

1 Attachment



Feedback_Proposed Amendments to the Preservatives in Food Regulation (Cap. 132BD).xlsx

Dear Sir/Madam,

On behalf of Kerry APMEA, please find our feedback as attached on the Proposed Amendments to the Preservatives in Food Regulation (Cap. 132BD) that is currently open for consultation.

We have some proposed revisions with explanations attached.

Should further clarification be needed, please feel free to reach out to us.

Thank you.

Regards,
Gau Wen Lim
Regulatory Affairs

Kerry, Taste and Nutrition (APMEA)

KERRY

No	Current Draft	Proposed Revision	Justification																		
1	<p>Column 4 Notes for Rosemary Extract: Currently no notes specified</p> <table border="1" data-bbox="181 233 835 416"> <thead> <tr> <th colspan="2">Column 1</th> <th colspan="2">Column 2</th> <th>Column 3</th> <th>Column 4</th> </tr> <tr> <th rowspan="3">No.</th> <th rowspan="3">Food category or sub-category</th> <th colspan="2">Permitted food additives</th> <th rowspan="3">Maximum permitted level (mg/kg, unless otherwise specified)</th> <th rowspan="3">Note</th> </tr> <tr> <th>INS⁵ no.</th> <th>Name</th> </tr> </thead> <tbody> <tr> <td>392</td> <td>Rosemary extract</td> <td>300</td> <td></td> </tr> </tbody> </table>	Column 1		Column 2		Column 3	Column 4	No.	Food category or sub-category	Permitted food additives		Maximum permitted level (mg/kg, unless otherwise specified)	Note	INS ⁵ no.	Name	392	Rosemary extract	300		<p>To add below note in blue under Column 4 Notes for Rosemary Extract:</p> <p>As the sum of carnosol and carnosic acid</p>	<p>As per the Eighty-second report of the Joint FAO/WHO Expert Committee on Food Additives and FAO JECFA Monograph 23 (2019), the antioxidant characteristics of rosemary extract are primarily attributed to its phenolic diterpene content - namely, carnosic acid and carnosol.</p> <p>In the market today, rosemary extract is usually standardized using diluents and carriers with a total carnosic acid and carnosol content of varying concentrations, from 5% to 33%. The total carnosic acid and carnosol content in rosemary extract differs according to manufacturers.</p> <p>Hence, the maximum permitted level of rosemary extract should be calculated as the sum of carnosol and carnosic acid, so that only the antioxidant component is being considered, and not the diluents/carriers which have no antioxidant function. This will be in line with international regulations such as Regulation (EC) No 1333/2008 on food additives.</p>
Column 1		Column 2		Column 3	Column 4																
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2	<p>Section 6. Labelling of food containing a preservative or antioxidant</p>	<p>To add in below clauses in blue under Section 6 of CAP 132BD:</p> <p>(4) For food additives with multiple functions, when added into any relevant food and serves as principal function other than antioxidant and preservative, shall be exempted from the provisions of Schedule 2.</p> <p>(5) Where in accordance with subsection (4) above, product label shall follow CAP 132W Schedule 3(2).</p>	<p>Certain food additives can be used for a range of technological purposes in a food, not limited to antioxidant and preservative function. Hence, for food additive listed in the proposed draft but whose principal function serves as function other than antioxidant and preservative in food, it should be exempted from adhering to the labelling requirement of antioxidant and preservatives under Schedule 2.</p> <table border="1" data-bbox="1384 560 2042 651"> <tr> <td>Schedule:</td> <td>2</td> <td>LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE OR ANTIOXIDANT LABELLING OF PRESERVATIVES OR ANTIOXIDANTS AND STATEMENTS ABOUT ARTICLES OF FOOD CONTAINING EXCESS AMOUNTS OF PERMITTED PRESERVATIVES</td> <td>L.N. 85 of 2008</td> <td>01/07/2008</td> </tr> </table> <p>Example 1: Disodium Phosphate [339(ii)] has many functions in multiple end applications. It primarily functions as stabiliser in Cheese products and the principal functional class (ie stabiliser) should be listed in the list of ingredients instead of preservative/antioxidant function.</p> <p>Example 2: Tricalcium Phosphate [341(iii)] serves primarily as an anticaking agent in powder applications. Therefore, the principal functional class of anticaking agent should be declared instead of preservative/antioxidant on the list of ingredients.</p>	Schedule:	2	LABELLING OF ARTICLES OF FOOD CONTAINING PRESERVATIVE OR ANTIOXIDANT LABELLING OF PRESERVATIVES OR ANTIOXIDANTS AND STATEMENTS ABOUT ARTICLES OF FOOD CONTAINING EXCESS AMOUNTS OF PERMITTED PRESERVATIVES	L.N. 85 of 2008	01/07/2008													
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3	<p>36. Phosphates</p> <table border="1" data-bbox="230 911 584 1241"> <thead> <tr> <th>Item</th> <th>Permitted preservative or antioxidant (International Numbering System for Food Additives (INS) no.)</th> </tr> </thead> <tbody> <tr> <td>36.</td> <td>Phosphates (338; 339(i)-(iii); 340(i)-(iii); 341(i)-(iii); 342(i)-(ii); 343(i)-(iii); 450(i)-(iii), (v)-(vii), (ix); 451(i),(ii); 452(i)-(v); 542)[#]</td> </tr> </tbody> </table>	Item	Permitted preservative or antioxidant (International Numbering System for Food Additives (INS) no.)	36.	Phosphates (338; 339(i)-(iii); 340(i)-(iii); 341(i)-(iii); 342(i)-(ii); 343(i)-(iii); 450(i)-(iii), (v)-(vii), (ix); 451(i),(ii); 452(i)-(v); 542) [#]	<p>To remove provisions for phosphates from CAP 132BD altogether.</p>	<p>In CODEX Standard 192-1995 General Standard for Food Additives, only Phosphoric acid (338) and Trisodium phosphate (339(iii)) have functional class as antioxidant and preservative respectively, while the remaining alternative forms of Phosphates do not function as antioxidant or preservative.</p> <p>To define the entire phosphates group as preservative and antioxidant is therefore inaccurate and it does not reflect the actual technological function used in the industry today.</p> <p>This will also harmonize with Codex as well as other country regulations such as mainland GB 2760-2014 Standard for Use of Food Additives on its technological function as well as functional class labelling.</p>														
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