

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 2

CRD04

ORIGINAL LANGUAGE

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON CONTAMINANTS IN FOODS

13th Session
Yogyakarta, Indonesia, 29 April – 3 May 2019

MATTERS REFERRED TO THE COMMITTEE BY THE CODEX ALIMENTARIUS COMMISSION AND/OR ITS SUBSIDIARY BODIES

Comments submitted by European Union, Japan, Kenya, United States

European Union

Guidelines for the management of (micro) biological foodborne crises/outbreaks:

The European Union and its Member States (EUMS) welcome the development of guidelines for the management of (micro)biological foodborne crises/outbreaks undertaken by the Codex Committee on Food Hygiene (CCFH).

The EUMS consider that it might be appropriate for CCCF to consider the development of such guidelines also for contamination incidents with chemical substances (possibly in co-operation with CCPR, CCFA and CCRVDF).

However, the proposed draft guidance for the management of (micro) biological foodborne crises/outbreaks (CX/FH 18/50/8) is in certain aspects very specific to (micro)biological contamination and not necessarily relevant/applicable for contamination incidents involving chemical substances. Therefore, it does not seem to be appropriate to integrate food contamination incidents in the guidance for the management of (micro)biological foodborne incidents.

It is therefore proposed to reconsider the matter when the guidance for the management of (micro)biological foodborne crises/outbreaks is at a more advanced stage. At that moment, it can then be considered, based on the experiences gained with the development of this guidance by CCFH, if it is appropriate to develop a similar guidance for the management of food contamination with chemical substances.

Proposed draft MLs for total aflatoxins (AFT) in ready-to-eat (RTE) peanuts and associated sampling plans:

The EU takes note that the 75th meeting of the Executive Committee recommended at that CCCF accelerate the process to finalize the ML and sampling plan for total aflatoxins (AFT) in ready-to-eat (RTE) peanuts.

The EU recalls that during the discussions at the 12th session of CCCF it was evident that the Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts (CXC 55-2004) was not implemented to the full extent in countries producing peanuts. For this reason the JECFA Secretariat highlighted the need that producing countries would make clear efforts to implement the Code of Practice.

However, the EU is not aware of any new element since CCCF12, which would enable the Committee to establish MLs on a sound basis to protect public health earlier than concluded last year. Therefore, the EU is of the opinion that it is not appropriate to accelerate the process only to address trade concerns.

Sampling plans for MLs for methylmercury in fish:

The European Union and its Member States (EUMS) would like to comment on the proposals made by CCMAS 39 on the sampling plan for MLs for methylmercury in fish.

CCMAS proposes to align the method performance requirements for mercury with those of the Procedural Manual (Guidelines for establishing numeric values for the criteria). The EUMS would not oppose to replace these method performance requirements by a reference to the Procedural Manual and the EUMS would not oppose to table 7, as amended by CCMAS 39.

Even though in the EU the measurement uncertainty is taken into account for taking decisions on the compliance of products, the EUMS would not oppose removing the paragraph on measurement uncertainty from the sampling plan.

The EUMS would like to comment that for the proposed sampling plan in the definition of 'lot', the following should be added: 'In the case of fish, also the size of fish shall be comparable. Fish are considered to be of comparable size and weight where the difference in size and weight does not exceed about 50 %.'

Japan

APPENDIX, SAMPLING PLAN, Number of incremental samples

• Japan proposes amendments of the text as follows (insertion is in **bold and underlined**)

“Number of incremental samples

•••

The weight/volume of an incremental sample should be at least 100 grams **after removing the digestive tract**, resulting in an aggregate sample of at least about 1 kg”

Reason: It is necessary to amend the text to be consistent with the portion of the commodity to which the ML applies (and which is analyzed) agreed to last year, “Whole commodity fresh or frozen (in general after removing the digestive tract)”.

APPENDIX, METHODS OF ANALYSIS, Specific requirements

• At the last year’s session, the CCMAS revised previous Table 7 and proposed current Table 7 by adding some specific performance characteristics on a basis of the content in Table 5. As the content of Table 5 has already been included in the Procedural Manual (Version 26, page 80), we understand that Table 5 is included in the text for easier consideration of the requirements for analytical methods and will not be included in the final text.

APPENDIX, REPORTING AND INTERPRETATION OF RESULTS

• At the present, no other sampling plans include the concept of “measurement uncertainty”, it is not necessary to include “measurement uncertainty”.

APPENDIX, SAMPLING PLAN, Specific provisions for the sampling of large fish arriving in large lots

• For sampling of large fish, it is necessary to consider whether taking specific portion as sample is economically feasible; and to clarify the portion to be sampled even clearer than “middle part”, for consistency. In Japan, for expensive large fish, such as tunas, portion of muscle at the end of the body where the tail is attached is taken as a sample and analyzed.

Kenya

Paragraph 10: Kenya supports the position that: -

- Performance criteria for methods of analysis of mercury and methyl mercury (Table 5) in the sampling plan should be removed from the sampling plan and replaced with a reference to the Procedural Manual.
- The measurement uncertainty should not be used in decision rule in Codex standards for acceptance or rejection of lots (section on Interpretation of Results)

JUSTIFICATION

- Repeatability and reproducibility values in Table 5 are more stringent (less than 2 instead of ≤ 2). The procedure manual also takes into account the range within which MLs are set so that reproducibility will depend on MLs i.e not fixed
- In practice, measurement of uncertainty is not usually provided unless requested by client. This is also not a requirement of the international standard ISO 17025:2017: General requirements for the competence of testing and calibration laboratories

United States**Matters referred to CCCF by CAC and/or its subsidiary bodies**

1. Proposed draft MLs for total aflatoxins in ready-to-eat peanuts and associated sampling plans
 - **The United States recommends maintaining the agreement by CCCF12 (2018):**
 - **To hold the ML of 10 µg/kg at Step 4 to ensure implementation of the *Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts (CXC 55-2004)*.**
 - **That JECFA would issue a call for data in three years' time.**
 - **That an EWG would be re-established, once the data were submitted, to prepare a proposal for consideration by CCCF15 (2021).**
2. Sampling plans for MLs for methylmercury in fish
 - The United States has no objections with the sampling plan as amended by CCMAS39.
 - The United States recommends that CCCF determine if further considerations are needed on the following questions that CCMAS was not able to respond to because they were outside the remit of CCMAS:
 - Whether there is evidence that methylmercury can vary widely between individual fish sampled at the same time. How this would apply to large fish sold as individual units and whether the sampling plan provides enough basis to deal with this.
 - Whether the whole fish should be analyzed or only specific fractions of edible portions. Currently only mention is made that the mid-section should be sampled for some large fish.