

**5<sup>TH</sup> Session of the Codex Committee on  
Milk and Milk Products**

**April 8 – April 12, 2002  
Wellington, New Zealand**

**Draft United States Position Paper**

**Public Meeting Sponsors:**

**United States Department of Agriculture  
Agricultural Marketing Service  
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**United States Department of Health and Human Services  
Food and Drug Administration**

Room 3501 – South Agriculture Building  
United States Department of Agriculture  
14<sup>th</sup> Street and Independence Avenue  
Washington, DC

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## CX/MMP 02/2

### Matters Referred to the Committee by the Codex Alimentarius Commission and Other Codex Committees

The Committee will consider matters referred to it by the 24<sup>th</sup> Session of the Commission and other Committees, except those considered under separate Agenda Items.

#### Codex General Standard for the Use of Dairy Terms - filled milk

#### NOTES CONCERNING FILLED MILK

At the 47<sup>th</sup> session, the Executive Committee noted the concern expressed by the Representative of Asia on the use of the term "filled milk" which was not allowed under the Codex General Standard for the Use of Dairy Terms (GSUDT) and therefore could cause problems in trade in such products. The Executive Committee requested the next session of the Committee on Milk and Milk Products to re-examine the matter.

#### *Draft United States Position:*

*In the United States the term "filled milk" can only be used with an added qualifier that accurately describes what the product is. For example, a product which is called "filled milk" must be further qualified such as the following:*

*Filled Milk – Evaporated Skimmed Milk with Vegetable Fat*

*The United States supports discussion to investigate ways to resolve the use of the term "filled milk."*

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**Codex Guidelines for the Preservation of Raw Milk  
By Use of the Lactoperoxidase System**

**NOTES CONCERNING THE LACTOPEROXIDASE SYSTEM:**

As a result of field level presentations, feedback from country standards and food regulation bodies, and in consultation with the Group of Experts of the FAO led Global Lactoperoxidase Program, a number of improvements in the guideline are suggested for consideration by the Milk Committee. The proposed amendments are primarily suggested to facilitate the use of these methods of raw milk preservation.

**Draft United States Position:**

*The United States supports the proposed amendments to the “Guidelines for the Preservation of Raw Milk by use of the Lactoperoxidase System.” The U.S. supports the Guidelines for use when refrigeration is not feasible and only for use when the milk or milk products are not intended for international trade. The U.S notes that once amended, the guidelines will also need to be forwarded to the Codex Committee on Food Hygiene for their endorsement.*

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**The Committee is also invited to take note of the following:**

**Consideration of the Draft Strategic Framework, Proposed Draft Medium Plan  
2003-2007 and the Chairperson’s Action Plan**

- The adoption of the Draft Strategic Framework by the 24<sup>th</sup> session of the CAC.
- The plan will be submitted to the 50<sup>th</sup> session of the Executive Committee for review and then to governments and interested international organizations for comments.

## **Risk Analysis Policies of the Codex Alimentarius**

- The 24<sup>th</sup> session of the CAC confirmed its initial mandate to the Committee on General Principles to complete the principles for risk analysis within Codex as a high priority, with a view to their adoption in 2003.

## **Consideration of Proposed Draft Standards and Related Texts**

- Decisions of the 24<sup>th</sup> Session of the CAC

## **Proposed Draft Code of Hygienic Practice for Milk and Milk Products**

- The revised code will be circulated for further comments at Step 3 before the next session of the Committee

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## **Agenda Item 3 (a)**

### **CX/MMP 02/3**

#### **Proposed Draft Revised Standard for Creams, Whipped Creams, and Fermented Creams**

The Committee should consider at Step 7 the Proposed Draft Revised Standard for Creams, Whipped Creams and Fermented Creams.

**General Statement on the Proposed Draft Standard for Creams**

**GENERAL NOTES ON THE PROPOSED DRAFT STANDARD FOR CREAMS**

At the 4<sup>th</sup> session of CCMMP, the Committee agreed to advance the Proposed Draft Standard to Step 5 for adoption by the 47<sup>th</sup> session of the Executive Committee. It requested IDF to redraft the text taking into consideration discussions, written comments submitted to, and oral arguments made at the 4<sup>th</sup> Session and comments submitted at Step 6 after adoption by the Executive Committee.

**Draft United States Position:**

*The U.S. supports the advancement of the Proposed Draft Revised Standard for Creams, Whipped Creams and Fermented Creams to Step 7 pending resolution of issues related to scope, description, raw materials, permitted ingredients, food additives, and name of the food.*

**Scope**

**NOTES ON THE SCOPE:**

At the 4<sup>th</sup> Session of CCMMP, the Committee agreed to place the term “or further processing” in square brackets. The “or further processing” was placed in square brackets because four delegations (including the U.S.) had requested the deletion of industrial creams from the scope. The concerns were primarily due to ingredients, food additives and labeling. These concerns have been addressed in the revised draft standard by providing a clear separation between (i) the raw material “cream”, (ii) its reconstituted, recombined counterparts and (iii) prepared creams - final cream products obtained by subjecting creams to further processing/ treatment to prepare it for direct consumption and/or to obtain other cream products

**Draft United States Position:**

*The U.S. recommends removing the square brackets and revising the sentence to read as follows:*

*“This Standard applies to cream and prepared creams for direct consumption or further processing as defined in Section 2 of this standard.”*

Description

**2.4.2 WHIPPING CREAM:**

**NOTES ON 2.4.2 – WHIPPING CREAM**

It should be noted that whipping cream is used as ingredients in other foods (e.g. bakeries). Therefore, restricting the definition of “whipping cream” to products intended for whipping “by the final consumer” (the text in square brackets) is not appropriate.

**Draft United States Position:**

*The U.S. supports the recommendation to delete the text between the brackets and recommends that the first sentence of section 2.4.2 read as follows:*

*Whipping Cream is the fluid cream, reconstituted cream and/or recombined cream that is intended for whipping.*

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**THICKENED CREAM:**

**NOTES ON THICKENED CREAM**

According to an IDF survey, “thickened Cream” is not a standardized term among countries. Other defined products in the standard already cover the various meaning of the term.

**Draft U.S. Position:**

*The U.S. supports the removal of thickened cream from the standard.*

**2.4.5 FERMENTED CREAM:**

**NOTES ON FERMENTED CREAM:**

The word “specific” does not make sense in a general definition as they refer to specific sub-categories of fermented products.

**Draft U.S. Position:**

*The U.S. supports the recommendation to replace “specific” with “suitable” in section 2.4.5.*

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**2.4.6 ACIDIFIED CREAM:**

**NOTES ON ACIDIFIED CREAM**

At the 4<sup>th</sup> session, the Committee put the term in square brackets and agreed to include a definition for acidified cream subject to development.

**Draft U.S. Position:**

*The U.S. supports the removal of the brackets and the definition for Acidified Cream included in the recommended definition.*

Raw Materials

NOTES ON RAW MATERIALS:

Reconstitution does not include the addition of butter and milk fat products. Secondly, in the U.S., buttermilk is not allowed in creams and prepared creams.

*Draft United States Position:*

**Comment 1:**

*The U.S. recommends separate categories for reconstituted and recombined creams and that this section be revised as follows:*

*3.1.1 In addition to 3.1, for creams made by reconstitution*

*Milk powders, cream powders and potable water*

*3.1.2 In addition to 3.1, for creams made by recombination*

*Butter, milk fat products, milk powders, cream powders and potable water*

**Comment 2**

*The U.S. recommends deleting the 3<sup>rd</sup> heading to exclude the use of buttermilk in all creams and prepared creams.*

Permitted Ingredients

NOTES ON SODIUM CHLORIDE:

Sodium chloride is justified for use in fermented and acidified creams.



**Draft United States Position:**

*The U.S. supports the removal of the brackets around sodium chloride for fermented cream and acidified cream.*

**Food Additives**

**NOTES ON FOOD ADDITIVES:**

In the U.S., addition of stabilizers and emulsifiers are allowed regardless of the type of heat treatment or fat level.

**Comment 1**

*The U.S. recommends (1) removing all the brackets in the food additives table (2) retitling the “commercial sterilization” column to “Pasteurized Products heated above 89° C and Commercial Sterilization” and (3) deleting the last sentence of the definition of “commercial sterilization” in the footnote.*

**Comment 2**

*The U.S. recommends that, once the Codex Committee on Food Additives and Contaminants has completed their work on the Codex General Standard for Food Additives (GSFA), the specific food additive information included in this standard be deleted and a reference made to the GSFA be added to provide additive specific information.*

**Name of the Food**

**NOTES ON NAME OF THE FOOD:**

In the U.S. the minimum fat level for acidified and cultured creams is 18%. A separate reference level would allow for labeling descriptors for lower fat products more consistent with what is already in use in the U.S. market.

**Draft United States Position:**

*The U. S. recommends including a separate reference level of 18% for Fermented Cream and Acidified Cream and removing the brackets to revise the last sentence of 7.1.2 as follows:*

*“ For this purpose only, the level of 30 % milkfat constitutes the reference fat for creams described in section 2.1 through Section 2.4.4 and the level of 18 % milkfat constitutes the reference fat for creams described in Section 2.4.5 and 2.4.6.”*

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**Agenda Item 3 (b)**

**CX/MMP 02/4**

**Proposed Draft Revised Standard for Fermented Milk Products**

The Committee should consider at Step 7 the Proposed Draft Revised Standard for Fermented Milk Products.

**General Statement**

**GENERAL NOTES ON THE DRAFT REVISED STANDARD FERMENTED MILK PRODUCTS:**

At the 4<sup>th</sup> session of CCMMP, the Committee agreed that there would be one standard that covered fermented milks provided that the denomination of heat-treated products was appropriately addressed in the labeling section. It also agreed to include composite products and “mild yogurt”. The Committee agreed to advance the Proposed Draft Standard to Step 5 for adoption by the 47<sup>th</sup> session of the Executive Committee. It requested IDF to redraft the text taking into consideration discussions, written comments submitted to, and oral arguments made at the 4<sup>th</sup> Session and comments submitted at Step 6, after adoption by the Executive Committee.

**Agenda Item 3 (b)  
Continued**

**Draft United States Position:**

*The United States supports the adoption of the Proposed Draft Standard for Fermented Milks at Step 7 pending resolution of issues concerning flavored fermented milks, permitted ingredients, composition, additives and the name of the food.*

**Fermented Milk**

**NOTES ON FERMENTED MILK:**

At the 4<sup>th</sup> session the Committee had an exchange of views on when the count of viable microorganisms specific to individual products should be controlled. It was generally agreed that it would be impossible to control microbial counts at the time of consumption. The committee agreed to include the following three options in square brackets: at the date of minimum durability; at the point of sale to the consumer; and at the time the product leaves the manufacturer.

Normally, identity standards apply whenever the products are subject to sale. Consequently, it would be consistent with all other identity standards that the criteria apply as long as the product is subject to sale. “To the date of minimum durability” would be consistent with other identity standards criteria.

**Draft United States Position:**

*Paragraph 1, second sentence, from the three options included, the U.S. supports the recommendation to remove the brackets and revise the second sentence of as follows:*

*“These starter microorganisms shall be viable, active and abundant in the product to the date of minimum durability.”*

**Agenda Item 3 (b)  
Continued**

## Flavored Fermented Milk

### NOTES ON FLAVORED FERMENTED MILKS:

At the 4<sup>th</sup> Session several delegations proposed that the maximum level of non-dairy ingredients in composite fermented milk products should be 50 % to reflect the products in the market or in compliance with the General Standards for the Labeling of Prepackaged Foods and for the use of Dairy Terms. However a number of delegations supported the retention of the current level of 30 %. The Committee agreed to include all options in square brackets.

The level of 50 % is consistent with U.S. national legislation.

#### *Draft United States Position:*

*Paragraph one, sentence one, the U.S. supports the recommendation to remove the square brackets and that the maximum allowable non-dairy ingredients in flavored fermented milks are established at 50 % (w/w).*

## Permitted Ingredients

### NOTES ON PERMITTED INGREDIENTS:

In the United States Gelatine and Starches can be used in both fermented milks and flavored fermented milks.

#### *Draft United States Position:*

*The U.S. recommends removing the 3<sup>rd</sup> bullet and rewrite section 3.2 as follows:*

- *Starter cultures of harmless micro-organisms including those specified in Section 2;*
- *Sodium chloride;*

Agenda Item 3 (b)  
Continued

- *Gelatine and Starches: These substances can be used in the same function as stabilizers, provided they are added in only amounts functionally necessary as governed by Good Manufacturing practice taking into account any use of stabilizers/thickeners listed in section 4. These substances may be added before or after adding flavorings.*
- *Non-dairy ingredients as listed in Section 2.3 (Flavored Fermented Milks).*

## Composition

### NOTES ON COMPOSITION

To the date of minimum durability would be more consistent with other standards identity criteria. The criteria apply whenever the products are subject to sale.

#### *Draft United States Position:*

*From the three options included in the “Draft Revised Standard for Fermented Milks”, the U.S. supports the recommendation to remove the brackets and revise section 3.3 as follows:*

*“In Flavored Fermented Milks the above criteria apply only to the fermented milk part of the product. The microbiological criteria (based on the proportion of fermented milk product) are valid up to the date of minimum durability. This requirement does not apply to products heat-treated after fermentation.”*

## Food additives

### NOTES ON FOOD ADDITIVES:

In the U.S., firming agents, and stabilizers and thickeners are allowed in all categories of

**Agenda Item 3 (b)  
Continued**

fermented milks and heat-treated milks after fermentation.

**Draft United States Position:**

**Comment 1**

*The U.S. recommends that the standard provide for the use of the following classes of additives in all categories of fermented milks and fermented milks heat-treated after fermentation:*

- *Firming agents*
- *Stabilizers*
- *Thickeners*

**Comment 2**

*The U.S. would like to provide the following information for consideration by the Committee.*

*The U.S. notes that the following food colors require certification by the U.S. Food and Drug Administration. The use of non-certified colors in foods is a violation under U.S. law.*

<b>INS No.</b>	<b>Color</b>	<b>FD&amp;C Certification No.</b>
102	Tartrazine	FD& C Yellow No. 5
110	Sunset Yellow FCF	FD&C Yellow No. 6
127	Erythrosine	FD&C Red No. 3
129	Allura Red	FD&C Red No. 40
132	Indigotine	FD& C Blue No.2
133	Brilliant Blue FCF	FD&C Blue No. 1
143	Fast Green FCF	FD&C Green No. 3

*The U.S. also notes that the following colors are unapproved for use in foods sold in the U.S. Foods containing these colors are deemed adulterated when sold in the U.S.*

<b>INS No.</b>	<b>Color</b>
104	Quinoline Yellow
123	Amaranth
124	Ponceau 4R
128	Red 2G
151	Brilliant Black PN

*In the U.S. the above colors are considered to have public health safety concerns.*

### **Comment 3**

*The U.S. recommends that, once the Codex Committee on Food Additives and Contaminants have completed their work on the Codex General Standard for Food Additives (GSFA), the specific food additive information included in this standard be deleted and a reference made to the GSFA be added to provide additive specific information.*

Name of the Food

#### **NOTES ON NAME OF THE FOOD:**

At the 4<sup>th</sup> session, the Committee had an extensive exchange of views concerning the labeling of products heat-treated after fermentation. In order to arrive at consensus, the Committee agreed to add the following:

“If the consumer would be misled by this name, the product shall be labeled in a manner permitted by national legislation in the country of sale to the final consumer. When there is no legislation in the country of sale, the product shall be labeled ‘Heat – Treated Fermented Milk’” The Committee decided to place both sentences in square brackets.

#### **Draft United States Position:**

*The U.S. supports the recommendation to remove the brackets in section 7.1.2. The paragraph would then read as follows:*

*"Products obtained from fermented milk (s) heat-treated after fermentation shall be named “Heat Treated Fermented Milk”. If the consumer would be misled by this name, the products shall be named as permitted by national legislation in the country of retail sale. In countries where no such legislation exists, the product shall be named “Heat Treated Fermented Milk”.*

Agenda Item 3 (c)

## CX/MMP 02/5

### Proposed Draft Revised Standard for Whey Powders

The Committee should consider at Step 7 the Proposed Draft Standard for Whey Powder.

#### **General Statement on the Proposed Revised Standard for Whey Powder**

#### **GENERAL NOTES ON THE PROPOSED REVISED STANDARD FOR WHEY:**

At the 4<sup>th</sup> session, the Committee agreed to advance the Proposed Draft Standard for Whey Powders to Step 5.

#### **Draft United States Position:**

*The United States supports the advancement of the Proposed Draft Standard for Whey Powders pending further discussion on composition, food additives and name of the food.*

#### **Composition**

#### **NOTES ON COMPOSITION:**

At the 4<sup>th</sup> session, varied proposals were made regarding the minimum milk protein levels for whey powder and acid whey powder. The Committee decided to place in square brackets a minimum protein level of 11 % for whey powder and a minimum level of 7% for acid whey powder. The Committee further decided to place in square brackets a new maximum milk fat level of 7 % and the current level of 2 % for whey powder and a new maximum ash level of 18 % and the current level of 15 % for acid whey powder.

In the U.S., titratable acidity (calculated as lactic acid) is included in national legislation.

#### **Draft United States Position:**



*The U.S. recommends including titratable acidity, removing the brackets and rewriting section 3.3 as follows:*

Whey Powder	Whey Powder	Acid
Maximum milkfat	2.0 % m/m	
Maximum ash m/m		15.0 %
PH (in 10 % solution) Or	> 5.1	≤ 5.1
Titratable Acidity (calculated as lactic acid)	< 0.35	≥ 0.35

**Food Additives**

**NOTES ON FOOD ADDITIVES:**

At the 4<sup>th</sup> session the Committee agreed to put the bleaching agent benzoyl peroxide (INS 525) in square brackets pending its evaluation by JECFA.

In the U.S. Benzoyl peroxide is commonly used as a bleaching agent for whey powder.

**Draft United States Position:**

**Comment 1**

*The U.S. supports inclusion of the following bleaching agents for use in whey powders:*

INS No.	Name of the food additive	Maximum level
	Bleaching Agents	
928	Benzoyl Peroxide	

G  
MP

**Agenda Item 3 (c)  
Continued**

## **Comment 2**

*The U.S. recommends that, once the Codex Committee on Food Additives and Contaminants have completed their work on the Codex*

*General Standard for Food Additives (GSFA), the specific food additive information included in this standard be deleted and a reference made to the GSFA be added to provide additive specific information.*

**Name of the Food**

### **NOTES ON NAME OF THE FOOD:**

At the 4<sup>th</sup> session, on the proposal to include the use of the term “sweet” for the denomination of whey powder with a pH above 6.2, it was pointed out that there was a need to define the term “sweet”. The Committee decided not to make reference to the term “sweet” at that time.

In response to comments received, the term “sweet whey” has been added to the revised draft standard. The term is commonly used in trade and reflects the current situation found in the marketplace.

### **Draft United States Position:**

*The U.S. recommends removing the brackets and revising the last sentence of section 7.1 to read as follows:*

*“ The term “sweet” can accompany the name whey powder, provided that the pH of the powder in 10 % solution exceeds 6.0 or at a titratable acidity of max 0.16 % (calculated as lactic acid), and with a minimum protein content of 11 % and a maximum ash content of 9%.”*

**ALINORM 01/11, APPENDIX IX****Proposed Draft Amendments to the Codex General Standard for Cheese****i. Composition “Minimum protein content in dry matter [6] % (m/m)****NOTES ON MINIMUM PROTEIN:**

At the 4<sup>th</sup> session, the Committee noted that the Commission, during the discussion of the Draft General Standard for Cheese at its 23<sup>rd</sup> Session had adopted the Draft Standard at Step 8 and requested the Milk Committee to consider the inclusion of a minimum level for protein. The delegation of Japan was of the opinion that for the facilitation of international food trade and consumer protection, a minimum protein level was necessary to provide for guidance on product identification. The Delegation recommended a minimum level of 6% in dry matter. The Committee generally supported the establishment of a minimum protein level. Some delegations felt that cheese could also be produced from cream and proposed an alternative level of 2% or a range of 2-6 % . The Committee felt that the range was too broad and agreed to use 6% as a tentative value for a minimum protein level.

**Draft United States Position:**

*The United States supports a minimum protein content in cheese in order to differentiate cheese from other high fat milk products. The U.S. also supports the position that the protein content be expressed on a mass “as is” basis, not as protein on a dry basis. The U.S. recommends that a decision on the minimum protein content for cheese be based on additional scientific evidence presented to the CCMP before advancing this document to step 5. Codex decisions are science-based and we need to have a clear scientific basis for this decision. At this time the U.S. is not certain as to what the minimum protein level should be and would prefer to examine the evidence that will be developed and presented to the CCMP.*

## ALINORM 01/11, APPENDIX X

### Proposed Draft Amendments to the Codex General Standard for Cheese

#### ii Appendix on cheese rind, surface and coating

##### *Draft United States Position:*

*The U.S. supports the inclusion of the Appendix on cheese rind, surface, and coating to the Codex General Standard for Cheese*

## CX/MMP 02/6

### Proposed Amendments to the Codex General Standard for Cheese Comments Submitted in Response to CL 2000/8 - MMP

#### [NOTES ON CL 2000/8 – MMP:](#)

This document provides comments received in response to CL 2000/8 – MMP on the proposed amendments to the Codex General Standard for Cheese. There were a limited number of comments received in response to this Circular Letter.

##### *Draft United States Position:*

*The United States did not provide recommendations in response to CL 2000/8.*

## Agenda Item 4 (c)

### CX/MMP 02/7 – part 1

#### Individual cheeses - Full report and recommendation

Report 1      Establishment of absolute minimum contents of fat in dry matter for individual cheese varieties

#### General Statements

##### Draft United States Position:

##### Comment 1

*a) The U.S. supports the pragmatic approach based upon market data as a tool to identify absolute minimum contents of fat in dry matter for the individual cheese varieties currently under consideration.*

##### Comment 2

*b) The U.S. supports the decision tree approach provided in establishing an absolute minimum contents of fat in dry matter for the individual cheese varieties currently under consideration.*

**Annex:      Analysis of data from 22 countries using the Market (decision tree) Approach**

##### Draft United States Position:

### **Comment 1**

*The U.S. recommends a minimum fat in dry matter of 0% for cottage cheese.*

### **Comment 2**

*The U.S. feels that the market approach should be used to establish the absolute minimum contents of fat in dry matter for cream cheese consistent with the approach to determine the absolute minimum contents of fat in dry matter for all the other individual cheese standards. Therefore, the U.S. recommends applying the market data approach, removing the brackets and that the absolute minimum fat content of cream cheese is established of 25 % w/w.*

### **Comment 3**

*Because of the significant interest in the international trade of Parmesan cheese. The U.S. supports the removal of the brackets and the establishment of a standard for Parmesan cheese.*

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### **Report 2**

### **Review of details in the individual cheese standards**

## **General Statement**

### **Draft United States Position:**

*The U.S. does not support that the guidance provided in Annex 1 be used to determine the details for inclusion in Codex cheese varietal standards. The primary purpose of Codex standards is to protect consumer health and ensure fair trading practices. We feel that varietal cheese standards should accurately describe unique or essential aspects, if any occur, of specific cheeses in order to facilitate trade and provide clear and accurate information to consumers. With so many different types of cheese with similar characteristics, it is impossible to develop a standard that describes the identity of a cheese so thoroughly that it can be differentiated from other cheese varieties on the market. The U.S. feels that any information not necessary to protect the consumer and ensure fair trading practices should not be included. Unnecessary information includes the shape, dimension, weight, color and rind of the cheese. Aging requirements should only be included when necessary to protect consumer health or when necessary to develop essential product characteristics (e.g., holes, mold development, etc.).*

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**Report 3**      **Redraft of the Proposed Standards for Individual Cheese Varieties**

*The U.S. comments to report 3 are included in our responses to CX/MMP 02/07-part 2 as follows:*

**Agenda Item 4 (b)**

**CX/MMP 02/7 – part 2**

**Proposed draft standards for individual cheese varieties**

The Committee should consider at Step 4 the Proposed Draft and Draft Revised Standard for various individual cheese varieties.

**General Statement on Proposed Individual Cheese Standards**

**GENERAL NOTES ON INDIVIDUAL CHEESE STANDARDS:**

At the 4<sup>th</sup> session, the Committee decided that IDF should consider the working group reports, written comments submitted and oral arguments at the session in the redrafting of the standards for individual cheeses. It was also understood that IDF might identify a series of principles related to these issues during the review process and that a full report and recommendation should be provided by IDF to the CCMP at the 5<sup>th</sup> session.

**Draft United States Position:**

*The U.S. supports the advancement of the Proposed Draft Revised Standards for Individual Cheeses pending resolution of common issues concerning composition and additive provisions and specific issues concerning individual cheese varieties.*

**Food Additives**

**NOTES ON FOOD ADDITIVES:**

Natamycin is a polyene macrolide and an antimycotic agent. The Joint FAO/WHO Expert Committee on Food Additives has assigned an ADI of 0.3 mg/kg as fungicidal preservative. However, it is equally effective against yeast and mold, but has no effect on bacteria. Several countries have approved its use on various foods. Natamycin has been used for over 30 years in providing extended shelf life to a variety of foods through the elimination of yeast and molds, and preclusion of mycotoxin development in foods.

In the U.S. pimaricin is commonly applied to the surface of the cheese or added during the kneading and stretching process of Mozzarella cheese.

**Draft United States Position:**

*The U.S. recommends that the CCMMP again refer the use of pimaricin in the “Draft Group Standard for Unripened Cheese Including Fresh Cheese” to the CCFAC for endorsement. The 24<sup>th</sup> CAC temporarily adopted a provision in the Codex General Standard for Food Additives for the use of pimaricin in Cheese analogues at 40 mg/kg for surface treatment. This level is equivalent to 2-mg/dm<sup>2</sup> surface application to a maximum depth of 5 mm*

<u>INS No.</u>	<u>Name of food additive</u>	<u>Maximum level</u>
<u>Preservatives (for cuts, sliced or shredded product)</u>		
235	Pimaricin (natamycin)	20 mg/kg applied to the surface of the cheese

*In addition, the U.S. recommends the inclusion of the following information in the Draft Codex Standard for Mozzarella Cheese.*

<u>INS No.</u>	<u>Name of food additive</u>	<u>Maximum level</u>
<u>Preservatives (for cuts, sliced or shredded product)</u>		
235	Pimaricin (natamycin)	20 mg/kg applied to the surface of the cheese or added during the kneading and stretching process



## Food Additives

### *Draft United States Position:*

*The U.S. recommends deletion of sodium nitrate and potassium nitrate from the list of preservatives in standards C3, C4, C5, C6, C7, C9, C11, C13 and C15.*

*We believe that the public health safety concerns associated with nitrates, such as the formation of nitrosamines in these products, outweigh any technological purpose for the use of nitrates in cheesemaking.*

*The U.S. notes that Beta-Apo-8'-Carotenoic Acid, Methyl or Ethyl Ester (INS 160f), Chlorophyll (INS 140), Chlorophylls, Cu-Complexes (INS 141i), and Chlorophyllins, Cu-Complex, Na & K Salts (INS 141ii) are not approved for use in foods sold in the U.S. Foods containing these colors are deemed adulterated when sold in the U.S.*

### **SPECIFIC ISSUES RELATING TO THE INDIVIDUAL STANDARDS FOR INDIVIDUAL CHEESE VARIETIES**

#### **PROPOSED DRAFT REVISED STANDARD FOR EMMENTAL (C-9)**

### Description

### *Draft United States Position:*

*The U.S. recommends that specific size, rind, and shape information either be deleted or moved to the Appendix.*

#### **DRAFT REVISED STANDARD FOR COTTAGE CHEESE (C-16)**

### Composition

### *Draft United States Position:*

*The U.S. recommends that there should be no minimum content of fat in dry matter for cottage cheese. Therefore, the U.S. recommends that section 3.3 be revised as follows:*

*Milk fat:*

*Minimum Content (m/m)*

*- Cottage Cheese*

*None*

**Name of the Food**

*Draft United States Position:*

*The U.S. recommends that the minimum fat content that constitutes the reference level should be 4 %. The value is correct in section 3.3 of the standard. The last sentence of 7.1 should read as follows:*

*“For the purpose of comparative nutritional claims, the minimum fat content of 4% fat constitutes the reference.”*

**PROPOSED DRAFT FOR CREAM CHEESE (C-31)**

**Composition**

**NOTES ON COMPOSITION**

In the U.S. the minimum fat level for cream cheese is 73 %. A 25 % minimum fat level would allow for reduced fat and light cream cheese.

*Draft United States Position:*

**Comment 1**

*The U.S. recommends applying the market data approach discussed in Report 1, removing the brackets and the absolute minimum fat content of cream cheese be established of 25 % w/w.*

**Comment 2**

*The U.S. recommends that the reference level for milk fat in cream cheese be established at 70%.*

**PROPOSED DRAFT STANDARD FOR CAMEMBERT (C-33)**

**Description**

*Draft United States Position:*

*The U.S. recommends that specific shape requirements in this section either be deleted or moved to the Appendix.*

**Essential Manufacturing Characteristics**

*Draft United States Position:*

*The U.S. recommends that the size and weight requirements contained in this section be moved to the Appendix.*

**Name of the Food**

*Draft United States Position:*

*The U.S. recommends that labeling requirements for “in a container” heat treatment as well as references to “Carre de Camembert” either be deleted or relocated in the Appendix.*

**PROPOSED DRAFT STANDARD FOR BRIE (C-34)**

**Description**

*Draft United States Position:*

*The U.S. recommends that the specific size and shape requirements contained in this section either be deleted or moved to the Appendix.*

**Essential Manufacturing Characteristics**

*Draft United States Position:*

*The U.S. recommends that the size and weight requirements contained in this section either be deleted or moved to the Appendix.*

**Name of the Food**

*Draft United States Position:*

*The U.S. recommends that labeling requirements for “in containers” heat treatment either be deleted or moved to the Appendix.*

**Agenda Item 4 (c)**

**CX/MMP 02/8**

**Proposed Draft Standard for Dairy Spreads**

The Committee should consider at Step 4 the Proposed Draft Standard for Dairy Spreads.

**General Statement on the Proposed Standard for Dairy Spreads**

**GENERAL NOTES ON THE PROPOSED DRAFT STANDARD FOR DAIRY SPREADS:**

At the 4th session of CCMMP, the Committee agreed to the recommendations of the working group to align the Proposed Draft Standard for Dairy Spreads with the Codex Standard for Butter as much as possible. It also agreed where necessary to align the Proposed Draft Standard with the Proposed Draft Standard for Fat Spreads and Blended Spreads being developed by the Codex Committee on Fats and Oils. Since an extensive review and redrafting was necessary, the Committee agreed not to consider the current text and requested IDF to redraft the proposed standard for circulation and comments at step 3 prior to the 5<sup>th</sup> Session.

**Draft United States Position:**

*The U.S. supports the advancement of the Dairy Spreads standard pending resolution of issues concerning the name of the food and declaration of fat content.*

**Name of the Food**

**Draft United States Position:**

*The U.S. recommends section 7.1 be rewritten as follows:*

*“The name of the food shall be Dairy Spreads. When the milkfat content is within the range included in 3.3, the name of the food may be Three-quarter fat butter or Half fat butter. The term “reduced fat butter” (or “light”) may be used to describe dairy spreads with a fat content below 61 %, but not together with the terms “three quarter” and “half”.*

*The designations and any qualifying terms should be translated into other languages in a non-misleading way and not necessarily word for word.*

*The products may be labeled to indicate whether they are salted or unsalted according to national legislation”*

**Declaration of Milk fat Content**

**Draft United States Position:**

*The U.S. recommends deleting the words contained in the brackets. Section 7.3 would*

*then read as follows:*

*“The milk fat content shall be declared in a manner found acceptable in the country of sale to the final consumer, either (i) as a percentage by mass, or (ii) in grams per serving as quantified on the label, provided that the number of servings is stated.”*

## Agenda Item 4 (d)

### CX/MMP 02/9

#### Comments submitted in response to CL 2001/20 – MMP Processed Cheese (Minimum Cheese Content)

#### NOTES ON CL 2001/20- MMP

At the 4<sup>th</sup> Session, the Committee agreed that the Codex Secretariat, in collaboration with France, the United States and IDF would prepare a circular letter to obtain information and data on minimum cheese contents in processed cheese as well as comments on the two alternative proposals recommended by the working group. It was also agreed that France, the United States and IDF would collate and present the information at the 5<sup>th</sup>

## Agenda Item 4 (e)

Session.

The document has not been made available for government review at this time.

### CX/MMP 02/10 – part 1

#### Products in which milk components are substituted by non-milk components

#### Comments submitted in response to CL 2001/16 - MMP

#### NOTES ON CL 2001/16 MMP:

CX/MMP 02/10 – part 1 is the compilation of government responses to CL 2001/16 – MMP - the Request for Comments on the Elaboration of a Standard for Products in Which Milk Components are Substituted by Non-Milk Components

**Draft United States Position:**

*The United States provided information on the production, consumption and trade of products in which milk components are substituted by non-milk components on September 26, 2001 in response to CL 2001/16 – MMP.*

**Agenda Item 4 (e)**

**CX/MMP 02/10 – part 2**

**Products in which milk components are substituted by non-milk components**

**NOTES ON PRODUCTS IN WHICH MILK COMPONENTS ARE SUBSTITUTED BY NON MILK COMPONENTS:**

At the 4<sup>th</sup> session, it was agreed that pending the approval of the Executive Committee, a drafting group consisting of Australia, Malaysia, New Zealand, Thailand and IDF would start work on the three proposed draft standards. The proposed draft standards prepared by the drafting group would be circulated for comment at step 3 and for further consideration at the 5<sup>th</sup> session.

**Proposed Draft Standard for [Sweetened Condensed Skimmed Milk with Vegetable fat/ Blend of Sweetened Condensed Skimmed Milk with Vegetable fat]**

The Committee should consider at Step 4 the proposed Draft Standard for [Sweetened Condensed Skimmed Milk with Vegetable fat/ Blend of Sweetened Condensed Skimmed Milk with Vegetable fat]

**General Statement**

**Draft United States Position:**

*The U.S. supports the advancement of the Proposed Draft Revised Standards for [Sweetened Condensed Skimmed Milk with Vegetable fat/ Blend of Sweetened Condensed Skimmed Milk with Vegetable fat] pending further discussion on title, scope, description and composition.*

## Title

**Draft United States Position:**

*The U.S. recommends removing the brackets and revising the title to include sweetened condensed partly skimmed milk as follows:*

*“Proposed Draft Standard for Sweetened Condensed Skimmed Milks with Vegetable fat”*

## Scope

**Draft United States Position:**

*The U.S. recommends removing the brackets and expanding the scope of the standard to include sweetened condensed partly skimmed milk. The revised first sentence of the scope would read as follows:*

*“This Standard applies to sweetened condensed skimmed milks with vegetable fat, intended for direct consumption in conformity with the description in Section 2 of this Standard.”*

## Description

**Draft United States Position:**

*The U.S. recommends expanding the description to include sweetened condensed*



*partly skimmed milk and revising the first sentence of section 2 as follows:*

*“Sweetened condensed skimmed milks with vegetable fat are products consisting of milk in which milk fat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”*

## Composition

### Draft United States Position:

*The U.S. recommends removing the brackets and including sweetened condensed partly skimmed milk. We recommend revising the composition information in section 3.3 to read as follows:*

#### Sweetened condensed skimmed milk with vegetable fat

Minimum total fat	8% m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

#### Sweetened condensed partly skimmed milk with vegetable fat

Minimum total fat	8% m/m
Milkfat	More than 1% and less than 8 % m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

#### Proposed Draft Standard for [Evaporated Skimmed Milk With Vegetable Fat /Blend of Evaporated Skimmed Milk With Vegetable Fat]

The Committee should consider at Step 4 the Proposed Draft Standard for [Evaporated Skimmed Milk With Vegetable Fat /Blend of Evaporated Skimmed Milk With Vegetable Fat]

## General Statement

**Draft United States Position:**

*The U.S. supports the advancement of the Proposed Draft Standard for [Evaporated Skimmed Milk With Vegetable Fat /Blend of Evaporated Skimmed Milk With Vegetable Fat] pending further discussion on title, scope, description and composition.*

**Title**

**Draft United States Position:**

*The U.S. recommends removing the brackets and revising the title to include evaporated partly skimmed milk as follows:*

*“Proposed Draft Standard for Evaporated Skimmed Milks with Vegetable Fat”*

**Scope**

**Draft United States Position:**

*The U.S. recommends removing the brackets and expanding the scope of the standard to include evaporated partly skimmed milk. The revised first sentence of the scope would read as follows:*

*“This standard applies to evaporated skimmed milks with vegetable fat, also known as unsweetened condensed skimmed milks with vegetable fat, which is intended for direct consumption in conformity with the description in Section 2 of this Standard.”*

**Description**

**Draft United States Position:**

*The U.S. recommends expanding the description to include evaporated partly skimmed*

*milks and revising the first sentence of section 2 as follows:*

*“Evaporated skimmed milks with vegetable fat are products consisting of milk in which milk fat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”*

**Composition**

**Draft United States Position:**

*The U.S. recommends removing the brackets and including evaporated partly skimmed milk. We recommend revising the composition information in section 3.3 to read as follows:*

**Evaporated skimmed milk with vegetable fat**

Minimum total fat	7.5% m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

**Evaporated partly skimmed milk with vegetable fat**

Minimum total fat	7.5% m/m
Milkfat	More than 1% and less than 7.5 % m/m
Minimum milk solids-not-fat	20 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

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**Proposed Draft Standard for [Skimmed Milk Powder With Vegetable/ Blend of Skimmed Milk Powder With Vegetable Fat]**

The Committee should consider at Step 4 the Proposed Draft Standard for [Skimmed Milk Powder With Vegetable/ Blend of Skimmed Milk Powder With Vegetable Fat]

**General Statement**

**Draft United States Position:**

*The U.S. supports the advancement of the Proposed Draft Standard for [Skimmed Milk Powder With Vegetable/ Blend of Skimmed Milk Powder With Vegetable Fat] pending further discussion on title, scope, description and composition.*

### Title

**Draft United States Position:**

*The U.S. recommends removing the brackets and revising the title so it includes partly skimmed milk powder as follows:*

*“Proposed Draft Standard for Skimmed Milk Powders with Vegetable Fat”*

### Scope

**Draft United States Position:**

*The U.S. recommends removing the brackets and expanding the scope of the standard to include partly skimmed milk powder with vegetable fat. The revised first sentence of the scope would read as follows:*

*“This Standard applies to skimmed milk powders with vegetable fat, intended for direct consumption in conformity with the description in Section 2 of this Standard.”*

### Description

**Draft United States Position:**

*The U.S. recommends expanding the description so it includes evaporated partly skimmed milk powder with vegetable fat and revising the first sentence of section 2 as follows:*

*“Skimmed milk powders with vegetable fat are products consisting of milk in which milk fat has been replaced wholly or partly by an equivalent amount of edible vegetable oil, edible vegetable fat or a mixture thereof.”*

## Composition

### Draft United States Position:

*The U.S. recommends removing the brackets and including minimum milkfat for partly skimmed milk powder with vegetable fat. We recommend the information be revised as follows:*

#### Skimmed Milk Powder with Vegetable Fat

Minimum total fat	26 % m/m
Minimum water	5 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

#### Partly Skimmed Milk Powder with Vegetable Fat

Minimum total fat	26%
Milkfat	More than 1.5 % and less than 26% m/m
Minimum total fat	26 % m/m
Minimum water	5 % m/m
Minimum milk protein in milk solids-not-fat	34 % m/m

## Agenda Item 5

### CX/MMP 02/11

#### Methods of Analysis and Sampling for Milk Products

The Committee should consider new and revised methods of analysis and sampling recommended by the IDF/ISO/AOAC Working Group on Methods of Analysis and Sampling for the standards for milk products for subsequent endorsement by the Codex Committee on Methods of Analysis and Sampling.

### Draft United States Position:

*The United States supports the information contained in CX/MMP 02/11 pending the discussion at the 5<sup>th</sup> Session. The U.S. notes that microbiological criteria is included in the methods recommended by the IDF/ISO/ AOAC working group to be forwarded to CCMAS. The U.S. questions whether the establishment of microbiological criteria is outside the scope of the work of CCMAS.*

## Agenda Item 6

### CX/MMP 02/12

#### Discussion Paper on Model Export Certificate for Milk products Comments submitted in response to CL 2001/10 – MMP

#### Development of a Model Export Certificate for Milk Products

#### NOTES ON THE MODEL EXPORT CERTIFICATE:

At the 4<sup>th</sup> session the Committee agreed that a drafting group led by Switzerland and consisting of Argentina, Australia, Denmark, France, Germany, India, New Zealand, the United States, the European Commission and IDF would prepare a discussion paper for consideration at the 5<sup>th</sup> session taking into account written comments, information received in response to the circular letter and other information from relevant general subject committees. It was proposed that the discussion paper would include a suggested framework.

#### *Draft United States Position:*

*The United States recognizes the importance of a model export certificate and appreciates the work that Switzerland has done in preparing this document. The United States supports the recommended framework outlined in the discussion paper. The U.S. suggests that the framework and the discussion that takes place at the 5<sup>th</sup> Session of CCMMP be considered in a redraft at the 6<sup>th</sup> Session of CCMMP.*

**PROPOSAL FOR NEW STANDARDS**

**CX/MMP 00/18**

**Proposal for New Standard for “Parmesan”**

**Parmesan**

**NOTES ON PARMESAN:**

At the 4<sup>th</sup> session, the Delegate of Portugal speaking on behalf of the member states of the European Community, and in view of continuing EC discussions on the question relating to the denomination “Parmesan” indicated that it was premature for the Committee to make a decision at this time. Several delegations and the IDF Observer stated that utilizing the Criteria for the Elaboration or Revocation of Individual Standards for Cheeses and data contained in CX/MMP 00/18 would be justified. The Committee agreed that discussions concerning the possibility of a new standard for Parmesan would be deferred until the 5<sup>th</sup> session where it would consider whether or not to proceed with work on the basis of CX/MMP 00/18 and preliminary text of a standard as contained in CX/MMP 00/18- Add.1.

***Draft United States Position:***

***The United States recognizes the importance of this cheese in international trade and supports the development of an individual standard for Parmesan cheese.***

**CX/MMP 02/13**

**Cheese Products other than Cheese**  
**Study Data for International Standardization of these Products**

**Cheese Specialities**

**NOTES ON CHEESE SPECIALITIES:**

At the 4<sup>th</sup> session, several delegations questioned the need for a new standard for cheese specialties. It was felt that the product name could be suggestive of a superior product to English, Spanish, or German speaking consumers. It was also felt that current and accurate data reflecting worldwide trade in the product, national legislation, and problems in international trade were required as stipulated in the Codex Criteria for the Establishment of Work Priorities. Information on true identity and composition of the product was also requested, as it was not well known in many countries of the world. The future inclusion of the product in the Codex Standard for Processed Cheeses was also suggested as a possibility.

**Draft United States Position:**

***Based on the information provided in CX/MMP 02/13, the United States cannot support the development of this standard.***