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Notice of Modification to the *List of Permitted Preservatives* to Enable the Use of Benzoic Acid and its Salts in Oyster-Flavoured Sauce

Notice of Modification – Lists of Permitted Food Additives

Reference Number: NOM/ADM-0147

May 5, 2020



Summary

Food additives are regulated in Canada under [Marketing Authorizations](#) (MAs) issued by the Minister of Health and the *Food and Drug Regulations* (Regulations). Approved food additives and their permitted conditions of use are set out in the [Lists of Permitted Food Additives](#) that are incorporated by reference in the MAs and published on the Canada.ca website.

Health Canada may identify the need to make changes to the [Lists of Permitted Food Additives](#) in order to correct minor errors, to adjust wording in the interest of clarity, to ensure consistency in terminology, or to make changes that are required as a consequence of amendments to the Regulations or emerging scientific developments related to the effectiveness and/or safety of an approved food additive.

Benzoic acid and its salts, namely potassium benzoate and sodium benzoate, are permitted for use in unstandardized foods, with the exception of unstandardized preparations of meat and meat by-product ([Division 14](#)), fish and meat ([Division 21](#)) and poultry meat and poultry meat by-product ([Division 22](#)), at a maximum level of use of 1,000 ppm.

Health Canada's Food Directorate received a request seeking approval for the use of sodium benzoate, the sodium salt of benzoic acid, as a preservative used at a maximum level of 1,000 ppm in oyster-flavoured sauce. Oyster-flavoured sauce is regulated as an unstandardized fish product in Canada, and consequently, is not permitted to contain either benzoic acid or salts of benzoic acid.

The Food Directorate conducted an internal review of its files to understand the rationale behind the establishment of the above-noted exceptions where food additives are permitted for use in unstandardized foods, and found no scientific evidence to soundly rationalize the establishment of these exceptions. Therefore, Health Canada has modified Part 2 of the [List of Permitted Preservatives](#) to extend the use of benzoic acid and its potassium and sodium salts by adding the entry shown below to the List.

Modification to Part 2 of the *List of Permitted Preservatives*

Item No.	Column 1 Additive	Column 2 Permitted in or Upon	Column 3 Maximum Level of Use and Other Conditions
B.1	Benzoic Acid	(4) Unstandardized oyster-flavoured sauce	(4) 1,000 p.p.m.

The listings for potassium benzoate (item P.1) and sodium benzoate (item S.1) in Part 2 of the [List of Permitted Preservatives](#) indicate that these two additives are permitted for use in the same foods as listed for benzoic acid and at a maximum level of use of 1,000 ppm, calculated as benzoic acid. Therefore, updating the permitted uses of benzoic acid will as a consequence update the permitted uses of potassium and sodium benzoate, and the listings for the two latter additives do not need to be modified.

Rationale

The Food Directorate conducted an internal review of its files to understand the rationale behind the establishment of the above-noted exceptions where food additives are permitted for use in unstandardized foods. The limited information available revealed that the above-noted exceptions were established prior to 1964 when pre-market requirements for food additives were introduced and suggested, at the time, a

general understanding that benzoic acid and its salts are relatively ineffective as fish preservatives since fish are normally not sufficiently acidic for benzoic acid and its salts to exert any significant anti-microbiological activity.

Emerging scientific developments have demonstrated the effective anti-microbiological activities of benzoic acid and its salts when used for the preservation of meat, poultry and fish products, and no information suggesting potential health risks from the use of benzoates in unstandardized preparations of meat and meat by-product, fish and meat, and poultry meat and poultry meat by-product was found.

Therefore, the Department has enabled the requested use of sodium benzoate by modifying the provisions for benzoic acid described in Part 2 of the [List of Permitted Preservatives](#), as shown in the above table. This modification will also enable the use of potassium benzoate in oyster-flavoured sauce, as described above.

Other Relevant Information

The *Food and Drug Regulations* require that food additives such as benzoic acid and its potassium and sodium salts that do not have food-grade specifications set out in Part B of the Regulations meet the most recent food-grade specifications set out in the *Food Chemicals Codex* or the *Combined Compendium of Food Additive Specifications*. The *Food Chemicals Codex* is a compendium of standards for purity and identity for food ingredients, including food additives, published by the United States Pharmacopeial Convention. The *Combined Compendium of Food Additive Specifications*, which contains specifications prepared by the Joint FAO/WHO Expert Committee on Food Additives (JECFA), is published by the Food and Agriculture Organization of the United Nations.

Implementation and Enforcement

The above modification came into force **May 5, 2020**, the day it was published in the [List of Permitted Preservatives](#).

The Canadian Food Inspection Agency is responsible for the enforcement of the *Food and Drugs Act* and its associated regulations with respect to foods.

Contact Information

Health Canada's Food Directorate is committed to reviewing any new scientific information on the safety in use of any food additive, including benzoic acid and its potassium and sodium salts. Anyone wishing to submit new scientific information on the use of these additives or to submit any inquiries may do so in writing, by regular mail or electronically. If you wish to contact the Food Directorate electronically, please use the words "**Benzoic acid and its salts NOM-0147**" in the subject line of your e-mail.

[Bureau of Chemical Safety, Food Directorate](#)

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