European Union Comments

CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES

41st Session

Düsseldorf, Germany

24 – 29 November 2019

AGENDA ITEM 5 b)

Proposed Draft Guidelines for Ready-to-use Therapeutic Foods (at Step 3) (CX/NFSDU 19/41/6)

European Union competence
European Union vote

General comments

The European Union (EU) would like to thank South Africa, Senegal and Uganda for their work on document CX/NFSDU 19/41/6.

The EU is pleased that the comments it provided in the eWG were taken into account in the document. As explained in previous occasions, the EU supports the work on these guidelines on ready-to-use therapeutic foods (RUTF). Its main concern was to make sure that no doubts exist in the guidelines on the status of RUTF as food for special medical purposes, covered by CODEX Standard 180-1991, and that the language used in the guidelines follows the one used in the Standard on food for special medical purposes. The EU considers that the text proposed by the Chairs adequately addresses the EU concerns.

Specific comments on the recommendations

Recommendation 1 (Table 1)

In the EU's view RUTF should be considered as foods for special medical purposes. Taking that into account the EU could agree with all those additives in table 1 of CX/NFSDU 19/41/6 that are currently permitted in FSMP for infants (i.e. in the GSFA food category 13.1.3) and for which an appropriate technological justification for the use in RUTF is provided. However, the EU would be hesitant to accept food additives that are not specifically permitted for use in FC 13.1.3.
The EU considers that as older infants are the most vulnerable group, the strictest regulations of food category 13.1, i.e. FSMP for infants, should be applied to all RUTF. Otherwise, it might be necessary to develop different requirements for older infants and for children from 12 to 59 months, respectively.
The EU agrees with the proposal of the eWG to use the list of food additives in table 1 as the basis for further discussion on additives in RUTF in the forthcoming session of CCNFSDU.

Recommendation 2 (Seeking advice from CCFA)

The EU can support consulting CCFA as regards the appropriate categorization of RUTF within the GSFA food category system to determine the best means of providing for the use of food additives in these products.
In the EU's view, there is no "perfect" match between RUTF and any particular single GSFA FC, which may implies a potential need for the revision of the GSFA food category system in order to accommodate RUTF products. However, at the same time the EU notes that the GSFA refers to Codex standards (Annex C of the GSFA) and not to Codex Guidelines documents.
The EU does not agree that FC 13.3 is the right corresponding GSFA food category. FC 13.3 is not aimed at infants and young children and it allows many food additives including colours, sweeteners and all Table 3 additives that would not be appropriate for foods intended for infants and young children. Taking the most vulnerable group into account the EU believes that the food additive provisions for FC 13.1.3 should be considered as the most relevant for the RUTF.

Recommendation 3 (Carry-over of additives and carriers)

The EU agrees in general with the recommendation.
The EU appreciates the changes made in the second consultation paper, which improve the clarity as regards the provisions for carry-over related to RUTF. The EU has only a few editorial comments as outlined below:

*"Only the food additives listed in this Section or in the Advisory List**s** of Nutrient Compounds for Use in Foods for Special Dietary Uses Intended for Infants and **Young** Children (CAC/GL 10-1979) may be present in the foods described in section ~~2~~**4**.1 of this **Guideline** ~~Standard~~.* ***Other than by direct addition, an additive may be present in a food*** *as a result of carry-over from a raw material or other ingredient (including food additive) used to produce the food, subject to the following conditions:*

a) The additive…."

Recommendation 4 (Minimum and maximum values for protein + protein quality)

As regards recommendation 4.1., the EU agrees to the proposed protein values for RUTF as discussed and agreed in the pWG 2018.

As regards recommendation 4.2 on protein quality, the EU welcomes the proposed text that reflects well the recommendations of the FAO Expert Working Group.

As regards the proposal to retain a reference to "RUTF formulations containing a minimum of 50 % of protein from milk products" in the text, the EU can support it.

Recommendation 5 (Processing technologies)

The EU agrees with this recommendation.