



July 11, 2016

Via E-mail: sps.chile@sag.gob.cl

Re: WTO Notification G/SPS/N/CHL/524

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 globally, including natural and synthetic colors. We are writing to offer information and comment on the recent draft amendment to Title III (Food Additives) of the Food Health Regulations, Ministry of Health Supreme Decree No. 977/96. Specifically, we would propose to keep INS 161g as an approved color in Chile's regulations; align Iron Oxide levels with Codex values; and align all synthetic/artificial colors with Codex maximum levels. As the stated aim of the notified draft amendment to Title III of the Food Health Regulations is to improve the drafting and structure of the text and to include additives that are on the Codex Alimentarius list or are used in other countries, IACM feels these proposals are appropriate. Further comments are included below.

IACM supports the proposed changes to Article 135, but also requests the inclusion of the US Food and Drug Administration (FDA) as a recognized entity to perform toxicological evaluations. The FDA is involved with many facets of food safety, including evaluating food colors for safety prior to their introduction to the marketplace. Within FDA, the Center for Food Safety and Applied Nutrition's (CFSAN) Office of Food Additive Safety is responsible for reviewing safety information for food ingredients and food packaging. Therefore, it is justifiable the US FDA to be considered as an organization reliable to perform evaluations on additives toxicity.

IACM requests the additive INS 161 g – “Cantaxantina” to be included in the revised standards with GMP limit under Article 145, as allowed under current Chilean regulations. This additive is currently allowed in Chile, and is a widely approved color globally, including in the US, the EU and at Codex. There have been no safety concerns expressed for this color globally, and IACM would recommend that it continue to be allowed as an approved color in Chile. GMP is the maximum level established in the Codex General Standard for Food Additives (GSFA) for INS 161g and is therefore the appropriate level for this color in Chile.

Additionally in Article 145, Table A. Natural Coloring Additives, and those Identical to Natural, IACM requests that the following additives be revised to align with Codex standards, as follows:

INS	Nombre del Aditivo	ACTUAL - Reglamento Sanitario de los Alimentos DTO. N° 977/96 (D.OF. 13.05.97) Unidad (mg/kg)	BORRADOR – Propuesta de Modificación del Título III de los Aditivos Alimentarios Unidad (mg/kg)	Solicitud

172	Óxidos de hierro	50	50	Cambiar a 200 según Codex "General Standard for Food Additives" (GSFA)
172i	Óxidos de hierro, negro	50	50	Cambiar a 200 según Codex GSFA
172ii	Óxidos de hierro, rojo	50	50	Cambiar a 200 según Codex GSFA
172iii	Óxidos de hierro, amarillo	50	50	Cambiar a 200 según Codex GSFA

IACM requests that the following additives contained in Article 145 – Table B – Artificial Colorings be revised to align with Codex and other relevant international standards, as follows:

INS	Nombre del Aditivo	ACTUAL - Reglamento Sanitario de los Alimentos DTO. N° 977/96 (D.OF. 13.05.97) Unidad (mg/kg)	BORRADOR – Propuesta de Modificación del Título III de los Aditivos Alimentarios Unidad (mg/kg)	Solicitud
102	Tartrazina - FD&C Yellow No.5	Buenas Practicas para Fabricantes (BPF)	100	Cambiar a 300 según Unión Europea (UE) y borrador del Codex GSFA
104	Amarillo de quinoleina - D&C Yellow No.10	BPF	100	Cambiar a 300 según Codex GSFA
110	Amarillo ocaso - Amarillo crepúsculo - FD&C Yellow No.6	BPF	100	Cambiar a 300 según Codex GSFA
122	Azorrubina - Carmoisina	BPF	100	Cambiar a 300 según Codex GSFA
124	Ponceau 4R - rojo de cochinilla	BPF	100	Cambiar a 300 según aprobación del Codex GSFA
127	Eritrosina - Food Red No.3	BPF	200	Esta propuesta es incluso más alta versus el

				valor de Codex actual que es 50 ppm.
129	Rojo allura AC - FD&C Red No.40	BPF	200	Cambiar a 300 según aprobación del Codex GSFA
131	Azul patente V	BPF	100	Cambiar a 300 según aprobación en UE y borrador del Codex GSFA
132	Indigotina - Indigo carmín - FD&C Blue No. 2	BPF	100	Cambiar a 300 según aprobación del Codex GSFA
133	Azul brillante FCF - FD&C Blue No. 1	BPF	150	Cambiar a 300 según aprobación del Codex GSFA
142	Verde S	BPF	100	Cambiar a 300 según aprobación en UE
143	Verde sólido FCF - FD&C Green No. 3	BPF	200	Cambiar a 300 según aprobación del Codex GSFA
151	Negro brillante PN - Negro PN	BPF	50	Cambiar a 300 según aprobación en EU y en México en 2012
155	Marrón HT - Café HT	BPF	50	Cambiar a 300 igual que el Negro brillante

We remain at your disposal to provide any additional information concerning the determination of appropriate maximum levels. We strongly urge that the scientific evidence informing maximum levels for these and all food colors be considered in a manner consistent with other government bodies and harmonized international standards, particularly at Codex. IACM thanks you for considering these comments.

Sincerely,



Sarah Codrea
Executive Director