



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

Established in 1952 as the Customs Co-operation Council
Créée en 1952 sous le nom de Conseil de coopération douanière

HARMONIZED SYSTEM
COMMITTEE

-
25th Session
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NC0248E1

O. Eng.

Brussels, 17 March 2000.

CLASSIFICATION OF "HIGH FAT CREAM CHEESE" AND POSSIBLE
CREATION OF A DEFINITION OF CHEESE OF HEADING 04.06

(Item VIII.11 on Agenda)

Reference documents :

41.475 (HSC/20)	42.828 (SSC/14)
41.600, Annex G/23 (HSC/20 – Report)	42.850, Annex A/13 (SSC/14 - Report)
42.040 (HSC/21)	NC0027E1 (HSC/23)
42.056 (HSC/21)	NC0086E1 (HSC/23)
42.113 (HSC/21)	NC0090E2, Annex E/1 (HSC/23 – Report)
42.100, Annex H/1 (HSC/21 – Report)	NC0129E1 (HSC/24)
42.438 (HSC/22)	NC0154E1 (HSC/24)
42.727 (HSC/22)	NC0160E2, Annex G/10 (HSC/24 – Report)
42.750, Annex G/12 (HSC/22 – Report)	NS0002E1 (SSC/15)
42.805 (SSC/14)	NS0014E2, Annex A/1 (SSC/15 – Report)
42.827 (SSC/14)	NC0181E/1, paragraphs 2 to 7 (HSC/25)

I. BACKGROUND

1. On 9 March 2000, the Secretariat received a Note from the International Dairy Federation (IDF) with an extract from the preliminary official report of the 4th Session of the Codex Committee for Milk and Milk Products (CCMMP) which recently took place in Wellington (New Zealand).

File No. 2701

II. NOTE FROM THE INTERNATIONAL DAIRY FEDERATION

“EXTRACT FROM PRELIMINARY REPORT OF THE 4TH SESSION OF THE CODEX COMMITTEE ON MILK AND MILK PRODUCTS

CONSIDERATION OF RAW MATERIALS AND MINIMUM PROTEIN LEVEL IN THE GENERAL STANDARD FOR CHEESE¹

2. The Committee noted that the Commission, during the discussion of the Draft General Standard for Cheese at its 23rd Session, had recorded the comments on the need for reconsideration of the section on raw materials and for inclusion of a minimum protein level. The Commission had adopted the Draft Standard at Step 8 and requested this Committee to consider: (1) inclusion of a minimum level for protein; and (2) raw materials.² The Committee further noted that work on the amendments to the General Standards had been approved as new work by the Commission.

Description

3. The Delegation of Norway explained that the consequential modification to the sections on Description and Raw Materials from “milk, skimmed milk, partly skimmed milk, cream, whey cream and buttermilk or any combination of these materials” to “milk and/or products obtained from milk” made at the 3rd Session resulted in a substantial change to the definition of cheese and rendered it meaningless for the purpose of facilitating fair practices in international food trade and protecting the health of consumers. The Delegation proposed that the product definition should be amended by reverting to the previous text.
4. The Committee generally supported the proposal of Norway and agreed to consider the wording proposed by IDF³ which was slightly different from the proposal of Norway. It was further agreed to insert the term “the protein of” after the term “coagulation of” in paragraph (b) for the sake of consistency and in order to stress that cheese is obtained by the coagulation of milk protein. Some delegations questioned the use of “and/or” between paragraphs (a) and (b). It was explained that while paragraph (a) provided the definition of reference products obtained from the traditional manufacturing process, paragraph (b) provided the definition of products obtained from alternative processes. As long as the end product derived from milk and/or products were identical or similar to those obtained by the process described in paragraph (a), they could also be produced in accordance with paragraph (b).
5. The Committee agreed to the following Proposed Draft Amendment to Section 2.1 of the General Standard for Cheese and advanced it to Step 5 with a recommendation to omit Steps 6 and 7 for adoption by the Commission at Step 8 at its 24th Session:

“2.1 Cheese is the ripened or unripened soft or semi-hard, hard or extra-hard product, which may be coated, and in which the whey protein/casein ratio does not exceed that of milk, obtained by:

¹ CX/MMP 00/3, CX/MMP 00/3-Add.1 (comments from Germany, Norway, European Community and International Dairy Federation), CX/MMP 00/3-Add.2 (comments from France).

² ALINORM 99/37, 91-95

³ CX/MMP 00/3-Add.1, page 5.

- (a) coagulating wholly or partly the protein of milk, skimmed milk, partly skimmed milk, cream, whey cream or buttermilk, or any combination of these materials, through the action of rennet or other suitable coagulating agents, and by partially draining the whey resulting from such coagulation; and/or
- (b) processing techniques involving coagulation of the protein of milk and/or products obtained from milk which give an end product with a similar physical, chemical and organoleptic characteristics as the product defined under (a).”

Minimum Protein Level

6. The Delegation of Japan welcomed the decision of the Committee on the Description of Cheese which clarified that the coagulation of milk protein was the key factor in the manufacturing of cheese. However, the Delegation was of the opinion that for the facilitation of the international food trade and consumer protection, a minimum protein level was necessary to provide for guidance on product identification. The Delegation recommended a minimum protein level of 6 % in dry matter based on chemical analyses with 25 % of determination error.
7. While some delegations contented that the minimum level of protein was unnecessary on the basis of the amended definition and should not be set in an arbitrary manner the Committee generally supported the establishment of a minimum protein level. Many delegations mentioned the need for further studies to come up with a figure which would cover cheeses moving in international trade. The Committee noted that due to the urgent need for the clear guidance on minimum protein level for the international trade of cheese, the World Customs Organization was also working on this issue. Several delegations supported the level proposed by Japan as they felt that it would cover most of, if not all, cheeses moving in international trade.
8. Some delegations stated that, according to the definition, cheese could also be produced from cream and proposed an alternative level of 2 % or a range of 2 – 6 %. The Committee felt that the range was too broad and agreed to use 6% as a tentative value for minimum protein level.
9. Taking into consideration the urgent need for a decision on minimum protein level, the Committee agreed to circulate the following at Step 3 for comments. Australia dissented from that decision.

“3.3 COMPOSITION

Minimum protein in dry matter [6] % (m/m)”

At the same time, the Committee requested IDF to collect data on the protein levels of cheeses for consideration by the Committee at the next Session.”

III. SECRETARIAT COMMENTS

10. It was pointed out by IDF that the final text, which might be slightly different due to editing by the Codex Secretariat, will be included in the official report, Codex ALINORM 01/11, to be published soon at the Codex web-site:

<http://www.fao.org/WAICENT/FAOINFO/ECONOMIC/ESN/codex/Reports.htm> .
11. It was also pointed out that, following the CCMMP decision to put in a preliminary figure of 6 % in the current Codex standard for cheese, IDF was asked to collect data on the protein levels of cheeses for consideration by the CCMMP at its next Session. In parallel IDF will continue to work on a method for determination of the protein content in cheese. A collaborative study is already readily available and the results can be expected by August 2000.
12. From the above it seems that the CCMMP has agreed tentatively to use 6 % as a value for minimum protein level (see paragraph 8 above). However, since the final decision is not taken, the Secretariat is of the opinion that it might be premature to ask IDF (all) the questions proposed by several delegates at the 15th Session of the SSC (see Doc. NS0014E2, Annex A/1, paragraph 13 (SSC/15 – Report)), but leaves it to the Committee to decide.

IV. CONCLUSION

13. The Committee is invited to take account of the Note from the IDF, and the comments by the Secretariat in paragraphs 10 to 12 above, when it examines this Agenda item.
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