

CONSIDERATION BY THE ACNFP OF COCOA PULP AS A TRADITIONAL FOOD FROM THIRD COUNTRIES (NF 2019/1014)

Background

At the 137th meeting of the Advisory Committee on Novel Foods and Processes (ACNFP), the traditional food from a third country notification dossier for *Theobroma cacao* L. fruit pulp was considered.

The applicant provides evidence to support cocoa pulp use for beverages in 1400-1100 B.C. They suggest the pulp has been used domestically in Brazil for decades, and has been commercialised since the 1970s.

The applicant is seeking authorisation to market the product as a fruit juice, to be consumed as such (juice and pulp), with added water (juice, concentrate, pulp) or as ingredient in foods (mainly as a concentrate ingredient).

The summary of the application can be viewed on the [Commission website](#).

The Committee's discussion

The advice of the Committee to the Food Standards Agency is summarised below. Please note the Committee did not consider any potential health benefits or claims arising from consuming the food, as the focus of the novel food assessment is to ensure the food is safe, not misleading and not putting consumers at a nutritional disadvantage.

Statement of interests - A potential conflict of interest was declared by Dr Mark Berry ahead of the discussion due to his previous paid work where he was actively engaged in a collaboration on cocoa products with the parent company of the applicant. After acknowledging his declaration, the Chair invited him to stay in the room but suggested that any points raised by Dr Berry would be considered by the Committee in light of the potential conflict. This represented a balance between gaining expert advice on this sector and any conflict.

The Committee made several general comments on the notification dossier, including that the dossier contained a very large amount of information, part of which was deemed to be insufficiently relevant for the focus of the authorisation. This made accessing the information needed for the assessment difficult. It was noted that some of the data appeared inconsistent while for other data the variability had not been explained by the applicant. Members were reassured that the applicant actively sought and identified potential problems and addressed them.

Identity of the traditional food

The Committee considered the evidence provided supporting the traditional use of the food in third countries was sufficiently complete and relevant for this application. It was noted that the traditional use was consistent with the proposed uses of the product primarily as a juice and a concentrate for use in a range of product types.

Production process

The Committee commented that while cocoa pulp can be considered a traditional food given the evidence provided, the production process described by the applicant is not traditional but rather, a modern, industrialised process. The Committee reflected that this industrialisation of the process and application of HACCP protocols across the production process might better ensure the safety of the product. Members suggested it would have been clearer if a comparison could have been made between the composition of the product produced by the traditional processes versus the proposed production method. Such a comparison would permit assessment of similarities and whether any changes in risk profile had been introduced or mitigated by the new practices.

The Committee raised a question for risk managers to consider whether a significantly changed production process, that might improve the safety of the final product, would be consistent with seeking authorisation under the terms of the traditional food from third country route. This would inform the approach to the assessment of the production process.

Composition

The Committee recognised the information within the composition and specification sections to be acceptable for the most part. Several inconsistencies were pointed out by members, such as the dossier claiming that cocoa pulp has a high sugar content and stating that carbohydrate content is low. Similarly, the Committee noted that the pH of the juice being 3.2 was acidic.

In terms of stability the Committee noted that the low pH can help prevent pathogenic bacterial growth, but will have little effect on the growth of mould and yeast and therefore this should be monitored in the production process to ensure controls are operating effectively. Members commented that the data on microbial composition related to the product at the time of production, and that it would be important to see if this changed over time to support the proposed shelf life.

Specification

The Committee raised the point that given the nature of the product it would have been useful to consider further the potential for phytotoxins to be produced. Members noted that a sequence for a toxin could be identified in the publicly available genome sequence for cocoa and therefore it would have been appropriate to check for this.

It was also suggested that given the potential for growth of moulds that a screen for mycotoxins would be appropriate.

Proposed uses in EU market

The main concerns of the Committee related to the use of the product in the EU market when used as a fruit juice. The Committee commented that the product could be nutritionally disadvantageous if consumed as a replacement for fruit juices by certain

subgroups of the population, such as children, due to the low vitamin and high sugar content of the product. It was suggested that the nature of the product is not consistent with other products associated with a fruit juice by the EU population. No concerns were found with the use of the food as a substitute for sugar or as a sweetener.

Consultation response

The Committee noted the concern raised in the public consultation about the environmental impact of potential increases in cocoa cultivation as a result of any authorisation. While this is outside of the scope for assessment for novel foods, it will be highlighted to risk managers. The Committee commented that the product seeking authorisation is a component of the cocoa beans already being cultivated for other purposes, and therefore unlikely to change existing agricultural practices.

Respondents also flagged the potential for negative impacts on populations in third countries if the product is authorised. Members noted that product is not a staple food and therefore less likely to negatively impact the diets of consumers in third countries. The Committee also acknowledged comments on potential risks related to inappropriate labelling of cocoa pulp products. It was recognised that this is a potential risk management question that will be highlighted to Policy colleagues to consider when developing the UK position.

Conclusions

The Committee noted that, although there was sufficient evidence on the traditional use of the product in third countries, further information was needed on whether the changes to the production process altered the nature of the product as compared to that produced using traditional production methods. A comparison of this in relation to composition, metabolism and undesirable substances would strengthen the basis for assessment.

Concerns were raised regarding the lack of information on the stability of the product particularly as testing had not been undertaken with the applicant's own product.

The Committee raised concerns around the potential for nutritional disadvantage if used to replace other fruit juices, given the low levels of vitamin C and the high levels of sugar compared with other fruit juices.

The Committee did not identify any further safety concerns.