INC Response to CCNSFDU37 Agenda Item 2
Matters referred to the Committee by the CAC and/or Other Subsidiary Bodies

October 2015

SUMMARY

INC provides comments on three items raised in Agenda Item 2, Matters referred. In relation to ML for lead in infant formula, INC supports the inclusion of the lower ML for lead in ready to use Infant Formula, and supports a cross-reference in CODEX STAN 72-1981 to the GSCTFF. We emphasise the importance of limiting this level to 'ready to use infant formula' as is currently the case. Concerning Lowest level of trans fatty acids (TFAs), INC considers the definition of TFAs to be critical to consideration of levels by Codex and that a robust method of analysis is required before establishing any TFA level for claims. INC therefore suggests that CCNFSDU might wish to await the adoption of the method before proposing feedback to CCMAS. On the Use of gum Arabic (INS 414) and carrageenan (INS 407), INC comments are limited to gum Arabic in relation to infant formula. INC is not aware of member use of gum Arabic in infant formula and notes that gum Arabic is not approved for use in infant formula in Australia and New Zealand. However, it may be used overseas and INC does not oppose its inclusion in CODEX STAN 72-1981.

A. DECISIONS OF THE 38TH SESSION OF THE COMMISSION (CAC38)

Matters for Action
New Work
Definition of Biofortification
This matter will commented on in the INC comments on Agenda Item 6 when that Agenda Item Paper is available.

B. MATTERS ARISING FROM SUBSIDIARY BODIES AS RELATED TO THE WORK OF CCNSFDU

Matters for Action

8th Session of the Codex Committee on Contaminants in Foods (CCCF8)
ML for lead in infant formula

INC notes that in its report of the meeting (para 29), the Chair of the eWG established to consider MLs in Infant Formula and related products advised that "Therefore, the proposed lower ML of 0.01 mg/kg as opposed to the current ML of 0.02 mg/kg would still provide some reduction in lead levels without having a negative impact on international trade. The Chair further explained that the ML of 0.01 mg/kg applied to the product "as consumed" and that this term refers to the "reconstituted" form when these products are prepared in accordance

with the preparation instructions on the label." This level was recommend to the CAC with reservations from the EU and Norway concerning its application to powdered formula.

INC also notes that CCCF8 agreed to revoke the current ML of 0.02 mg/kg in the GSCTFF (General Standard for Contaminants and Toxins in Food and Feed) and to request CCNSFDU to remove the ML from the section on contaminants in CODEX STAN 72-1981.

INC notes that the GSCTFF is intended to include an ML of 0.01 mg/kg for Infant formula (currently 1_CXS_193e still records the level at 0.02 mg/kg for Infant Formula – ready to use), INC reiterates the importance of limiting this level to 'ready to use infant formula' as is currently the case.

INC supports the inclusion of the lower ML for lead in ready to use Infant Formula, and supports a cross-reference in the *Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CODEX STAN 72-1981) to the GSCTFF.

36th Session of the Committee on Methods of Analysis and Sampling (CCMAS36)
Lowest level of trans fatty acids (TFAs)

CCNFSDU 36 had requested CCMAS to comment on the level of TFA that can be detected by current methods in relation to a "Free" claim for TFAs. INC notes that CCMAS responded that it considered "It would more appropriate for CCNSFDU to provide CCMAS with levels of total TFA and the matrix to which the level applies".

INC considers the definition of TFAs to be critical to consideration of levels by Codex and that a robust method of analysis is required before establishing any TFA level for claims.

It should also be noted that the Table in CX/NFSDU 15/37/10 (Rev) contains a method for the determination of total fatty acid profile in infant formula (AOAC and ISO), which is suitable for the determination of TFA in these products.

A robust method of analysis is required before establishing any TFA level for claims and CCNFSDU might therefore wish to await the adoption of the method before proposing feedback.

Use of gum Arabic (INS 414) and carrageenan (INS 407)
INC is commenting only on gum Arabic in relation to infant formula (the reference carrageenan is to food for infants and young children). INC notes however, that carrageenan is approved for use in Australia and New Zealand in 'Liquid infant formula products', 'Infant formula products for specific dietary use based on protein substitutes' and 'Foods for Infants'.

In relation to gum Arabic, INC is not aware of member use of this substance in infant formula and notes that the substance is not approved for use in such products in Australia and New Zealand. However, it may be used overseas and INC does not oppose its inclusion in CODEX STAN 72-1981.