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WTO/SPS National Notification Authority & Enquiry
Point of PRC

E-mail: sps@aqsiq.gov.cn

Re: WTO Notification G/SPS/N/CHN/602

To whom it may concern:

The International Association of Color Manufacturers (IACM) is the trade association that represents the manufacturers and end-users of coloring substances that are used in foods, including natural and artificial colors. In coordination with NATCOL, the Natural Food Colours Association, we are writing to offer further information to support our concerns with some provisions of the recent WTO notification of China Ministry of Health's Formulation of "National Food Safety Standard for Use of Food Additives" of 27 March 2012.

We have the following specific concerns with items in Annex 2: Food Additive Use Provisions to be Deleted Because They Are No Longer Necessary in Production. We request that Blackcurrant Red (No. 6) in category 14.04.01 Carbonated Drink be retained. Blackcurrant extract (INS 163(iii)) has been evaluated by JECFA and is used in carbonated drinks due to its bright red color in acidic conditions. We request that Chlorophyllin copper complex sodium and potassium salts (No. 34) in category 14.0 Beverages also be retained as Copper Chlorophyllin is used in beverages, which is one of the few uses of this color in the United States. Removing this usage could therefore introduce a barrier to trade. We request that provisions for Spirulina Blue (No. 35) be retained as Spirulina Blue is widely used as a food color in many countries and is the subject of two US Food and Drug Administration (FDA) color additive petitions presently.¹ Additionally, it is one of the most important natural blue color sources for food use globally and removing the usage could therefore introduce a barrier to trade.

Furthermore, several critical uses for beta carotene (No. 2) are missing from Annex 3: Use Provisions of Some Food Additives in this proposal and we therefore request the following are added in order to align with Codex GSFA food category 14.1.4 (14.1.4.1/14.1.4.2/14.1.4.3) which allows Beta-Carotene, all at maximum 2.0 g/kg:

- change 14.03.01 to 14.03 milk drink
- change 14.05.03 to 14.05 tea, coffee, plant drink
- create 14.04 carbonated drinks

¹ FDA CAP 2C0297 and FDA CAP 2C0293

- create 14.02.03 fruit/vegetable drink (fermented products should be included)
- create 14.08 flavored drink
- create 14.09 other drinks

IACM and NATCOL thank you for considering these comments.

Sincerely,

Sarah A. Codrea
IACM Executive Director