

IFOAM EU Reaction to the EGTOP reports on Food

22 September 2015

Following the EU Commission's mandates, the Expert Group for Technical Advice on Organic Production (EGTOP) produced three specific reports¹ on substances and techniques that can be authorised for use in organic food processing.

IFOAM EU has made a deep analysis of the EGTOP documents and shares the majority of EGTOP experts' conclusions. However, some points still require attention and further discussion in order to be as close to the organic principles as possible and at the same time to avoid disrupting organic production and the EU market.

After having consulted organic processing experts all over Europe, IFOAM EU prepared a list of areas (below) where technical constraints and/or the reality of the market must be further considered before taking any decision.

1. Carrageenan (Reports II and III)

EGTOP Conclusion

*The use of carrageenan as an additive is in line with the objectives, criteria & principles of organic regulation for **use in flavourings**, from the technical perspective.*

However, because of newest toxicological findings the group sees the need for a re-evaluation of this additive by EFSA. In line with the precautionary principle, the Group proposes to postpone any decisions on the use of carrageenan until all doubts concerning possible human health effects have been removed.

The Group does not recommend the use of carrageenan in organic production until these concerns have been addressed.

The use of carrageenan as an additive in all animal based products is not line with the objectives, criteria and principles of the organic regulation due to the authenticity concerns reference Article 6(c) of Regulation 834/2007 regarding misleading the consumer as to the true nature of the product.

IFOAM EU Comment

Carrageenan (E407) is a naturally occurring carbohydrate extracted from red seaweed which is used for its gelling, thickening and stabilizing properties. It has quite unique properties, which cannot be

¹ http://ec.europa.eu/agriculture/organic/eu-policy/expert-advice/documents/final-reports/final_report_egtop_on_organic_food_en.pdf
http://ec.europa.eu/agriculture/organic/eu-policy/expert-advice/documents/final-reports/egtop-final-report-food-ii_en.pdf
http://ec.europa.eu/agriculture/organic/eu-policy/expert-advice/documents/final-reports/egtop-final-report-food-iii_en.pdf

found in other substances. Carrageenan only gets activated after a heating or sterilisation step, which makes it very easy to handle in production. It has a very neutral taste which does not have any impact to the final product mainly due to the low dosage needed to have sufficient gelling property. Carrageenan can also withstand the high temperatures induced by the pasteurisation process better than other hydrocolloids. Finally, Carrageenan is used for its specific organoleptic assets on texture, and nutrition and health. As an example, by making a homogeneous and lasting suspension of calcium naturally available in vegetable drinks, it contributes to the regular coverage of consumer needs for that mineral.

Other hydrocolloids (e.g. Guar gum) allowed in organic production have very strong cold water swelling properties, which make them very difficult to handle during processing.

E.g. starches have a significant negative impact on taste and on texture and result in an opaque shine.

Carrageenan is currently under re-evaluation by EFSA and the result should be published by the end of 2016.

EGTOP bases its conclusions concerning food safety on the two reports of Dr. Tobacman (2001), but this source of information is not sufficient to make any conclusion. IFOAM EU thinks that it is necessary to refer to all the most recent studies available on this topic and to the analysis of the work of Dr. Tobacman in 2012² made by the Food and Drug Administration (United States) That is the reason why we suggest the Commission to consider some more studies on the issue before taking a final decision³.

It seems also very important to remind that the most recent evaluations⁴ on carrageenan all conclude the safety of this substance and led to market authorizations⁵.

IFOAM EU Recommendation

- The IFOAM EU Group asks to maintain the field of application as it is today, until the re-evaluation of EFSA is finalized.

² (U.S. Food and Drug Administration, Response Letter to Dr. Joanne Tobacman Re: Docket No. FDA-2008-P-0347, June 11, 2012)

³ Public health and carrageenan regulation: a review and analysis (Submitted solely to Journal of Applied Phycology: for ISS proceedings; Burges Watson, Duika; Institute of Health and Society, Newcastle University, NE2 4HH, UK)

A Critical Review of the Toxicological Effects of Carrageenan and Processed Eucheuma Seaweed on the Gastrointestinal Tract (Samuel M. Cohen - Department of Pathology/Microbiology, University of Nebraska Medical Center, 983135 Nebraska Medical, Center, Omaha, NE 68198-3135 et Nobuyuki Ito - Nagoya City University Medical School, 1-Kawasumi, Mizuho-cho, Mizuho-ku, Nagoya 467, Japan)

Food additive carrageenan: Part I: A critical review of carrageenan in vitro studies, potential pitfalls, and implications for human health and safety : https://eorder.sheridan.com/3_0/app/orders/3948/article.php

Food additive carrageenan: Part II: A critical review of carrageenan in vivo safety studies : https://eorder.sheridan.com/3_0/app/orders/3949/article.php

⁴ EC Scientific Committee on Food, 1992 http://ec.europa.eu/food/fs/sc/scf/reports/scf_reports_32.pdf JOINT FAO/WHO EXPERT COMMITTEE ON FOOD ADDITIVES (JECFA), June 2014: the works of JECFA rely on a thorough review of every scientific researches available on carrageenan. In his conclusions, JECFA says that « these new studies allay the earlier concerns» and confirms the safety for use of carrageenan in food, including baby food. FAO/WHO EXPERT COMMITTEE ON FOOD ADDITIVES Seventy-ninth meeting Geneva, 17–26 June 2014, "SUMMARY AND CONCLUSIONS," July 2, 2014.

⁵ Japan: Carrageenan are permitted in Japanese Organic Standards (JAS) as food additives in processed food of plant origin and dairy products, http://www.qai-inc.com/media/docs/jas_table1_food_additives_processing_aids.pdf

United-States: The U.S. Department of Agriculture renewed the permission of carrageenan in food production in October, 2013. <http://www.qpo.gov/fdsys/pkg/FR-2013-10-03/pdf/2013-24208.pdf>

This is in order to ensure legal certainty to organic operators. (E.g. in France more than 10 organic companies are using carrageenan at the moment).

- The recommendation of not allowing carrageenan for all animal products is supported by IFOAM EU.

2. Silicon Dioxide (Report II)

EGTOP Conclusion

EGTOP consider that the use of silicon dioxide is in line with the objectives, criteria and principles of the organic regulation. By consequence they decided to extend the possibility to use as anti-caking agent, not only for herbs and spices but also for flavouring and propolis. Nevertheless, natural sources of silicon dioxide should be preferred.

IFOAM EU Comment

IFOAM EU is of the opinion that the nano-topic issue has not been sufficiently assessed.

The report reads: *“It is clear that milling of silicon dioxide will result in creation of some nanoparticles, but production of synthetic silicon dioxide will create a greater proportion of these. Most will agglomerate after production, but some may be left”*⁶

IFOAM EU is of the opinion that the aggregates or agglomerates can still be covered under the nano-definition given in Article 2(2)(t) of Regulation (EU) No 1169/2011.

Additionally, EGTOP proposes to have silicon dioxide only from natural origin. It is questionable whether this is possible as in the horizontal legislation the specification for silicon dioxide refers only to synthetic production (Commission Regulation (EU) No 231/2012).

IFOAM EU Recommendation

- IFOAM EU recommends to wait for the result of the EFSA re-evaluation of silicon dioxide in regard to its toxicological potential to take a decision. The current wording *“anti-caking agent for herbs and spices”* should be kept in order to ensure legal certainty to the organic operators.
- IFOAM EU does not see the need for allowing silicon dioxide as additive in Propolis, as it is not strictly necessary.

⁶ (Kohlhuber 2010)” (EGTOP II)

3. Ion exchange and adsorption resins (Reports I and III)

EGTOP Conclusion

The Group concludes that the use of ion exchange and adsorption resins as processing aids to produce highly purified substances such as glucose, fructose (decomposed food) is not in line with the objectives, criteria and principles of organic farming as laid down in the organic regulation. This is due to the high purification levels, which could mislead the consumer regarding the true nature of the product (Articles 19(3), 6 (c) and the chemical processes involved (Articles 4 and 21(1)).

In the case where minerals are removed in order to fulfil the requirement of the infant formula legislation the use of ion exchange and adsorbent resin techniques is in line with the requirements of the organic regulation. Because of the specific status of those products in organic Regulation (Article 6(b) and 19.2(b)) and the target of the application is the selective removal of substances, such as minerals and not an overall decomposition.

IFOAM EU Comment

IFOAM EU appreciates that the Commission is starting the debate on the processing technique ion exchange, because the sector has had a big debate on this topic over the past decades. The interpretation of the Commission has been so far that the ion exchange technique is not allowed according to the organic Regulation. Nevertheless, the technique is used in different EU-countries because of different national interpretations of the regulation. This has created for many years unfair competition between operators in the market.

The evaluation by the EGTOP is therefore an excellent opportunity to come to a harmonised approach. In addition, the fact that the Commission has allowed it in the organic wine production represents a precedent.

Besides the advantages of this technique, there are some general aspects which must be answered. Ion exchange technique can be considered as a technique that makes possible to separate the different components in raw materials on very detailed level. A negative consequence of this process is the fact that for some applications the original characteristics of the product (for instance type of fruit) is not recognizable anymore. For the perspective of “true nature”, transparency and safeguarding integrity of organic food this is a clear disadvantage.

Because of the fact that ion exchange and adsorption resins have been used for more than 20 years in organic processing and that these organic products are widely used as ingredient, further restriction of the use of such techniques needs to be done very carefully. For instance, an appropriate long transitional period must be fixed.

IFOAM EU Group shares EGTOP proposal to require a detailed evaluation of different application of those technologies.

IFOAM EU Recommendation

- If the Commission decides to restrict the use of these techniques, a long transitional period that allows operators to adapt will be essential.

- IFOAM EU asks the Commission to authorise the use of ion exchange only if there are no alternative techniques available or if a general regulation requires some specific purity criteria as for instance in baby food production.
- IFOAM EU recommends to evaluate thoroughly the use of ion exchange techniques, to what extend and under what strict control conditions they should be allowed.
- IFOAM EU also suggests a comprehensive protocol for the use of this technique in food processing.

4. Flavours (Report II)

EGTOP Conclusion

Because there is a risk of misleading the consumer (Article 6(6) and 19(3)) of Council Regulation (EC) No 834/2007) we propose to not permit substances referred to in labelling requirements under Article 16 (6) of the new flavouring regulation (Regulation (EC) 1334/2008). The group proposes to establish a link in the Organic Regulation to the new flavouring regulation. This link should allow flavour extracts (Article 3(2)(d)) and "natural" flavours (Article 3(2)(c)) restricted to those natural flavourings as defined in Article 16(4),(5) of Regulation (EC) No 1334/2008.

Further, we propose to restrict the use of natural flavourings to specific processed food product groups e.g. tea products, sweets, milk products. [...]

On the production of organic flavourings

1. *Flavourings should be calculated as ingredients of agriculture origin.*
2. *Only organic carriers (ethanol, oil, fat, maltodextrin, etc.) should be allowed and included in the calculation of the percentage of agricultural ingredients*
3. *As long as glycerol and sodium alginate are not available in organic quality they should be allowed as conventional carriers and must not be part of the percentage calculation of agricultural ingredients. (ref. Chapter 7.5, 7.7). In this case and in accordance with Article 19 (2a) of regulation 834/2007, the majority, over 50%, of all ingredients should be from organic origin.*
4. *Only natural flavourings as defined in Article 16 (4) and 16 (5) of Regulation EC No. 1334/2008 are in the scope of the organic regulation.*
5. *Regulation EC 1334/2008 (Art 16) establishes a quantitative relationship between the flavouring component responsible for the flavour and taste and the source material referred in labelling qualified as natural. However, for organic flavourings, all of these flavour component must be organic.*
6. *Additives, solvents and processing aids must be used in organic form when available.*

IFOAM EU Comment

There are three main topics to consider on this area:

1. *Is it appropriate to allow all organic flavours and natural flavours for the production of organic food?*

At the moment for the production of organic foods, all flavour extracts, natural flavouring substances and natural flavour preparations are allowed except those produced from or by GMOs.

EGTOP proposes to restrict the flavours authorised in organic products to the categories 16(4) and 16(5) of Regulation (EC) No 1334/2008 which would exclude the simple “natural flavours” (category 16(6)). On this point, IFOAM EU Group emphasizes that many processors are using “natural flavours” in organic products and the consumers are informed by the accurate labelling of flavours. Finally, some current natural flavours are from the category 16(6) of Regulation (EC) No 1334/2008. We think it is more important to develop a clear concept for organic flavours than to restrict the use of natural flavourings. To restrict natural flavourings will bring bureaucratic overload and high pressure to change existing recipes.

2. *Definition of “organic flavour”*

IFOAM EU shares the EGTOP proposal to develop criteria for the production of organic flavours. In the meantime, the sector would like to draw the attention to the fact that in France there is already an interpretation for “organic flavours”, in line with the needs of the organic sector, which is the following:

- 95 % of the flavour (carrier and flavouring part) must be organic.
- And 95 % of the flavouring part must be organic. The 5% left must be natural (flavour extracts, natural flavouring substances and natural flavour preparations) and a derogation to be used in the non-organic form is possible.
- That 5% derogation should be reassessed with a target to limit it, within 5 years after the adoption of the regulation.

The exclusion of the production of organic flavours which meet the requirement of Article 16(6) of Regulation (EC) 1334/2008 makes the production of organic flavours more difficult. In particular for the savoury industry new problems will arise to create flavours which are not assigned to a specific ingredient. This is especially important to create certain flavour without allergen. Allergen free products is a fast-growing segment in the organic market and strongly demanded by the organic consumers.

Additionally, this reduces the required development of organic flavours, because the market would be reduced to some specific flavours.

3. *Shall we calculate flavours as ingredients of agricultural origin within the 95% concept?*

IFOAM EU agrees with the EGTOP proposal to calculate the flavourings as from agricultural origin. In order to encourage the use of organic flavours in organic products, and provided that there is a relevant and harmonized interpretation of “organic flavour”, IFOAM EU thinks that flavours should be calculated as ingredients of agricultural origin within the 95% concept.

IFOAM EU Recommendation

- IFOAM EU proposes not to change the current situation by restricting the use of natural flavours. All natural flavouring categories 16(4), 16(5) and 16(6) of Regulation (EC) 1334/2008 should be allowed.
- IFOAM EU proposes to establish a 95% concept in the organic flavour definition as interpreted by the French ministry based on EU regulation. Moreover, in the aim of being more and more organic, we propose a step-by-step improvement based on a scientific work by reducing the number of natural flavouring substances that could be used in non-organic form.
- IFOAM EU agrees with the EGTOP proposal to calculate the flavourings as from agricultural origin. In order to encourage the use of organic flavours in organic products, and provided that there is a relevant and harmonized interpretation of “organic flavour”, IFOAM EU thinks that flavours should be calculated as ingredients of agricultural origin within the 95% concept.

5. Thiamin hydrochloride and Diammoniumphosphate (Report I)

EGTOP Conclusion

The use of thiamin hydrochloride and diammonium hydrogen phosphate as processing aids is in line with the objectives criteria and principles of organic farming as laid down in the organic regulation. They should therefore be included in Annex VIII B as processing aids. These substances should be permitted for foodstuffs of both plant and animal origin with the specific condition that they are permitted only for use in processing of fruit wines including cider and perry and mead.

IFOAM EU Recommendation

- These substances should not be allowed for organic fruit wine production because it is not necessary. There is already a wide variety of organic fruit wine on the market which do not need to use the two substances evaluated in the report.

6. Steviol Glycoside (Report I)

EGTOP Conclusion

The use of steviol glycosides (E 960) as food additive is not in line with the objectives criteria and principles of organic farming as laid down in the organic Regulation.

If it would be available in organic quality and meet the needed purity criteria of the food additive regulations, without using ion exchange, the Group concluded that steviol glycosides should be included in Annex VIII A, but only for use in foodstuffs for particular nutritional uses.

IFOAM EU Recommendation

- As it is a sweetener, IFOAM EU thinks that, even if available in organic quality, there should not be an automatic general authorisation without restriction or conditions. A possible authorisation should be limited.

7. Organic Lecithin (Report II)

EGTOP Conclusion

The use of lecithin as a food additive (antioxidant) in flavourings is in line with the objectives, criteria and principles of organic regulation. Therefore the group does not see any need to change the specific conditions for lecithin, with the exception of the need to add the wording “in organic form only.”

IFOAM EU Comment

IFOAM EU Group does not agree with the EGTOP proposal to only accept lecithin in organic quality. For the time being, the quality of the organic lecithin available does not meet all technological needs.

IFOAM EU Recommendation

- IFOAM EU is against restricting lecithin only to organic sources. Nevertheless, IFOAM EU suggests to reassess the topic within a time frame of 5 years.

8. Erythritol (Report III)

EGTOP Conclusion

The Group is of the opinion that only organic Erythritol produced in accordance with the EU organic regulation should be added to Annex VIII, Section A to Regulation 889/2008.

IFOAM EU Comment

IFOAM EU fully agrees that erythritol production should be in line with the EU Organic principles, especially considering that erythritol in US is produced with the ion exchange technology.

IFOAM EU Recommendation

- As for the steviol glycoside, IFOAM EU thinks that even if organic erythritol is available, there should not be a generic authorisation. A possible authorisation should be limited.