

European Union Comments
CODEX COMMITTEE ON FOOD ADDITIVES

Forty-Eight Session

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AGENDA ITEM 5(f)

PROPOSED DRAFT REVISION OF FOOD CATEGORY 01.1 “MILK AND DAIRY-BASED DRINKS” AND ITS SUB-CATEGORIES

(CX/FA 16/48/12)

European Union Competence
European Union Vote

The European Union (EU) would like to thank New Zealand for chairing the electronic Working Group and developing the discussion paper.

General comments

The EU appreciates the work of the eWG on the revision of the structure of food category 01.1 and its sub-categories. The EU would like to highlight that according to the project document the purpose and the scope of the new work is to revise the food categories and descriptors of food category 01.1 (Milk and dairy-based drinks) and its subcategories of the General Standard for Food Additives (GSFA) **to resolve the issue regarding the correct placement of certain dairy products.**

Therefore, the EU supports the proposed establishment of a new subcategory which would address the issue of correct placement of certain dairy products (e.g. reconstituted and recombined milk) taking into account a specific need for food additives as advocated by some Codex Members. However, in the EU's view some of the proposed revisions go further to what it is necessary in order to fulfil the purpose and scope of the approved new work. Furthermore, the EU considers that they do not improve clarity of the GSFA (see specific comments below). In those cases the EU recommends to stick to the previously agreed and adopted text.

Comments on Annex 1 to CX/FA 16/48/12

Note: The text below already includes the revisions suggested in Annex 1 to CX/FA 16/48/12. New text proposed by the EU is presented in **bold and underlined font**; deletion in ~~strike through~~ font.

PART I Food Category System

Revised system as proposed in Annex 1 to CX/FA 16/48/12

The EU takes note that the word “*fluid*” is proposed for inclusion in the title of category 01.1 and subcategories 01.1.1, 01.1.2 and 01.1.4. The EU wonders whether it is necessary taking into account that such word is already included in the descriptors. If the Committee considers that the word “*fluid*” should be indicated in the titles then the EU would like to request clarification on why the same term was not proposed for subcategory 01.1.3 Buttermilk.

The EU **does not support** the proposed revision of the title of category 01.1.2 to **01.1.4 Flavoured fluid milk**. The EU considers that it does not improve clarity of what is covered by that category. Especially, it could have consequences for the categorization of Drinks Based on Fermented Milks (i.e. products in the international trade) which are currently unambiguously reflected in the title of category 01.1.2. Therefore, the EU suggests keeping the current title “Dairy-based drinks, flavoured and/or fermented”.

Revised System which includes the EU's comments

01.1 Milk and dairy based drinks

01.1.1 Milk and buttermilk (plain)

01.1.1.1 Milk (plain)

01.1.1.2 Buttermilk (plain)

~~01.1.2 Dairy based drinks, flavoured and/or fermented (e.g. chocolate milk, cocoa, eggnog, drinking yoghurt, whey based drinks)~~

01.1 Milk **and buttermilk (plain)**; and dairy-based drinks

01.1.1 Milk (plain) [currently 01.1.1.1]

01.1.2 Other milk (plain) [new subcategory]

01.1.3 Buttermilk (plain) [renumbered - currently 01.1.1.2]

01.1.4 Dairy-based drinks, flavoured and/or fermented (e.g. chocolate milk, cocoa, eggnog, drinking yoghurt, whey-based drinks) [currently 01.1.2]

Rationale: The proposed revision addresses the correct placement of certain dairy products by establishing the new subcategory 01.1.2 and keeps the titles of other categories unchanged. In addition, the EU proposes to include “buttermilk” in the title of parental category 01.1 to properly reflect its subcategories.

PART II Food Category Descriptors

01.0 Dairy products and analogues, excluding products of food category 02.0

The EU does not agree with the proposed revision of category 01.0. The EU would like to stress that the revision of category 01.0 is clearly out of the scope of the new work as endorsed by the Codex Alimentarius Commission.

In addition, the EU considers that the proposed revisions are not necessary. The current text is satisfactory and permits the use of non-dairy ingredients including food additives in plain products if allowed according to the GSFA and other standards.

01.1.1 Milk (plain)

The EU proposes the following wording of the descriptor for category 01.1.1:

Plain fluid milk obtained from milking animals (e.g. cows, sheep, goats, buffalo). ~~Milk is usually heat-treated by~~ **that has been processed. Includes** pasteurized, ultra-high temperature (UHT) treated, or sterilized **and homogenised** skim, part-skim, low-fat and whole milk.

Rationale: The EU is of the view that skim, part-skim, low-fat and whole milk should be listed as examples.