



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

14th Session
Virtual, 3 – 7 May 2021

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

I. MATTERS FOR INFORMATION

A. MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION

42nd Session of the Codex Alimentarius Commission (2019)

Standards and related texts adopted at Steps 8, 5/8 (with omission of Steps 6/7) and 5 of the Procedure including consequential amendments¹

1. CAC42 adopted the following maximum levels (MLs) and related texts:
 - MLs for lead in selected commodities; for wines (from grapes harvested after the adoption of the ML by CAC); fortified / liqueur wines (from grapes harvested after the adoption of the ML by CAC); edible offal (cattle, pig and poultry) in the *General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF) (CXS 193-1995) – adopted at Step 5/8
 - Code of practice for the reduction of 3- MCPDEs and GEs in refined oils and food products made with refined oils – adopted at Step 8;
 - Guidelines for rapid risk analysis following instances of detection of contaminants in food where there is no regulatory level – adopted at Step 8; and
 - ML for cadmium for chocolates containing or declaring <30% total cocoa solids on a dry matter basis – adopted at Step 5²

Revocation of standards and related texts³

2. CAC42 revoked MLs for lead in selected commodities in the GSCTFF following the adoption of revised MLs.

New Work⁴

3. CAC42 approved new work:
 - Establishment of MLs for lead in certain food categories;
 - Revision of the *Code of practice for the prevention and reduction of lead contamination in foods* (CXC 56-2004);
 - Development of a Code of practice for the prevention and reduction of cadmium contamination in cocoa beans; and
 - Establishment of MLs for aflatoxins in certain cereals and cereal-based products including foods for infants and young children.

¹ REP19/CAC, paras. 51,65, 68 and 72 and Appendices III and IV

² REP19/CAC, paras 52 – 67

³ REP19/CAC, para. 95 and Appendix IV

⁴ REP19/CAC, para. 96 and Appendix V

43rd Session of the Codex Alimentarius Commission (2020)**Recognition of the Commission of the current situation and necessary actions between CAC43 and CAC44⁵**

- 4 CAC43:
- (i) recognized the challenges facing the Codex Alimentarius Commission in fulfilling its duties as the pre-eminent international food standards setting body due to the COVID-19 pandemic;
 - (ii) recognized that while many Codex Committee meetings had to be postponed in 2020 this could not continue in 2021; and
 - (iii) supported the use of modern tools and approaches by Codex subsidiary bodies in line with the Codex core values to ensure Codex work progressed in a timely and effective manner.

Procedural aspects⁶

- 5 CAC43:
- (i) agreed, on an exceptional basis in view of the circumstances surrounding the pandemic that, with respect to meetings and sessions of the Codex Subsidiary Bodies to be held in 2021, Rule XI (7) and (8) may be interpreted in a manner that includes a virtual setting;
 - (ii) agreed on this basis, that Codex Subsidiary Bodies may be held virtually in 2021, if determined appropriate by FAO and WHO, in consultation with the host governments concerned and the Codex Secretariat.

Ongoing work of the subsidiary bodies⁷

- 6 CAC43 recommended to all subsidiary bodies and Members and Observers to make full use of existing remote working mechanisms such as EWGs and CLs and to plan their virtual committee meetings in such a manner as to optimize the possibility to complete their agendas.

B. MATTERS ARISING FROM SUBSIDIARY BODIES AS RELATED TO THE WORK OF CCCF**51st Session of the Codex Committee on Food Hygiene (2019)****Guidelines for the Safe Use and Reuse of Water in Food Production⁸**

7. CCFH51 agreed to start work to develop Guidelines for the Safe Use and Reuse of Water in Food Production and agreed that the Guideline would only cover biological hazards, but acknowledged the importance of chemicals in the context of safe use and reuse of water in food production. In light of this, CCFH agreed to inform CCCF of this new work.

15th Session of the FAO/WHO Coordinating Committee for North America and South West Pacific (2019)**Ciguatera food poisoning⁹**

- 8 It was recognized that ciguatera food poisoning was one of the most important foodborne diseases in Small Island Developing States (SIDS). CCNASWP15 agreed to inform CCCF of the importance of addressing this important public health problem following the release of the report of the *Ad-hoc* FAO/WHO Expert Meeting on Ciguatera Food Poisoning and agreed to request CCCF to prioritize work on ciguatera.

21st Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (2019)**Maximum levels for cadmium in chocolates and cocoa-derived products¹⁰**

9. CCLAC21 agreed to support the advancement of the proposed ML of 0.3 mg/kg cadmium in chocolate containing or declaring <30% total cocoa solids on a dry matter basis for final adoption by CAC at CCCF14, taking into consideration that to date, no additional information has been provided in the context of the ongoing discussions in CCCF on this issue. CCLAC21 further considered that based on the extensive discussions held at CCCF, the proposed MLs protected consumers' health and would not lead to negative repercussions for trade.

⁵ REP20/CAC para 10

⁶ REP20/CAC para 20

⁷ REP20/CAC para 31

⁸ REP20/FH, para. 115

⁹ REP20/NASWP, paras. 50(v), 51

¹⁰ REP20/LAC part 2, para. 12

Code of practice for the prevention and reduction of cadmium contamination in cocoa beans¹¹

10. CCLAC21 agreed to further contribute to the ongoing work of CCCF on the development of this COP as this could provide guidance to member countries and to the cocoa production industry on the prevention and reduction of cadmium contamination in cocoa beans during the different stages of production.

78th Session of the Executive Committee (2020)

Implementation of CAC42: Feedback on Changes and Proposals for Further Improvements¹²

11. CCEXEC78 requested that Chairpersons of subsidiary bodies and CAC together with the Secretariat:
- (i) develop strategies to prevent or mitigate technical discussions at CAC on topics for which there was no consensus and communicate these strategies to Members. Such strategies may include short adjournments of the session for informal discussions or suspension of discussions on items that overrun the planned time limit; and
 - (ii) ensure that, at CAC meetings, written comments received were given due consideration and the technical basis of reservations were included in meeting reports.

Regular Review of Codex Work Management 2018-2019:

Critical Review Process¹³

12. CCEXEC78 concluded that the Critical Review was overall an efficient and effective work management tool and that there was no urgent need to revise it substantively while recognizing that improvements could be further discussed.
13. In this regard, CCEXEC78 also recognized that CCEXEC could provide guidance and advice to subsidiary bodies and that subsidiary bodies could also seek advice from CCEXEC and that such exchange could take place outside of the Critical Review process.

Follow-Up to Regular Review of Codex Work Management 2017-2018:

Periodic Review of Codex Standards¹⁴

14. CCEXEC78 concluded that the current approaches to standards review were working for active subsidiary bodies, and encouraged these bodies to continuously enhance their work management processes to consider the need for reviewing existing Codex standards.

Follow-up to Regular Review of Codex Work Management 2017-2018:

Use of References in Codex Texts¹⁵

15. CCEXEC78 emphasized that while there may on occasion be merit in including references to standards of another standard setting organization, these should be kept to a minimum since they become an integral part of a Codex text and require life-long monitoring.

80th Session of the Executive Committee (2020)

Codex virtual meetings in 2021¹⁶

16. CCEXEC80 recognized that CAC43 had agreed on the possibility of holding virtual meetings in 2021 and endorsed the proposals from the sub-committee on Codex and the pandemic to operationalize this decision, noting that this did not at present require any change to formal Codex procedures.

MATTERS FOR INFORMATION: Recommendations for endorsement by CCCF

17. CCCF is invited to:
- (i) **note** the information referred by CAC and relevant subsidiary bodies of interest to its work; and
 - (ii) **note** that certain other points raised by CAC subsidiary bodies would be considered under the relevant Agenda items e.g. MLs/COP for cadmium (Agenda Items 5-7), ciguatera food poisoning (Agenda Items 3 and 20), periodic review of Codex standards (Agenda Item 18), etc.

¹¹ REP20/LAC part 2, para. 13

¹² REP20/EXEC1, para. 30

¹³ REP20/EXEC1, paras. 46 and 51

¹⁴ REP 20/EXEC1, para. 57

¹⁵ REP20/EXEC1, para. 64

¹⁶ REP21/EXEC1, para 35-36

II. MATTERS FOR ACTION

78th Session of the Executive Committee Timeliness of Codex working documents¹⁷

18. CCEXEC78 requested that the Codex Secretariat bring the information¹⁸ on the timeliness of Codex working documents, reports and the availability of adopted standards to the attention of subsidiary bodies for their review and suggestions.

40th Session of the Committee on Methods of Analysis and Sampling (2019) CCMAS as a nodal committee for methods of analysis¹⁹

19. CCMAS40 recalled its earlier decision that the *Recommended Methods of Analysis and Sampling* (CXS 234-1999) would be the single reference for methods under its remit and that methods from the *General Methods of Analysis for Contaminants* (CXS 228–2001), *General Methods for the Detection of Irradiated Foods* (CXS 231–2001) and the *General Methods of Analysis for Food Additives* (CXS 239–2003) should be transferred to CXS 234. It was further noted that some of the methods for heavy metals were outdated and that it would be appropriate for CCCF to consider the development of method performance criteria for these contaminants for compliance with the MLs in the GSCTFF.
20. CCMAS40 agreed to:
- Inform all Codex committees of the current work of CCMAS regarding the review and update of CXS 234 and the development of a database for methods of analysis and sampling endorsed by CCMAS and adopted by CAC; and
 - Remind CCCF of the decision that CXS 234²⁰ is the single reference for methods of analysis and request CCCF to consider the appropriateness of the methods identified in CXS 228 so that the methods could be transferred to CXS 234; or to identify more updated methods or methods performance criteria for endorsement by CCMAS and inclusion in CXS 234 in order to revoke CXS 228.

MATTERS FOR ACTION: Recommendations for endorsement by CCCF

21. CCCF14 is **invited to consider** the following actions in regard to CCEXEC78 request:
- (i) 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].
22. CCCF is **invited to consider** the following actions in relation to the CCMAS request:
- (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 analysis in the *Standard on General Methods of Analysis for Contaminants* (CXS 228-2001) with a view to their update 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).

¹⁷ REP20/EXEC1, para. 111

¹⁸ CX/EXEC 20/78/8

¹⁹ REP19/MAS paras. 86-92

²⁰ CXS 234, CX 228 are available on the Codex website:

<http://www.fao.org/fao-who-codexalimentarius/committees/committee/related-standards/en/?committee=CCMAS>