14/02/2025

European Union comments on

Codex Circular Letter CL 2025/01-FA

Request for comments at step 3 on the proposed draft specifications for the identity and purity of food additives arising from the 99th JECFA meeting

European Union Competence
European Union Vote

In reply to CL 2025/01-FA, the European Union (EU) would like to provide the following comments:

The EU takes note of the revised specifications for INS 475 prepared at the 99th JECFA (2024) and published in FAO JECFA Monographs 34 (2025) which require the use of edible food grade precursors and raw materials prepared in a manner consistent with the Codex Alimentarius "Code of Practice for the Reduction of 3-Monochloropropane-1,2- Diol Esters (3-MCPDEs) and Glycidyl Esters (GEs) in Refined Oils and Food Products Made with Refined Oils" (CXC 79-2019) to mitigate the occurrence of contaminants.

The EU would like to inform that the specifications in the EU for the food additive polyglycerol esters of fatty acids (E 475) were amended in June 2023[1] in accordance with the scientific opinions of the European Food Safety Authority (EFSA)[2] to reduce the potential exposure to impurities from the use of E 475 in food.

The definition of the food additive (E 475) was amended in order to restrict the use of glycerol in the production of E 475 to glycerol compliant with the specifications for the food additive (E 422).

The existing limits for toxic elements (lead, arsenic, cadmium and mercury) were reduced on the basis of the occurrence data submitted by the interested business operators in reply to an open public call of data[3].

Maximum limits for impurities and constituents ((3-MCPD, glycidyl fatty acid esters and erucic acid) of safety concern were established taking into account the level which is currently achievable by the application of good manufacturing practices.

In the EU's view, the maximum limits for toxic elements, impurities and constituants of safety concern should be established based the lowest technologically achievable levels in the commercial food additive reported by business operators to reduce the potential exposure to these impurities from the use of E 475 in food.

[1] http://data.europa.eu/eli/reg/2023/1329/oj

[2] EFSA Journal 2017;15(12):508 ; EFSA Journal 2022;20(5):7308

[3] Re-evaluation - European Commission

The EU is thus of the opinion that the following Maximum Limits should be used for the specifications of INS475:

- Lead: Not more than 0,3 mg/kg instead of 0,5 mg/kg
- Arsenic: Not more than 0,1 mg/kg instead of 0,2 mg/kg
- Cadmium: Not more than 0,1 mg/kg instead of 0,2 mg/kg
- Mercury: Not more than 0,1 mg/kg instead of 0,5 mg/kg
- Sum of 3-monochloropropanediol (3-MCPD) and 3-MCPD fatty acid esters, expressed as 3-MCPD: Not more than 2,5 mg/kg
- glycidyl fatty acid esters expressed as glycidol: Not more than 5 mg/kg
- erucic acid: Not more than 2 %