

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Items 2, 11 – 14, 16, 18 – 20

CRD11

ORIGINAL LANGUAGE

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

14th Session
(virtual)

3-7 and 13 May 2021

Comments of the United States of America

Agenda Item 2

(CX/CF 21/14/2)

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

78th Session of the Executive Committee (CCEXEC78, 2020)

1. CCEXEC78 requested that the Codex Secretariat report on the timeliness of Codex working documents and reports and the availability of adopted standards be brought to the attention of subsidiary bodies.
2. CCCF is invited to consider the following action: to note that the Codex Secretariat works closely with the Chair of CCCF, Chairs of Electronic Working Groups and the Host Country Secretariat on ways forward to improve work management of the Committee [including the review of the information provided in CX/EXEC 20/78/8].

40th Session of the Committee on Methods of Analysis and Sampling (CCMAS40, 2019)

1. CCCF14 is invited to consider the following CCMAS requests:
 - i. To acknowledge the *General Standard for Methods of Analysis and Sampling* (CXS 234-1999) as the single reference point for methods of analysis and sampling under the CCMAS remit.
 - ii. To review the methods of analyses in the *Standard on General Methods of Analysis for Contaminants* (CXS 228-2001) with a view to their updating or replacement by other more appropriate methods available to date or by another more appropriate approach, such as performance criteria.
 - iii. To identify a lead country to undertake the review and to report back on their findings to CCCF15 (2022) based on the issues raised in point (ii).

U.S. Position:

- The United States agrees with noting the CCEXEC recommendations on work management. Late working documents make it very difficult for members to undertake necessary consultations and develop positions before committee sessions. This has been an issue in CCCF and other committees and warrants greater attention.
- The United States agrees with the recommendations of CCMAS and supports review of methods of analysis for contaminants.

Agenda Item 11

(REP18/CF, para. 115, Appendix VII; REP 10/CF, paras. 16,80; REP 18, EXEC2-Rev1, para. 23)

Maximum level for total aflatoxins in ready-to-eat peanuts and associated sampling plan (Held at Step 4)

U.S. Position:

- The United States concurs with re-establishment of the EWG, which is consistent with the agreement outlined in the CCCF12 (2018) report:
 - “To hold the ML of 10 µg/kg at Step 4 to ensure implementation of the COP (CXC 55-2004)
 - That JECFA would issue a call for data in three years’ time, and
 - That an EWG would be re-established, once the data were submitted, to prepare a proposal for consideration by CCCF15.”
- The terms of reference for the EWG should clearly state that the EWG should base its analysis on total aflatoxin data for RTE peanuts in GEMS/Food, as well as considering the results of the JECFA83 (November 2016) impact assessment. An appropriate sampling plan for RTE peanuts should also be addressed.

Agenda Item 12

(REP 18/CF, para. 119, Appendix VIII; REP 19/CF, para. 81)

Maximum levels for total aflatoxins (AFT) and ochratoxin A (OTA) in nutmeg, dried chili and paprika, ginger, pepper and turmeric and associated sampling plans (Held at Step 4)

U.S. Position:

- The United States concurs with the re-establishment of the EWG, which is consistent with the agreement outlined in the CCCF12 (2018) report.
 - “To suspend work and to hold the ML of 20/30 µg/kg for AFT and 20 µg/kg for OTA in nutmeg, chili and paprika, ginger, pepper and turmeric, respectively, at Step 4 to ensure implementation of the COP.
 - That JECFA would issue a call for data in three years’ time, and
 - That an EWG would be re-established, once the data were submitted, to prepare a proposal for consideration by a future CCCF.”

Agenda Item 13

(CX/CF 21/14/11)

Discussion paper on maximum levels for methylmercury in additional fish species, sampling plans, and other risk management recommendations

U.S. Position:

Maximum levels (MLs)

- The United States considers it premature to start new work on MLs for orange roughy, pink-cusk eel, and Patagonian toothfish because of questions regarding data and trade criteria and the lack of a sampling plan for species with established methylmercury MLs.
 - It is not clear whether there is sufficient trade in pink cusk-eel to warrant ML development. Pink cusk-eel comprises about 80% of the total cusk-eel trade, and the export volume of 3939 metric tonnes (MT) falls below the marlin export volume benchmark of 4319 MT that the EWG has identified in Table 11 in Appendix III of the discussion paper.
 - Similarly, for orange roughy, the export volume of 3289 MT is less than the marlin export volume benchmark of 4319 MT identified in Table 7 in Appendix III of the discussion paper.
 - For orange roughy, the EWG proposes using an alternate benchmark, export value, but this approach has not been endorsed by the committee.
 - For Patagonian toothfish, only 10 methylmercury samples are available; the mean methylmercury (MeHg) is 0.12 mg/kg and the maximum is 0.28 mg/kg. The conclusion that average levels of MeHg in Patagonian toothfish exceed 0.3 mg/kg is based on modeling total mercury data from other toothfish samples. More methylmercury data would be needed before including Patagonian toothfish in a project document.
 - Work should conclude on the sampling plans for the already established MLs before new work on MLs is proposed.
 - The United States supports discontinuing review of MLs for additional fish species based on the very comprehensive review of mercury levels in different species provided in the discussion paper.

Sampling Plan

- The United States generally supports further development of the sampling plan. However, additional information is needed on the practicability of implementing the approaches discussed in Appendix IV, such as sorting lots by weight or size to obtain representative samples.

Other Risk Management Measures

- In principle, the United States can support a literature review of risk management measures to assess the feasibility of developing guidance for management of methylmercury in fish.
- However, the Codex Secretariat should advise on whether guidelines or a code of practice for fish catch, sorting, processing, and reconditioning (as discussed in paragraph 41) falls within the terms of reference of CCCF. Also, the amount of work to develop and review such guidance will need to be considered given the Committee’s overall agenda.

Agenda Item 14**(CX/CF 21/14/12)****Discussion paper on hydrogen cyanide (HCN) and mycotoxin contamination in cassava and cassava-based products****U.S. Position:**

- The United States supports development of a COP for the prevention and reduction of mycotoxin-contamination in cassava and cassava-based products because of the importance of cassava as a food crop and the health concerns posed by mycotoxins.
 - To develop the COP, more information is needed on mitigation practices that are proven to be effective, specifically for reducing aflatoxins and ochratoxin A (OTA) in cassava.
 - The United States also believes it is important to identify the different types of cassava-based products (e.g., fufu vs. gari) that are more susceptible to mycotoxin contamination than others for focusing mitigation practices in a COP.
- The United States agrees that it may be appropriate to discontinue work on MLs for HCN in cassava and cassava-based products pending the availability of additional data and information, and to reassess the need and feasibility of establishing MLs for cassava and cassava-based products once this information is available. If work continues, the United States recommends that data be shared with GEMS/Food to support the MLs.

Agenda Item 16**(CX/CF 21/14/14)****Discussion paper on radioactivity in feed and food (including drinking water) in normal circumstances****U.S. Position:**

- The United States agrees that no further work by CCCF is needed at this time on radioactivity in food and feed in non-emergency situations.
- Regarding the proposal for CCCF to request IAEA, FAO, WHO, and the Codex Secretariat to elaborate an information document for publication on the Codex website, we prefer that CCCF not make this request as the terms of reference and content of the proposed document are unclear. An alternative approach is for the organizations to work independently of a CCCF request and for them to share the document with CCCF or Codex after completion.
- The United States agrees with requesting to be kept informed of FAO/IAEA/WHO work to develop methodologies that can be issued to produce criteria with which to assess radionuclides in food.

Agenda Item 18**(CX/CF 21/14/16)****Discussion paper on approach to identify the need for revision of standards and related texts developed by CCCF****U.S. Position:**

- The United States supports the recommendations to CCCF to implement and operationalize, on a 3-year trial basis, a structured approach for identifying existing Codex standards and related texts for review.
- The United States concurs with the prioritization criteria as a flexible guideline.
- The United States agrees with identifying a Chair for an in-session working group at CCCF15.

Agenda Item 19**(CX/CF 21/14/17)****Forward work-plan for CCCF: Review of staple food-contaminant combinations for future work of CCCF****U.S. Position:**

- The approach presented in the discussion paper (CX/CF 21/14/17) provides an adequate framework to identify new staple food-contaminant combinations for possible future work.
- There is no need for further development of the list of staple foods by the Host Secretariat at this time. The discussion paper provides a good basis for further work in an EWG.
- Screening of publications, as described in the discussion paper, does not provide sufficient information on contaminants in staple foods for prioritizing work. Not every contaminant-commodity combination cited in the literature may be equally important, therefore a way of ranking literature findings is key. Prioritizing work will require information such as public health and trade significance. Contaminants already identified in the GEMS database as of public health significance (e.g., lead) could be given priority over contaminants identified only in literature reviews (e.g., enniatins, beauvericin).

- The number of records (i.e., availability of data) in the GEMS/Food database is an important consideration when proposing new work on MLs.
- The United States considers it appropriate to establish an EWG to develop a discussion paper on the “list of interest” and related issues, pending decisions about the overall CCCF workload.
- The EWG can follow an approach similar to that used by the EWG for Agenda Item 18, “Implementation of a structured approach to identify the need for review of Codex standards and related texts for contaminants in foods.” Ultimately, establishment of an in-session working group (ISWG) coupled with the proposed Standards Review ISWG could be helpful.
- Regarding how the “list of interest” should be used, a possible use in addition to “choosing combinations for follow-up work”/ “select[ing] new topics” is to use the list as one source of information to weigh the priority of competing *ad hoc* proposals, e.g., establishing an ML for roquefortin A in blue cheese versus aflatoxin in grains. This should be considered further in the EWG.
- The EWG should prepare proposals on how to conduct periodic updates of the “list of interest.”

Agenda Item 20

(CX/CF 21/14/18)

JECFA Evaluations: Priority list of contaminants for evaluation by JECFA and follow-up work to the outcomes of JECFA evaluations

U.S. Position

- The United States agrees with the updated priority list, including retaining scopoletin and the other recommendations in CX/CF 21/14/18.