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CODEX ALIMENTARIUS COMMISSION E



Food and Agriculture
Organization of
the United Nations



World Health
Organization

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Agenda Item 4

ORIGINAL LANGUAGE ONLY

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

33rd Session

Geneva, Switzerland, 5-9 July 2010

COMMENTS ON DRAFT STANDARDS AND RELATED TEXTS SUBMITTED TO THE
COMMISSION FOR ADOPTION

(Comments submitted by 23 June 2010)

CODEX COMMITTEE ON CONTAMINANTS IN FOODS
COMITÉ CODEX SUR LES CONTAMINANTS DANS LES ALIMENTS
COMITÉ DEL CODEX SOBRE CONTAMINANTES DE LOS ALIMENTOS

Proposed Draft Maximum Levels for Melamine in Food (powdered infant formula and foods other than infant formula) and Feed at Step 5/8 (ALINORM 10/33/41, para. 68, Appendix IV))

Comments of Argentina, Ghana, Malaysia and Philippines

ARGENTINA

Argentina apoya los límites propuestos.

GHANA

Ghana supports the adoption.

Rationale: Maximum Levels of melamine are required to support Governments in their effort to differentiate between the occurrence of melamine as a result of its unavoidable presence in food and feed and that resulting from deliberate adulteration. Ghana believes that the intention of setting maximum levels for melamine is to protect public health as well as prevent unnecessary barriers to trade. We therefore support international efforts aimed at establishing harmonized Maximum Levels as this could provide a science-based risk management option for countries, especially those, that do not have limits in place.

MALAYSIA

Malaysia supports the adoption of the proposed draft maximum levels for melamine in food (powdered *infant formula and foods other than infant formula*) and feed at Step 5/8 by the 33rd Session of the Codex Alimentarius Commission.

PHILIPPINES

The Philippines supports the adoption.

Proposed Draft Maximum Levels for Total Aflatoxins in Shelled, Ready-to-Eat Brazil Nuts and Shelled, Destined for Further Processing Brazil Nuts (including sampling plans) at Step 5/8 (ALINORM 10/33/41, para. 76, Appendix V)

Comments of Argentina

ARGENTINA

Argentina apoya los niveles máximos propuestos para el contenido de aflatoxinas en las nueces de Brasil que se detallan a continuación y no encuentra objeciones a los planes de muestreo detallado en el anteproyecto.

Proposed Draft Revision of the Code of Practice for the Prevention and Reduction of Aflatoxin in Tree Nuts (Additional Measures for Brazil Nuts) at Step 5/8 (para. 85, Appendix VI)

Comments of Argentina

ARGENTINA

Argentina no tiene observaciones al mencionado documento.

**CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS
COMITÉ DU CODEX SUR LES POISSONS ET LES PRODUITS DE LA PÊCHE
COMITÉ DEL CODEX SOBRE PESCADO Y PRODUCTOS PESQUEROS**

Draft Code of Practice for Fish and Fishery Products (Lobsters and Crabs and relevant Definitions) at Step 8 (ALINORM 10/33/18, para. 27 and para. 47, Appendix II)

Comments of Philippines

The Philippines supports the adoption.

**CODEX COMMITTEE ON FOOD ADDITIVES
COMITÉ DU CODEX SUR LES ADDITIFS ALIMENTAIRES
COMITÉ DEL CODEX SOBRE ADITIVOS ALIMENTARIOS**

Draft and proposed draft Food Additive Provisions of the General Standard for Food Additives (GSFA) at Steps 8 and 5/8 of the Procedure (ALINORM 10/33/12, paras 19, 31, 62 and Appendix III)

Comments of Philippines

The Philippines supports the adoption.

Amendments to the International Numbering System for food additives at Step 5/8 (ALINORM 10/33/12, para. 134 and Appendix IX)

Comments of Philippines

The Philippines supports the adoption.

OTHER MATTERS FOR ADOPTION

Amendment to Section 2 “Table of functional classes, definitions and technological purposes” of CAC/GL 36-1989 (para. 129).

Comments of Philippines

The Philippines supports the adoption.

**CODEX COMMITTEE ON FOOD HYGIENE
COMITÉ DU CODEX SUR L’HYGIÈNE ALIMENTAIRE
COMITÉ DEL CODEX SOBRE HIGIENE DE LOS ALIMENTOS**

Proposed Draft Annex on Leafy Green Vegetables Including Leafy Herbs to the Code of Hygienic Practice for Fresh Fruit and Vegetables (N04-2008) at Step 5/8 (ALINORM 10/33/13 para. 85 and Appendix II)

Comments of Ghana and Philippines

GHANA

Ghana supports the adoption.

Rationale: The Annex provides specific guidance to reduce the microbial food safety risks associated with fresh leafy vegetables that are intended to be consumed without cooking during their production, harvesting, packing, processing and storage, distribution, marketing and consumer use.

PHILIPPINES

The Philippines supports the adoption.

Proposed Draft Code of Hygienic Practice for Pathogenic *Vibrio* spp. in Seafood) (N05-2008) at Step 5/8 (ALINORM 10/33/13 para. 98 and Appendix III)

Comments of Ghana and Philippines

GHANA

Ghana supports the adoption.

Rationale: The Annex provides specific guidance on potential risk management strategies for the control of *Vibrio* spp. in seafood.

PHILIPPINES

The Philippines supports the adoption.

Proposed Draft Annex on Control Measures for *Vibrio parahaemolyticus* and *Vibrio vulnificus* in Molluscan Shellfish) (N05-2008) at Step 5/8 (ALINORM 10/33/13 para. 109 and Appendix IV)

Comments of Philippines

The Philippines supports the adoption.

**CODEX COMMITTEE ON FOOD IMPORT AND EXPORT
INSPECTION AND CERTIFICATION SYSTEMS**

**COMITÉ DU CODEX SUR LES SYSTEMES D'INSPECTION ET DE CERTIFICATION
DES IMPORTATIONS ET DES EXPORTATIONS ALIMENTAIRES**

**COMITÉ DEL CODEX SOBRE SISTEMAS DE INSPECCIÓN Y CERTIFICACIÓN
DE IMPORTACIONES Y EXPORTACIONES DE ALIMENTOS**

Proposed draft Principles and guidelines for the conduct of assessment of foreign official inspection and certification systems (Annex to the *Guidelines for the design, operation, assessment and accreditation of food import and export inspection and certification systems* (CAC/GL 26-1997)) (N07-2008) at Step 5/8 (ALINORM 10/33/30, Appendix II).

Comments of Ghana, Guatemala and Philippines

GHANA

Ghana supports the adoption.

Rationale: Ghana recognizes the increasing demand for safe and quality food in the international food trade and the important role of national food control systems in maintaining control and delivering the required assurance to an importing country. We believe the current provisions in this Codex text adequately provides guidance to national governments on transparent, standardized and consistent approach for the conduct of audits and inspections of exporting countries' official inspection and certification systems.

GUATEMALA

Guatemala considera que al documento en cuestión se le agregue una Matriz como formularios base para realizar las evaluaciones de los sistemas y las certificaciones, esta medida generaría uniformidad en las evaluaciones entre los diferentes países.

PHILIPPINES

The Philippines supports the adoption.

**CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES
COMITÉ DU CODEX SUR LES FRUITS ET LÉGUMES FRAIS
COMITÉ DEL CODEX SOBRE FRUTAS Y HORTALIZAS FRESCAS**

Draft Section 6 – Marking or Labelling (draft Standard for Bitter Cassava) at Step 8 (ALINORM 10/33/35, para. 23 and Appendix II)

Comments of Philippines

The Philippines supports the adoption of the proposed standard at Step 8 but calls the attention of the CCFFV to revisit the draft standard after the JECFA evaluation.

Draft Standard for Apples at Step 8 (ALINORM 10/33/35, para. 47 and Appendix III)
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Comments of France, India, Philippines and Spain

FRANCE

Les remarques ci-dessous ne concernent que des problèmes de traduction en langue française. Les autorités françaises attachent du prix à ce que les versions françaises des projets de norme, qui seront adoptés lors de la prochaine session de la Commission du Codex alimentarius, puissent être rectifiés avant leur publication définitive comme normes « Codex ».

ALINORM 10/33/35 - ANNEXE III

Para. 5.1 :

A.- By diameter:

‘*The maximum diameter difference of apples in the same package shall be limited to : (...)*’ doit être traduit en français par : « *La différence maximale de diamètre entre les pommes dans un même ~~le~~ emballage ne doit pas dépasser: (...)* »

B.- By weight:

‘*The maximum difference by weight between apples in the same package shall be limited to: (...)*’ doit être traduit en français par : « *La différence maximale de poids entre les pommes dans un même ~~colis~~ emballage ne devra pas dépasser: (...)* »

Dernière phrase :

“*There is no size uniformity for apples packed loose in the package or sales package.*” doit être traduit en français par : « *Aucune disposition d'homogénéité de calibre n'est prévue pour les pommes ~~en vrac ou pour les pommes préemballées vendues dans le commerce~~ présentées en vrac dans les colis ou les emballages de vente.* »

INDIA

India has reiterated its position during the last session of the Codex Committee on Fresh Fruits and Vegetables held on 19th -23rd October, 2009 on draft Standards for Apples. India strongly feels that the present draft is unscientific, biased against fair trade practices and will lead to dumping of low quality fruits in the developing countries by the exporting countries.

India requests you to support on these issues in the above meeting. The details of Government of India Viewpoints are as under:-

General Comments

India is of the view that this document cannot be termed as having been adopted by consensus as there are at least four reservations on the draft apple standard noted in the report of the 15th Session of the CCFFV. In our view, the document needs further consideration as there are major flaws in the standard. The present draft is un-scientific, biased against fair trade practices and supports trade of apples with major defects as explained in the Specific Comments given below. During the last two CCFFV sessions, India and certain other countries had drawn attention to these issues but the proposals were not agreed to. India proposes that the document should be held at Step-8 for arriving at a consensus on the controversial points. Adoption of these standards can cause clear damage to the interests of consumers in developing countries. This is one of the isolated cases where presence of infestation is inadvertently allowed in fruits.

Specific Comments

India would like to propose the following amendments:

Section 2- Provisions Concerning Quality**2.1- MINIMUM REQUIREMENT**

First indent: The indent may be modified to read as follows:

“-stalk (stem) should be intact”

Rationale: *Removal of the stalk (stem) may cause bacterial contamination inside the fruit. Moreover, it provides a vent causing loss of moisture, carbohydrates and phenols. It also causes increase in the evolution of ethylene, which enhances the ripening process, thereby decreasing the shelf life of the fruit.*

Section 4- Provision Concerning Tolerance

4.1.3 Class II: It is proposed that the third indent allowing presence of internal feeding insects/pests or damage to the flesh caused by pests may be deleted from the second paragraph.

Rationale: This indent indicates that the feeding insect may be allowed in the Class II category. No consumer would like to eat insects in the apples. Moreover, as this is a quarantine matter, trade in apples with insects/pests inside the fruit shall have to be governed by national requirements as per the IPPC provisions. Presence of infestation can directly lead to entry of insects/pests into the importing country markets. This also will be in direct conflict with the quarantine laws of the country.

Annex- Maximum allowance for defect

India proposes modification of the text in the table as given below :

Defects Allowed		“Extra” Class	Class I	Class II
Russetting outside calyx / stem cavity	• smooth net-like	3 % of surface area	20 % 10 % of surface area	50 % 15 % of surface area
	• smooth solid	1 %	5 % of surface area	33 % 10 % of surface area

Rationale: Russetting affects the general appearance and appeal of the fruit. The values proposed in the draft are too high and may allow fruits of extremely low quality to enter into international trade, thereby leading to dumping of such low quality fruits in the developing countries. Codex does not approve such standards that lead to entry of defective and poor quality fruit into any member country. India does not support adoption of such standards.

PHILIPPINES

The Philippines supports the adoption of the draft standard.

SPAIN

En la sección "5. Disposiciones relativas a la presentación", en la última frase del apartado "5.1. Homogeneidad", dice:

"No existe homogeneidad de calibre para las manzanas envasadas para su venta a granel o para aquéllas en envases destinados para su venta al consumidor"

Y debería decir: "No existe homogeneidad de calibre para las manzanas presentadas a granel en un envase o en un envase de venta".

**CODEX COMMITTEE ON GENERAL PRINCIPLES
COMITÉ DU CODEX SUR LES PRINCIPES GÉNÉRAUX
COMITÉ DEL CODEX SOBRE PRINCIPIOS GENERALES**

Draft Revised Code of ethics for international trade in food including concessional and food aid transactions at Step 8 (ALINORM 10/33/33 para 35, Appendix II)

Comments of Ghana

Ghana supports the adoption.

Rationale: The Code establishes principles of ethical conduct that must be followed by parties engaged in international trade. This could help protect the health of consumers as well as ensure fair practices in the food trade.

Proposed amendment to the Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces at Step 5/8 (para 46, Appendix III)

Comments of Ghana

Ghana supports the adoption.

Rationale: Ghana recognizes the importance of consensus and transparency in the Codex standard-setting process and welcomes steps that would further deepen these core tenets. We believe that the work of Codex is very important and we are committed to initiatives aimed at providing further guidance to Chairpersons of Codex committees and Ad Hoc Intergovernmental Task Forces to ensure progress in the work of Codex.

Proposed amendment to the *Guidelines to Host Governments of Codex Committees and Ad Hoc Intergovernmental Task Forces* at Step 5/8 (para 98, Appendix V)

Comments of Ghana and Panama

GHANA

Ghana supports the adoption.

Rationale: The amendment will help clarify terms used under co-hosting arrangements and make the practice more explicit which could help in expediting the formal processes for the co-hosting of Codex sessions.

PANAMA

English

Panama considers that the period given of 4 to 6 months before the meeting (as suggested by the procedure for co-sponsorship) to inform member countries where the meeting is to be performed does not provide enough time to justify before competent national budget authorities the increasing expenses that the attendance to this meetings represent, which can result in lower participation.

Spanish

Panamá considera que el período de 4 a 6 meses antes de la reunión (como sugiere el Procedimiento para los Acuerdos de Copatrocinio) para informar a los países miembros del lugar donde se realizará la misma no proporciona la antelación necesaria para sustentar ante las instancias nacionales competentes el gasto que representa asistir a estas reuniones, lo que puede resultar en una menor participación.

**CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING
COMITÉ DU CODEX SUR LES MÉTHODES D'ANALYSE ET D'ÉCHANTILLONAGE
COMITÉ DEL CODEX SOBRE MÉTODOS DE ANÁLISIS Y TOMA DE MUESTRAS**

Proposed Draft Guidelines on Performance Criteria and Validation of Methods for Detection, Identification and Quantification of Specific DNA Sequences and Specific Proteins in Foods at Step 5/8 (para. 33, Appendix III)

Comments of Philippines

The Philippines supports the adoption.

OTHER MATTERS FOR ADOPTION

Methods of Analysis in Codex Standards at different steps, including methods of analysis for natural mineral waters (paras. 57-82, Appendix II)

Comments of Philippines

The Philippines supports the adoption.

**CODEX COMMITTEE ON MILK AND MILK PRODUCTS
COMITÉ DU CODEX SUR LE LAIT ET LES PRODUITS LAITIERS
COMITÉ DEL CODEX SOBRE LA LECHE Y LOS PRODUCTOS LÁCTEOS**

Draft Amendment to the *Codex Standard for Fermented Milks* (CODEX STAN 243-2003), pertaining to Drinks based on Fermented Milk at Step 8 (ALINORM 10/33/11, para. 39 and Appendix I1)

Comments of Philippines

The Philippines supports the adoption.

OTHER MATTERS FOR ADOPTION

Revised *Model Export Certificate for Milk and Milk Products* (CAC/GL 67-2008) (ALINORM 10/33/11, para. 95 and Appendix V)

Comments of Philippines

The Philippines supports the adoption.

**CODEX COMMITTEE ON NUTRITION AND FOOD FOR SPECIAL DIETARY USES
COMITÉ DU CODEX SUR LA NUTRITION ET LES ALIMENTS DIÉTÉTIQUES OU DE RÉGIME
COMITÉ DEL CODEX SOBRE NUTRICIÓN Y ALIMENTOS PARA REGÍMENES ESPECIALES**

**Draft List of Methods for Dietary Fibre including the revised footnote 1 of definition of dietary fibre at Step 8
(ALINORM 10/33/26. paras 34-49, Appendix II)**

Comments of Philippines and Spain

PHILIPPINES

The Philippines supports the adoption of the draft standard.

SPAIN

Esta corrección es fundamental y la errata no debería mantenerse por más tiempo en este documento y, si fuera posible, en todos los textos subsiguientes y en aquellos ya aprobados. Se trata de la modificación del término “FIBRA DIETÉTICA” por **“FIBRA ALIMENTARIA”**.