the values mentioned in this Section 3.3 are decisive to guarantee the quality of the products covered by this Standard.

- **Section 4: Food additives**

The EUMS strongly believe that no food additives should be used for the products covered by this Standard. The EUMS are of the view that the use of "anti-caking agents" is neither justified nor necessary for the manufacture of these products. By applying the right technology to lactose crystallization, dairy permeate powders can be produced without the need to use any food additives. In the view of the EUMS a clear demonstration of the technological need of anticaking agents has not been provided for the use of these food additives. It should be noted that Food Category 01.5 of the GSFA (Milk powder and cream powder and powder analogues (plain)) does not exactly correspond to the products in this standard. The EUMS would therefore like to propose deletion of the current text in the draft standard and replace it by the following text:

No additives are permitted for use in the products covered by this Standard.

As indicated under section 3.2, the proposed text on processing aids should be included under this section as follows:

Processing aids

Safe and suitable processing aids **could be used** including ~~acidity regulators~~ **used substances changing the pH** to improve process efficiency such as flux rates and preventing fouling in product streams.

- **Section 7.1: Name of the food**

The EUMS consider that the second paragraph of this subsection should be deleted. The name of the products should be in accordance with the products as described in section 2 of this Standard.

Where appropriate in the country of sale, the name may be replaced by the designation lactose rich deproteinized-----powder, the blank being filled with the term, dairy, whey or milk, as appropriate to the nature of the product.