European Union comments on
Codex Circular Letter CL 2012/5-FA
Report of the Forty-fourth Session of the Codex Committee on Food Additives (REP12/FA)

PART A – MATTERS FOR ADOPTION BY THE 35TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

The European Union (EU) would like to submit the following comments:

1) The EU does not support the adoption of the provisions for Caramel III (INS 150c) and Caramel IV (INS 150d) due to safety concerns (anticipated dietary exposure may exceed the ADI) and request that this reservation is included in the report of the CAC. Further information on the EU’s concerns in relation to these food additives are in the Scientific EFSA Opinion 1 (Scientific Opinion on the re-evaluation of caramel colours (E 150 a, b. c. d) as food additives).

2) The EU does not support the use of colours in food categories related to cocoa based confectionary products as this could mislead consumers. Therefore, the EU would like to introduce a reservation to the adoption of the following provisions and requests that it is included in the report of the CAC:

- CAROTENES, BETA-, VEGETABLE (INS 160a(ii) beta-Carotenes, vegetable)
  - 05.1.3 Cocoa-based spreads, including fillings 100 mg/kg
  - 05.1.4 Cocoa and chocolate products 100 mg/kg

GRAPE SKIN EXTRACT (INS 163(ii) Grape skin extract)
  - 05.1.3 Cocoa-based spreads, including fillings 200 mg/kg
  - 05.1.4 Cocoa and chocolate products 200 mg/kg

3) The EU does not support the adoption of the provision for para-hydroxibenzoates (INS 214 Ethyl para-hydroxybenzoate / INS 218 Methyl para-hydroxybenzoate) in food category 04.1.2.5 (jams, jellies and marmelades) (250 mg/kg) as these food additives are not technologically justified other than in low sugar versions of this food category. The EU would like to request that this reservation is included in the report of the CAC 35.

4) The EU does not support the adoption of the provision for sorbates (INS 200 Sorbic acid, INS 201 Sodium sorbate, INS 202 Potassium sorbate, INS 203 Calcium sorbate)

in food category 04.1.2.5 (jams, jellies and marmalades) (1000 mg/kg) as these food additives are not technologically justified other than in low sugar versions of this food category. The EU would like to request that this reservation is included in the report of the CAC 35.

5) The EU is of the opinion that provisions of phosphates for the following food categories (FC) should be discontinued:

- 14.1.2.2 Vegetable juice 1000 mg/kg
- 14.1.2.4 Concentrates for vegetable juice 1000 mg/kg
- 14.1.3.2 Vegetable nectar 1000 mg/kg
- 14.1.3.4 Concentrates for vegetable nectar 1000 mg/kg

The justification is the following: at the CCFA 44 it was decided to discontinue work on the provisions for sorbates in these four food categories. The technological justification for the use of phosphates in these food categories is to enhance the effectiveness of benzoates and sorbates (note 40: INS 451i (pentasodium triphosphate) only, to enhance the effectiveness of benzoates and sorbates). As there are no provisions in the GSFA for benzoates and sorbates in these food categories, the EU considers that the use of phosphates is not longer justified.