

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 6c

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

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Comments on the PROPOSED DRAFT REVISION OF THE CODEX CLASSIFICATION OF FOODS AND ANIMAL FEEDS AT SETP4: OTHER COMMODITY GROUPS-“TREE NUTS”, “HERBS”, AND “SPICES”, submitted by Japan, Cuba, Canada, Guatemala, IOSTA, CIAA and INC

JAPAN

Para 25 and Para 30

We made a proposal to add some commodities below in our previous comment. However, some of our proposed commodities (underlined) have been excluded from the document (CX/PR 10/42/6) without any reason.

These commodities are proposed based on their usages as herbs or spices. Therefore, if our proposal will be rejected, the document should include the reason why these commodities are not included.

[Previous comment]

Proposal for the CODEX Commodity Group 027 Herbs

We propose that these commodities listed below should be included in “Group 027 Herbs”.

- Anise
- Curry plant
- Fenugreek leaves
- Japanese pepper leaves
- Jasmine
- Linden
- Mioga
- Perilla
- Stevia
- Wasabi leaves

Proposal for the CODEX Commodity Group 028 Spices

Draft proposal Spices

We propose that these commodities listed below should be included in the “Group 028 Spices”.

- Basil seed
- Fenugreek seed
- Gardenia
- Kaffir lime fruits or peel
- Parsley seed
- Satsuma mandarin peel
- Yuzu peel
- Zedoary
- (Other Citrus peel)

Para 30

It is not considered the establishment of subgroup “Citrus fruits peel” we proposed. Various citrus fruits peels are used worldwide as spices. Therefore, we propose again to establish the new subgroup “028H Citrus fruits peel.”

Page 17, HS0775 Cardamom seed

“Cardamom fruit (seeds with pod)” is generally called “Cardamom” in the world, but it seems to be called “Cardamom seed” in some cases.

We would like to make sure whether “HS0775 Cardamom seed” indicates the fruit and seed of that. If it is correct, we propose to change the name of this commodity to “Cardamom”, and to regard this as “**028B Fruit or berry**” subgroup’s commodity.

The reasons on that are based on two facts as follows.

1. Cardamom is mainly traded as whole fruits.
2. Though “HS3290 Cardamom, black (Amomum tsao-ko Crevost & Lemarié)” is similar to “Cardamom (Elettaria cardamomum (L.) Maton), it belongs to “**028B Fruit or berry**” subgroup in the document (CX/PR 10/42/6).



Cardamom fruit and seed

Distributed Cardamom

Last page, Note

We submitted the comment about “Pepper, Black; White” as below. However, the explanation about green pepper and pink pepper is not included in the “Note” section described about “HS 0790 Pepper, Black; White (Piper nigrum L.)”. The scientific name of green pepper and pink pepper is Piper nigrum L. To specify that these two commodities are also distributed worldwide, this explanation should be included in the Note about “HS 0790 Pepper, Black; White”.

[Previous comment]**Comments on the Draft Proposal Spices**

1) We propose to also include pink pepper in the category of “Pepper, black, white” in addition to green pepper.

- Common name: Pink pepper
- Description: Pink pepper is mature pepper. Green pepper is immature stage of pink pepper. (see the photo, pink pepper (left), green pepper (right))

**CUBA**

Cuba approves this document.

CANADA

Annex 1: Draft proposal for OTHER COMMODITY GROUPS “Tree Nuts” at Step 4 of the Procedure:

Canada has no objections to the “Tree Nuts” revisions at this time, as the proposed revisions for this group proposed through the ICGCC crop group revisions initiatives have yet to be finalized. The ICGCC’s petition for the Tree nut group has been submitted to the EPA for review (July 2008). Canada recommends that the Codex electronic working group responsible for the revisions to the Codex Classification of Food and Animal Feeds work closely with the ICGCC to ensure consistency in revisions to the Tree nuts crop group.

Annex 2: Draft proposal for OTHER COMMODITY GROUPS “Herbs” at Step 3 of the Procedure:

The ICGCC’s petition for the Herbs and Spices crop group has been submitted to the EPA for review (June 2009), however, it has not yet been finalized. Canada notes differences between the draft proposal put forward by ICGCC and the proposal put forward by Codex for the “Herbs”. Therefore Canada recommends that the Codex electronic working group responsible for the revisions to the Codex Classification of Food and Animal Feeds work closely with the ICGCC to ensure consistency in revisions to the Herbs crop group.

Annex 3: Draft proposal for OTHER COMMODITY GROUPS “Spices” at Step 3 of the Procedure:

Canada has no objections to the “Spices” revisions at this time, as the proposed revisions for this group proposed through the ICGCC crop group revisions initiatives have yet to be finalized. The ICGCC’s petition for the Herbs and Spices crop group has been submitted to the EPA for review (June 2009). Therefore, Canada recommends that the Codex electronic working group responsible for the revisions to the Codex Classification of Food and Animal Feeds work closely with the ICGCC to ensure consistency in revisions to the Spices crop group.

GUATEMALA

Due to the biodiversity in climates which our country has, we grow the following species which we would like to be included:

Species

028A Seeds: **achiote** *Bixa orellana*

International Organisation of Spice Trade Associations (IOSTA)

The European Spice Association is a member of IOSTA and we are pleased to forward the documents they have developed.

In Appendix 2 of the above mentioned document the explanations on page 10 specify:

„Portion of the commodity to which the MRL applies (and which is analysed): **Whole commodity as prepared for wholesale or retail distribution.**

In Appendix 3 of the above mentioned document in the explanations concerning spices (page 16) it is specified:

„Portion of the commodity to which MRL applies (and which is analysed): **Unless specified, whole commodity as marketed, mainly in the dried form.**

We do not see a difference between the definitions. The whole commodity as prepared for wholesale or retail distribution is the product that is marketed.

Should both definitions describe the same, we propose to use the same wording.

The definition in Appendix 2 concerning herbs seems not to take into consideration that the maximum residue levels for pesticides are usually related to the fresh product. The spice industry markets dried products. For these products a dehydration factor should be applied in order to access the product properly. The definition seems to neglect the difference between the fresh and the dried product.

We therefore ask for clear definitions that describe precisely what is the scope and meaning of the definition.

Group 027A Herbs (herbaceous plants)

Code No. Commodity

HH3194 **Cilantro**

(Add **coriander leaves**. The name Cilantro is only used in South and North America.)

HH0736 **Marjoram**

(The correct botanical name is *Majorana hortensis* (L.). The botanical names mentioned refer to Oregano.)

Oregano

(Delete reference to *Majorana*. These are different species. Correct botanical name is **Origanum vulgare**. Another oregano species used as food is

Origanum onites.)

HH0743 **Sage**

(Add sage to this group. Sage is a herbaceous plant. Correct botanical name is **Salvia officinalis** (L). Another Sage species used as food is **Salvia triloba**.)

Group 027B Herbs (Leaves of woody plants)**Code No. Commodity**HH0723 **Bay leaves**

(The name Bay leaves refer to a species which only grows in California, U.S. The rest of the world use the original name **Laurel leaves** which derives from the botanical name, **Laurus nobilis (L.)**)

HH0743 **Sage**

(Delete and move to group **027A**)

Group 028A Spices (seeds)**Code No. Commodity**HS0771 **Anise seed**

(The name used is **Aniseed**. Botanically Aniseed is a **fruit**.)

HS0774 **Caraway seed**

(What is called seed is botanically **fruit**.)

HS0779 **Coriander seed**

(Botanical definition is **fruit**.)

HS0780 **Cumin seed**

(Botanically correct is **fruit**.)

HS0730 **Dill seed**

(Again the seed is a **fruit**.)

Mustard seed

(Mustard is not only used for the condiment Mustard or for making flour but also as a spice. Botanical names are **Sinapis alba (L.)**, **Brassica nigra**, **Brassica juncea**. Add to this group.)

Pepper white

(Add to this group. Whereas black pepper is a fruit (consists of pericarp, mesocarp and seed), white pepper is a seed. See note.)

Group 028B Spices (fruit)**Code No. Commodity**

HS0792 Allspice

(The name Allspice is used only in the Americas. The rest of the world use the original name **Pimento**, derived from the botanical name, *Pimenta dioica* (L). It is correct that this is a **ruit**.)

Cardamom fruits

(Add to this list. Not only the seeds are used but the whole fruit of *Elettaria cardamomum* (L.)

HS3296 **Pepper, Sichuan**

(The only botanical species which is used as food is ***Zanthoxylum piperitum***.)

HS3298 **Peppertree**

(The common name in English is **Pink pepper**. Also add the botanical variety *Schinus molle*.)

Group 028C Spices (bark)

Code No. Commodity

HS0777 **Cinnamon**

(It would be helpful to mention the countries to which the different species are indigenous: *C. verum* - **Sri Lanka**, *C. aromaticum* - **China**, *C. loureirii* - **Vietnam**, *C. burmannii* - **Indonesia**, *C. tamala* - **India**.)

Tejpat

(The only species whose common name in English is Tejpat is the Indian species, ***Cinnamomum tamala***. Moreover, of this species use is not of the bark but of the **leaves**. Of that reason it should be moved to Group 027B.

Group 028D Spices (roots, rhizomes)

Code No. Commodity

HS0783 **Galangal (rhizomes)**

(The only botanical species used as food is ***Alpinia galanga***.)

HS0784 **Ginger (rhizomes)**

(Ginger is **rhizomes**, not root.)

HS0735 **Lovage (root)**

(Add lovage root to this group as the root besides the leaves is also used as food; see: Group 027A)

Group 028C Spices (buds)

Code No. Commodity

HS0776 **Cassia buds**

(Cassia buds used as food do not only come from the *C. aromaticum* species but also from the other species. Add species under HS0777.)

Note:

(The preparation of White Pepper mentioned in this note is a fairly new method used in Vietnam. In the traditional method used in other white pepper producing countries the berries are allowed to mature (turning orange-red in colour) and are then immersed in running water until the pericarp and mesocarps falls off. The clean dried seed is white pepper and it has the original, true white pepper taste unlike white pepper processed from black pepper which has an unripe seed which has not yet developed the true white pepper taste.

Confederation of the European Food and Drink Industries of the EU (CIAA)

The Confederation of the European Food and Drink Industries of the EU (CIAA) welcomes the opportunity to provide input on the draft revision of the Codex classification of foods and animal feeds / other commodity groups – “Tree nuts“ – “Herbs” – “Spices” (CX/PR 10/42/6). Please find below our comments as follows:

- On page 10 of the Codex document (Appendix 2), herbs and their uses are defined. The definition reads “Herbs [...] [are] used in relatively small amounts as condiments to flavour foods or beverages.” We would like reference to be made to the fact that herbs are also used for the preparation of herbal infusions, i.e. herbal and fruit infusions (HFI) materials are plants or parts of plants which do not originate from the tea plant (*Camellia sinensis* L. Kuntze) and are intended for food use by brewing with freshly boiling water.
- Page 10 also states that herbs “are used either in fresh or naturally dried form”. As there are also other states in which herbs may be consumed, e.g. in fermented (rooibos) or roasted (mate) form, we would suggest that this sentence be rephrased as follows: “They are used either in fresh, naturally dried, fermented or roasted form.”
- A cross-check of the Codex commodities of the proposed groups „Tree nuts“ - „Herbs” – “Spices” with the EHIA Inventory List of Herbals considered as Food (please see **Annex 1**, attached) has revealed that some major herbs are not included in the Codex framework. In particular, Camomile (*Matricaria chamomilla* / *Matricaria recutita*) and related species, including the Nettle species (*Urtica spec.*) are missing. We would therefore request that their inclusion within the Codex inventory be considered.
- We note that Appendix 2 reads as follows: “Portion of the commodity to which the MRL applies (and which is analysed): **Whole commodity as prepared for wholesale or retail distribution,**” whereas Appendix 3 reads “Portion of the commodity to which the MRL applies (and which is analysed): **Unless specified, whole commodity as marketed, mainly in the dried form.**” We would question the need for different definitions in these cases.
- In the EU, MRLs for pesticide residues in herbs and spices are normally allocated to the fresh product. For dried products, a dehydrating factor is used. The setting of MRLs for dried products would therefore contradict EU legislation. This discrepancy needs to be clarified.
- Finally, please find attached (**Annex 2**) a number of more specific comments on the draft revision paper.

Annex 1

EHIA INVENTORY LIST OF HERBALS CONSIDERED AS FOOD

The current version is always available on EHIA's website: www.ehia-online.org.

Annex 2

CCPR secretariat noted the comments from CIAA are same with comments from IOSTA.

International Nut and Dried Fruit Council Foundation (INC)

Appendix 1, Page 7

Tree nuts

Class A

Type 4 Nuts and seeds Group 022

Group 022, Tree nuts are the seeds of a variety of trees and shrubs, which are characterized by an ~~hard~~ inedible shell enclosing an oily seed.

Tree nuts are characterized by either a hard or soft inedible shell. The INC suggests not using the word "hard".

The seed is protected from pesticides applied during the growing season by the shell and other parts of the fruit.

The edible portion of the nut is consumed in ~~succulent~~ natural, dried or processed forms.

The INC believes that the word "succulent" does not accurately reflect the taste sensation when eating nuts, and suggests using the word "natural".