

10/06/2021

**European Union comments on
Codex Circular Letter CL 2021/23-FA**

**Request for the comments on endorsement and/or revision of maximum
levels for food additives and processing aids in codex standards**

*Mixed Competence
European Union Vote*

The European Union and its Member States (EUMS) would like to provide the following comments:

CX/FA 21/52/5

Suggestion to refer the provisions submitted by CCPFV for consideration by the EWG on alignment (see CL 2021/23-FA, para 4)

The EUMS take note that Annex I to CX/FA 21/52/5 includes several CCPFV standards for which the general reference to the GSFA is proposed, while the provisions currently contained in those standards have not been aligned with the GSFA. The provisions in the commodity standards, which differ from the adopted GSFA provisions (i.e. either are not present in the GSFA or are present but at different MLs), are outlined in Annexes II, III and IV to CX/FA 21/52/5 and it is suggested that CCFA considers those provisions and makes corresponding changes to the GSFA.

The EUMS note that the usual sequence of the steps is to first align the commodity standards with the GSFA and then to replace the lists of individual food additive provisions with the general references to the GSFA. The EUMS observe that Notes 13, 15 and 17 in CX/FA 21/52/5 lay down the following: *“The general reference to the General Standard for Food Additives (CXS 192-1995) is applicable only if CCFA has agreed to the proposal presented in annex...(II, III and IV).”*.

The EUMS could support that the inconsistencies between the provisions in the CCPFV standards and the GSFA are addressed by the CCFA EWG on alignment. However, the alignment will not be done before CCFA53¹. Therefore, it seems appropriate that the new food additive sections of the CCPFV standards, as outlined in CX/FA 21/52/5, are endorsed only at the same CCFA session where the corresponding amendments to the GSFA are discussed. Otherwise, until the alignment is completed, the food additive provisions currently laid down in the CCPFV standards, which are not captured in the GSFA, would disappear from the adopted Codex texts.

¹ CL 2021/23-FA para 4 proposes to refer this matter for consideration by the EWG on alignment established by CCFA52.

CX/FA 21/52/5 Add.1

DRAFT STANDARD FOR DRIED ROOTS, RHIZOMES AND BULBS — DRIED OR DEHYDRATED GINGER

The EUMS take note of the information provided by CCSCCH as regards the use of INS 529 calcium oxide and INS 220 sulfur dioxide in dried and dehydrated ginger in para 63, REP21/SCH:

“Calcium oxide and sulfur dioxide were used as “processing aids” in dried and dehydrated ginger for bleaching purposes, and taking into account the explanation by the Codex Secretariat that in the PM, processing aids were listed under food additives, and thus decided to transfer the substances to Section 4 Food Additives from Annex I;”

Whilst in para 36 of REP19/SCH CCSCCH clarified that calcium oxide and sulfur dioxide are used as bleaching agents, no further clarification on the rationale why those substances should be considered processing aids is provided in REP21/SCH.

The EUMS note that a ‘bleaching agent’ is one of the recognised functional classes of food additives in Codex defined as *“a food additive (non-flour use) used to decolourize food. Bleaching agents do not include pigments.”*². There is an adopted food additive provision for sulfites in the corresponding GSFA food category - FC 12.2.1 ‘Herbs and spices’. The GSFA Maximum Level is 150 mg/kg, i.e. the same level, which is reported by CCSCCH for sulfur dioxide used as a bleaching agent in dried or dehydrated ginger. In addition, several Codex commodity standards recognise the food additive use of bleaching agents (e.g. CXS 145-1985, 240-2003).

In the EU, the use of sulfur dioxide-sulfites (INS 220-228) in herbs and spices is allowed for cinnamon only.

The EUMS are of the view that these two food additive uses should not be classified as processing aids.

² CXG 36-1989