



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
FAO/WHO COORDINATING COMMITTEE FOR AFRICA**

Twenty-Third Session,

Nairobi, Kenya, 02 – 06 September 2019

Comments of the International Confectionery Association (ICA)

CADMIUM IN COCOA AND CHOCOLATE PRODUCTS

1. We, the International Confectionery Association, appreciate this opportunity to share information with the Codex Coordinating Committee for Africa (CCAFRICA23), meeting in Nairobi, September 2-6, on an important issue that impacts cocoa supply and the Codex principles for setting food standards.
2. Extensive discussions on the topic of cadmium in cocoa and chocolate products took place at the Codex Alimentarius Commission (CAC) 42nd meeting, July 8-12, 2019. We wish to share some practical perspectives and concerns about this discussion with CCAFRICA. We also wish to underscore the importance of maintaining a consistent scientific basis and support for global achievability of common standards, protecting health, and promoting fairness for international trade. If there are perspectives from the African countries that we are missing, it would be helpful to discuss further, to ensure all practicalities are understood and taken into account.
3. At the recent CAC42 meeting, the African region expressed reservations on the achievability of cadmium levels in cocoa and chocolate products. An outcome from the Codex Committee on Contaminants in Food (CCCF13), April 29 – May 3, 2019, was a proposal put forward for adoption by CAC, a global ALARA-based maximum level (ML) of 0.3 mg/kg for cadmium in products with < 30% dried cocoa solids. This ML was proposed by the electronic Working Group (eWG), chaired by Ecuador and co-chaired by Ghana, and gained support at CCCF13 to go forward for adoption by CAC. The proposed ML is in line with the low health risk concluded in the JECFA risk assessment, the scientific risk basis that informs Codex risk management on contaminants. The proposed ML allows necessary flexibility for cocoa supply, particularly in geographical regions with volcanic soils that can lead to greater uptake of naturally-occurring cadmium, such as in Latin America. Even at the proposed level of 0.3 mg/kg, the eWG data indicated up to 12% of cocoa would exceed the level. Nevertheless, some delegations at CAC, including from the African region, pressed for a stricter, lower ML for this category, despite the 0.3 mg/kg level being supported by the eWG data for achievability, the CCCF recommendation, the JECFA scientific risk assessment, the principles of global Codex standards based on science and global achievability.
4. While it is understandable that regions with less volcanic soils may achieve lower levels of cadmium in cocoa, it is important to maintain a consistent global approach to standards based on scientific risk and achievability in all regions. Codex standards on contaminants should not be a basis for competitive advantage on any given issue, otherwise all countries would likely routinely adopt competitive stances, compromising the collaborative approach for fairness.
5. Our request is to secure assurances from CCAFRICA, to encourage nations to follow the Codex principles and spirit of supporting common achievable standards for contaminants, that are based on scientific risk advice and global data assessed under CCCF. If further data is available on the global achievability of the proposed ML of 0.3 mg/kg for products with < 30% dried cocoa solids, those data should be considered in advance of CCCF14. Importantly, our concern is not to compromise global cocoa supply with unduly strict standards. Currently, the CCCF is developing a Code of Practice on cadmium in cocoa to determine longer-term opportunities for practices and scope to further lower uptake. In the meantime, the proposed ML meets the Codex principles.
6. Thank you for taking time to consider these views, and we would welcome your discussion on this issue at CCAFRICA23, to align members on the principles described above.