

ANALYSIS OF AGENDA ITEMS IN PREPARATION FOR THE 28th SESSION OF THE CODEX COMMITTEE ON FATS AND OILS

Kuala Lumpur, Malaysia, 19 - 23 February 2024

Objectives

This document offers a review and analysis of the agenda items planned for discussion at the 28th session of the Codex Committee on Fats and Oils, scheduled to take place physically in Kochi, Kuala Lumpur (Malaysia) from 19 February 2024 – 23 February 2024.

The document is intended for possible use by the Codex communities of practice promoted by the Global Food Regulatory Science Society (GFORSS) as part of their contribution to enhancing awareness and supporting effective participation in international standard setting meetings (Codex meetings) by representatives from members and observers.

The analysis provided in this document offers a factual review of key agenda items of CCFO28, pertaining to:

- A. [Agenda Item 2: Matters referred by the Codex Alimentarius Commission and its Subsidiary Bodies](#)
- B. [Agenda Item 3: Consideration of the recommendations of the Reports of the 90th and 91st Meeting of the Joint FAO/WHO Expert Committee on Food Additives \(JECFA\)](#)
- C. [Agenda Item 4.4: Proposed draft amendment/revision to the Standard for Named Vegetable Oils \(CXS 210-1999\): Inclusion of high oleic acid soya bean oil](#)
- D. [Agenda Item 5: Proposed draft revision to the Standard for Olive Oils and Olive Pomace Oils \(CXS 33-1981\): Revision of Sections 3, 8 and Appendix](#)
- E. [Agenda Item 6: Proposed draft amendment/revision of the Standard for Fish Oils \(CXS 329-2017\): Inclusion of Calanus oil](#)
- F. [Agenda Item 7: Review of the List of Acceptable Previous Cargoes \(Appendix II to CXC 36-1987\)](#)
- G. [Agenda Item 8.1: Discussion paper on possible work that CCFO could undertake to reduce TFAs or eliminate PHOs](#)
- H. [Agenda Item 8.2: Consideration of the proposals for NEW WORK \(replies to CL 2021/96-FO\)](#)

This document will offer an analysis of select key agenda items to support the development of positions at the national and regional level.

This analysis is indicative in nature and does not represent an official position of the organization, its membership or its management.

**It is important to note that experts – members of the Expert Working Group – do not represent the organizations and / or jurisdictions to which they are affiliated. The selection and participation in the Expert Working Group proceedings is based on each expert's own credentials and experience, which should not be misconstrued as the country's / delegation's / organization's position to which they belong.*

A. Agenda Item 2: Matters referred by the Codex Alimentarius Commission and its Subsidiary Bodies

Document Number: CX/FO 24/28/2

Status in Codex Step Process: N/A

CAC44 (2021)

- The adoption of the **General Standard for the Labelling of Non-retail Containers of Foods** at Step 8.
- Requested commodity committees, including CCFO, to review **the labelling provisions for non-retail containers in existing and draft standards** in light of the new standard for the labelling of non-retail containers.

CAC45 (2022)

- Adopted the revision to the Standard for Named Vegetable Oils (CXS 210-1999): *Essential composition of sunflower seed oils* at **Steps 5/8**
- Adopted the editorial **amendments/changes to the Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk** (CXC 36-1987): Appendix 2
- Adopted **The inclusion of avocado oil** in the draft revision to the Standard for Named Vegetable Oils (CXS 210-1999)

CAC46 (2023)

- The **Recommended Methods of Analysis and Sampling** (CXS 234–1999) (with adopted changes to, and/or revoked the methods of analysis submitted by CCMAS42) **should be the single reference for methods of analysis**, all methods of analysis will be removed from relevant standards developed by CCFO and replaced with the general wording from the PM.

CCEXEC83 (2022)

- A request to the CAC committees, including CCFO, to consider the **ongoing global efforts to achieve health and nutrition related goals** by reducing non-communicable diseases risk factors, when prioritizing and undertaking work on new standards or review of standards or guidelines relating to composition of foods.

CCFA53 (2023)

- A request for guidance from CCFO on technological justification for:
 - i. **chlorophylls** (INS 140) in FC 02.1.2: use in vegetable oils to restore natural colour lost in processing or for the purpose of standardizing colour, including in virgin, cold pressed, and other oils covered by the Standard CXS 19-1981, and especially for that purpose in vegetable oils for deep frying; and
 - ii. **paprika extract** (INS 160c(ii)) in FC 02.2.2: use and use level in products conforming to the Standard for Dairy Fat Spreads (CXS 253-2006) and Standard for Fat Spreads and Blended Spreads (CXS 256-2007).

Key Considerations

- It is recommended to adopt positions that enable CCFO to **support the replacing of the provisions in existing CCFO standards** related to methods of analysis and sampling with the new standardized text. Similar text for the Standard on Olive Oils and Olive Pomace Oils is welcome in the future, upon the completion of the standard review.

- It is recommended to adopt positions that enable CCFO to **support of the revision of the section “Labelling of non-retail containers”** in all CCFO related standards, and to note that their labeling shall be in accordance with the newly adopted General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021).
- It is recommended to adopt positions that enable CCFO to **support of the recommendation of CCEXEC83** in prioritizing and undertaking work on new standards or reviewing existing standards relating to the composition of foods, by reducing non-communicable diseases risk factors.
- It is recommended to adopt positions that support **the reconsideration** of the use chlorophyll as an additive in vegetable oils to restore the natural color lost in processing or color standardization. Such use may in fact be intended to shadow a quality defect or to increase value, such as making refined oil appear to be like virgin oil, precisely as olive oil due to the greenish color generated using chlorophyll. Nevertheless, since colors are acceptable food additives for fats and oils covered in CXS 19-1981, **except for virgin and cold pressed oils**, an alternative color, other than chlorophyll may be suggested, characterized by a yellowish color rather than green.
- It is recommended to adopt positions that offer **no objection on the use of paprika extract** in dairy fat spreads covered in Standard for Dairy Fat Spreads (CXS 253-2006) and fat spreads and blended spreads covered in the Standard for Fat Spreads and Blended Spreads (CXS 256-1999), given that colors are acceptable food additives for foods covered by these standards. This usage may be requested in flavored dairy fat spreads for sensory purposes and should never be used to hide deformities or inconsistency in product appearance.

B. Agenda Item 3: Consideration of the recommendations of the Reports of the 90th and 91st Meeting of the Joint FAO/WHO Expert Committee on Food Additives (JECFA)

Document Number: [CX/FO 24/28/3](#) and [CX/FO 24/28/3 Add. 1](#)

Status in Codex Step Process: N/A

Background:

The JECFA90th (2020) and JECFA91st (2021) sessions completed the safety evaluation of 23 substances that are being considered for inclusion in the list of acceptable previous cargoes. **JECFA concluded that 19 out of 23 substances met the criteria for acceptability as previous cargoes.**

Outputs:

Four (4) substances (montan wax, non-food-grade calcium lignosulfonate, cyclohexane and acetic anhydride) **did not meet the criteria.**

JECFA recommended that **CCFO consider revising Criterion No. 2** in the *Recommended International Code of Practice for the Storage and Transport of Edible Oils and Fats in Bulk* (CXC 36-1987) to read as follows:

- Based on the consumption of fats and oils by infants and young children, there is **no health concern for the general population from dietary exposure** to previous cargo chemical substances if the acceptable daily intake (ADI) or tolerable daily intake (TDI) is sufficiently protective. Substances for which there is no numerical ADI or TDI should be evaluated on a case-by-case basis (e.g., margin of exposure (MOE) approach).

JECFA recommended that sufficient chemical and toxicological information for the **evaluation of montan wax** and non-food-grade calcium lignosulfonate liquid as shipped should be made available prior to the next evaluation. (90th meeting in 2020),

JECFA recommended that sufficient chemical information for the **evaluation of acetic anhydride and cyclohexane** transported as previous cargoes be made available prior to the next evaluation. (91st meeting in 2021),

Note: The full JECFA reports, and monographs were not published and available to CCFO27. It was agreed to postpone consideration of the JECFA safety evaluations and recommendations until CCFO28.

Key Considerations

- Overall, **it is suggested to support the JECFA recommendation** that CCFO consider revising Criterion No. 2 in the Recommended International Code of Practice for the Storage and Transport of Edible Oils and Fats in Bulk (CXC 36-1987), as well as the need to provide sufficient chemical and toxicological information to allow for the evaluation of montan wax, non-food-grade calcium lignosulfonate liquid, acetic anhydride and cyclohexane as previous cargoes.

C. **Agenda Item 4.4: Proposed draft amendment/revision to the Standard for Named Vegetable Oils (CXS 210-1999): Inclusion of high oleic acid soya bean oil**

Document Number: [CX/FO 24/28/7](#)

Status in the Codex Step Process: Step 3 – to be examined at Step 4 at CCFO28

Background:

- A proposal for a **new work to revise the Standard for Named Vegetable Oils (CXS 210-1999)** to include high oleic acid soya bean oil was submitted by the United States.
- At CCFO27 (2021), the **United States presented the new work proposal** to amend/revise the Standard for Named Vegetable Oils (CXS 210-1999) to include high oleic acid soya bean oil.
- The **CCFO27 agreed to submit the proposal to CAC45 (2022)**, which approved the new work, and **established an electronic working group (EWG)**, chaired by the United States, to prepare the proposed draft revision for circulation for comments and consideration by CCFO28.
- Experts from **21 member countries and 2 observers participated in the EWG** and submitted a proposed draft standard draft for circulation, comment, and consideration by CCFO28 (CX/FO 24/28/7).

Key Considerations:

- High oleic soya bean oil has **enhanced functionality**.
- The inclusion of high oleic acid soya bean oil would **enable member countries to characterize**, name, and appropriately market high oleic acid soya bean oil developed for improved functional and nutritional benefits for consumers and the food processing industry.
- The amendment would also **facilitate fair trade practices** and establish a new standard that is consistent with other similar provisions in the standard, (i.e. high oleic acid safflower oil).
- A suggestion to review the proposed range of Oleic Acid "C18:1" in high oleic acid Soya bean oil (65.0% – 87.0%) into **an acceptable minimum limit instead of a range**, to be more consistent with other sources of oleic acid such as virgin olive oil.
- **Using colors, such as chlorophyll**, in High oleic soya bean oil, should be reviewed to avoid possible confusion with olive oil.
- It is recommended to adopt positions that overall **Support the advancement of the Standard in the Step Process**.

D. Agenda Item 5: Proposed draft revision to the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981): Revision of Sections 3, 8 and Appendix

Document Number: [CX/FO 24/28/8](#)

Status in Codex Step Process: Step 3 to be examined at Step 4 by CCFO28

Background:

- The **revision of the Sections 3, 8 and the Appendix** of the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981) has been ongoing for over five years.
- The goal is to develop revisions to meet the needs of Codex members and reflect the latest technological knowledge and scientific progress to promote **fair trade, consumer health protection and encourage greater harmonization**.
- **CCFO27 (2021) re-established an EWG**, chaired by Spain and co-chaired by Argentina, to:
 - review and revise the items in square brackets in Section 3 and the Appendix, taking into account comments made and written comments received at CCFO27;
 - revise Section 8 of the main body and Section 3 of the Appendix.
- **Representatives from 37 countries**, and two observer organizations participated in the EWG during three rounds of consultations.
- The **EWG prepared the proposed draft revision** of Sections 3, 8 and Appendix of the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981) for circulation and comments by CCFO28.

Outputs:

- **Section 3.2.1 GLC ranges of fatty acid composition**
 - The minimum value of oleic acid (C18:1): The Chair of the EWG proposes a **value of 55%** as the minimum value of oleic acid (18:1), because olive oil quality and authenticity are based on the fatty acid composition and defined as a high monounsaturated vegetable oil.
 - Values of C18:3 Ln: To maintain the limit of $Ln \leq 1\%$ and to use a decision tree for olive oils with $1.0\% < Ln \leq 1.4\%$
 - Values of C18:3: To use the decision tree with the parameter “apparent β -sitosterol/campesterol ≥ 24 ” for olive oils with $1.0\% < Ln \leq 1.4\%$, based on the outcome of the IOC study.
 - Uncertainty measurements for trans fatty acids: Two decimal places in trans fatty acids will be maintained.
- **Section 3.2.3 Footnote on a general statement on sterols in virgin olive oil** - “Virgin olive oil’s authenticity is not compromised if one sterol, or their minimum content, does not fall within the ranges provided for, if all other sterols and parameters tested referred to in this standard fall within the stated ranges.”: The EWG Chair proposes that the footnote should not be maintained in the standard.
- **Section 3.3.1 Organoleptic characteristics of virgin olive oils** - the median of the most perceived defect for virgin olive oils with a footnote “includes the uncertainty predicted by the IOC method.”: The EWG Chair proposes to set the limit for virgin olive oil category to 3.5 with a footnote “includes the uncertainty predicted by the IOC method” because any limit in a standard should include the uncertainty of the method.

- **APPENDIX 1.5. 1,2-diglycerides (% total diglycerides):** The EWG Chair proposes that the provision for 1,2-diglycerides (% total diglycerides) for extra virgin oil and its corresponding analytical methods are not included in the standard noting that this would not prevent individual Members from still using the method.
- **APPENDIX 1.6. Pyropheophytin “a” (% total chlorophyll pigments):** The EWG Chair proposes that the provision for Pyropheophytin “a” (% total chlorophyll pigments) and its corresponding method of analysis not to be added to the standard noting that this would not prevent individual Members from still using the method.
- **Section 8 and Section 3 of the Appendix, Methods of Analysis:** The EWG recommended that the methods of analysis be endorsed by CCFO as presented in the proposed draft revised standard.
- It was recommended to request **CCFO28 to consider the proposed draft revised standard** (CXS 33-1981) considering the provisions where consensus was reached and those where there were divergent views.
- The Chair of the EWG proposed that CCFO28 consider **holding an in-session working group** with a view to resolve outstanding issues.

Key Considerations

- There was **no sound evidence to support the proposed value of 55%** as the minimum value of C18:1. To include authentic oils with low C18:1, the value of 53% shall remain.
- The **use of two decimal places in the trans fatty acid limit** should be supported.
- The footnote “Virgin olive oil’s authenticity is not compromised if one sterol, or their minimum content, does not fall within the ranges provided for, if all other sterols and parameters tested referred to in this standard fall within the stated ranges” should be maintained in the standard.

(Climatic and geographic conditions can impact sterol composition and may result in some authentic virgin olive oils with a sterol value different from that in the proposed standard)

- The **increase in the value of the median** of the most perceived defect for virgin olive oil from 2.5 to 3.5 with a footnote “includes the uncertainty predicted by the IOC method” shall not be supported.
- The **removal of the provision for 1,2-diglycerides (DAGs) and for pyropheophytin “a” (PPP)** and their associated analytical method as an additional quality factor in the appendix of the standard should not be adopted since these parameters are useful to determine the quality of extra virgin olive oil.
- It is recommended to **support the harmonization of the methods of analysis** and to agree with the proposed list of methods in Section 8 and Section 3 of the Appendix.
- It worthy to mention that there was no consensus on most issues raised in the different sections. This is way the proposal of the Chair of the EWG that **CCFO28 consider holding an in-session working group** with a view to resolve outstanding issues is to be supported.
- It will be important to get the feed-back of key Olive Oil producing countries in the Near East region to inform this analysis even further

E. Agenda Item 6: Proposed draft amendment/revision of the Standard for Fish Oils (CXS 329-2017): Inclusion of Calanus oil

Document Number: [CX/FO 24/28/9](#)

Status in Codex Step Process: Step 3

Background:

- At CCNFSDU41 (During the CCFO27 (2021) the committee agreed to propose new work to amend the Standard for Fish Oils (CXS 329-2017) to include Calanus oil as a named fish oil.
- CAC45 (2022) approved the new work. CCFO established an EWG, chaired by Norway to prepare a draft revision for circulation and comments and consideration by CCFO28.
- The EWG was established in 2022 with participation from 11 member countries and 2 observer organizations.
- Two draft revisions were circulated for comment prior to the preparation of the final proposed revision and EWG report (CX/FO 24/28/5).

Key Considerations

- It is suggested to support of the recommendation to advancing the proposed draft revision to the Codex Standard for Fish Oils (CXS 329-2017) to include calanus oil.

F. Review of the List of Acceptable Previous Cargoes (CXC 36-1987, Appendix 2)

Document Number: [CX/FO 24/28/10](#)

Status in Codex Step Process: N/A

Background:

- CCFO23 (2013) agreed to have a standing agenda item in every session of the CCFO to consider the review of the List of Acceptable Previous Cargoes.
- CCFO26 (2019) discussed this topic and agreed to retain the standing agenda item. A Circular Letter (CL 2019/51/OCS-FO) was issued inviting interested members and observers to propose further amendments to the List of Acceptable Previous Cargoes, Appendix II of the Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk (CXC 36-1987).
- CL 2021/95//OCS-FO invited interested members and observers to propose further amendments.
- Based on the replies to the CL and the work of the EWG led by the CCFO Chair Malaysia, with participation from 12 Member countries, one Member organization and one observer organization, the EWG report recommended the following:
 - CCFO is invited to note that the proposed substances, namely drinks – alcoholic and nonalcoholic, dairy products, glucose and lecithin, are regarded as foodstuffs and thus, do not need to be included in the List of Acceptable

Previous Cargoes in relation to Section 2.1.3, Notes (1) and Criterion 3 of Appendix 2: List of Acceptable Previous Cargoes of CXC 36-1987. 19.

- Five new substances (ammonium sulfate solution, cyclohexanol, cyclohexanone, wine iodines and urea) proposed for inclusion should not be considered until adequate and relevant information is provided to the Committee.
- The Committee should agree to the assignment of the CAS numbers below to the following three substances:
 - Fructose: 57-48-7
 - Hydrogen peroxide: 7722-84-1
 - Urea ammonium nitrate solution (UAN): 15978-77-5

Key Considerations

- No objection on the EWG recommendations.

G. Agenda Item 8.1: Discussion paper on possible work that CCFO could undertake to reduce TFAs or eliminate PHOs

Document Number: [CX/FO 24/28/11](#)

Status in Codex Step Process: N/A

Background:

- At CCNFSDU41 (2019), **Canada presented a discussion paper identifying risk management options for the reduction of TFA intake** (see CX/NFSDU 19/41/7-REV) which included amending specific standards for fats and oils to include a prohibition on partially hydrogenated oils (PHOs) or limits on TFA levels.
- **CCFO27** agreed that a discussion paper **to consider work to reduce TFAs or eliminate PHOs** would be prepared by Canada, in collaboration with the European Union, Egypt, India, Saudi Arabia, Uganda, the United States of America, and WHO.
- The discussion paper and accompanying draft project document recommends that **CCFO amend the following standards to include a prohibition on PHO and limits on TFA levels:**
 - **Standard for Edible Fats and Oils Not Covered by Individual Standards (CXS 19-1981)**
 - **Standard for Fat Spreads and Blended Spreads (CXS 256-1999)**
 - **Standard for Named Animal Fats (CXS 211-1999)**
- The proposed list of standards does not include the Standard for Named Vegetable Oils (CXS 210-1999) where pure oils are described. Partial hydrogenation of such oils would move them outside the scope of the standard.
- The paper also recommends that **CCFO make necessary revisions to ensure that the scope of the above prohibition and limits apply to fats and oil products used as ingredients** in other food products.
- The work may include **introducing any necessary definitions** in the standards, such as a definition for PHOs.

Key Considerations

- **Efforts** to reduce TFA intake or eliminate PHOs by revising appropriate standards for fats and oils should **be supported**.
- It is important to **integrate a clear definition** of PHOs and TFAs when considering revision to the standards for fats and oils,
- A need for **clarification on the scope of TFA limits**, sources such as TFAs from refined oils and fully hydrogenated oils or from any naturally occurring TFAs such as from ruminant sources.
- **It would be important to consider the Collection of data on the processes generating small quantities of TFA** (refining, trans-esterification, and interesterification) to determine whether this is an issue of concern or not, in order to develop reasonable limits that will assist in reducing TFA in the food supply.
- The **elimination of PHOs in the relevant standards remain a feasible priority**. It would be important to consider discussing alternative approaches with other relevant Codex committee(s) regarding TFAs, such that the declaration of total trans fats, may be more practical and effective in achieving positive public health outcomes.

H. Agenda Item 8.2: Consideration of the proposals for NEW WORK (replies to CL 2021/96-FO)Document Number: [CX/FO 24/28/12](#)

Status in Codex Step Process: N/A

Background:

- A Circular Letter issued in December 2021 (**CL 2021/96-FO**) requested comments and proposals for new work.
- The Global Organisation for EPA and DHA omega 3s (GOED) submitted a proposal for new work to develop a **standard for microbial omega-3 oils** presented in a state for human consumption.
- For the purpose of the proposed standard, the term microbial omega-3 oils was defined as referring to **oils derived from microorganisms**, including microalgae, and would only apply to microbial oils used in food and in food supplements where those are regulated as foods.

Key Considerations

- Overall, it is suggested to **support the work to develop a new standard for microbial omega-3 oils** for use in human consumption.
- **Data collection on production, trade and scope of usage**, of such products need to be performed at a global and regional level.
- This new work could potentially **align with the CCEXEC83(2023) request** to consider global efforts to achieve health and nutrition related goals by reducing non-communicable diseases risk factors when undertaking new work.