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SCIENTIFIC SUB-COMMITTEE

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Brussels, 27 October 1997.

UNITED STATES PROPOSAL CONCERNING CARAMEL COLOUR

(Item II.7 on Agenda)

Reference documents :

40.587 (RSC/14)
40.470, Annex C/18 (RSC/14 - Report)
40.413 (HSC/18)
40.600, Annex E/1 (HSC/18 - Report)
40.780 (RSC/15)
40.901 (RSC/15)
40.920, Annex A/18 (RSC/15 - Report)
40.881 (HSC/19)
41.100, Annex E/1 (HSC/19 - Report)

I. BACKGROUND

1. At its 14th and 15th Sessions, the Review Sub-Committee examined a proposal by the United States to amend the Nomenclature or the Explanatory Notes to transfer "caramel colour" from heading 17.02 to heading 32.03.
2. In its submission, the United States Administration noted that "caramel colour" was currently classified in heading 17.02, although the product had virtually no sweetening power and was used exclusively as a colouring agent. Thus, it was proposed to move "caramel colour" to heading 32.03 to more accurately reflect its nature and function. With regard to distinguishing criteria between "caramel colour" and other caramelised preparations, e.g., "caramelised sugars", the US Administration suggested a minimum colour intensity of 0.01 (see paragraph 7 of Doc. 40.587).

Note: Colour intensity is defined as the absorbance of a 0.1 % (W/v) solution of caramel in water measured in a 1-cm cell at 610 nm and is expressed on a total solids basis.

3. While there was some support for the US proposal, some delegates expressed concern about the suggested distinguishing criterion (based on colour intensity) between "caramel colour" and "caramelised sugars".

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4. In a submission to the Review Sub-Committee's 15th Session (see Doc. 40.901), the Canadian Administration supported the US proposal, but expressed concern that the value for colour intensity (0.01) proposed was too low since it might result in transfer other products, such as certain "caramelised sugars" and molasses to Chapter 32. Consequently, the Canadian Administration had considered the option of raising the minimum colour intensity to 0.05 to limit the types of preparations that would meet this criteria. However, discussions with industry had shown that this option would exclude bona fide caramel colours from Chapter 32. Thus, an increase in minimum colour intensity was considered counterproductive since it would split caramel colours between two Chapters.
5. The Canadian Administration also indicated that it had examined the possibility of introducing a criterion based on sugar content for caramel colours. It was noted that, according to industry, all caramel colours contained a certain amount of residual sugars and that the amount of residual sugars was usually related to the colour intensity. That is, the higher the colour intensity, the lower the amount of residual sugars. However, since "caramel colours", according to industry, can range in residual sugar content from as low as 2 to 3 % to as high as 40 % on a dry weight basis, the Canadian Administration concluded that it would not be possible to establish a criterion based on percentage of sugar content to aid in separating "caramel colours" from other products such as "caramelised sugars".
6. At the Review Sub-Committee's 15th Session, the Delegate of the United States referred to the "organoleptic" test method which was used by the U.S. caramel colour industry. This test consisted of tasting the product and it was easy to ascertain whether or not a product was a caramel colour, since it would have a very bitter taste, whereas "caramelised sugars" or molasses would have a sweet taste. This method could be considered in conjunction with other criteria.
7. The Review Sub-Committee decided to pursue the matter by seeking the advice of the Scientific Sub-Committee as to whether it would be possible to clearly distinguish between "caramel colour" and "caramelised sugars" or molasses and, if so, the criteria for making such a distinction.

II. SECRETARIAT COMMENTS

8. The Secretariat would like to note that both the "Codex Alimentarius" and the "Compendium of Food Additive Specifications" by JECFA (see paragraph 7 of Doc. 40.780) refer to a colour intensity between 0.01 and 0.6. The comments by the Canadian Administration confirms that caramel colours within this range are, in fact, produced (see paragraph 7 of Doc. 40.901). However, colour intensity alone would not provide a clear distinction between "caramel colour" and "caramelised sugar".
9. Although the Canadian Administration has concluded that it would not be possible to establish a criterion based on the residual sugar content in "caramel colours", which, according to industry, ranges from 2 - 3 % to 40 % on a dry weight basis, the Secretariat feels that it could be considered as an additional criterion based on information on a more complete range of sugar content. Another possibility is to explore other additional criteria and test methods such as the "organoleptic" test suggested by the US Administration.
10. The Sub-Committee is, therefore, invited to consider the possibility of establishing criteria, e.g., based on a combination of colour intensity, sugar content or any other criteria,

for the distinction between “caramel colour” and caramelised sugars” or molasses. The Sub-Committee is also invited to express its views regarding the efficacy of using “organoleptic” test method.

III. CONCLUSIONS

11. The Sub-Committee is invited :
- (i) to examine whether it would be possible to clearly distinguish between “caramel colour” and “caramelised sugars” or molasses; and
 - (ii) if so, to suggest criteria and test methods for making such a distinction.
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