

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 2

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON SPICES AND CULINARY HERBS

Seventh Session

Kochi, Kerala India

29 January – 2 February 2024

MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND ITS SUBSIDIARY BODIES

(Comments of Canada, the European Union, India, Indonesia, Kenya, Morocco, Thailand, Uganda, and the United States of America)

Canada

Matters arising from the Codex Alimentarius Commission and its Subsidiary Bodies;

47th Session of the Codex Committee on Food Labelling (CCFL47)

Distinction between Country of Harvest and Country of Origin

Canada notes the CCFL47 request for CCSC to clarify the distinction between country of origin and country of harvest specifically in relation to the *DRAFT STANDARD FOR DRIED FLORAL PARTS - DRIED SAFFRON*.

We are pleased to provide the following information for the Committee's consideration.

The CCFL *General Standard for the Labelling of Prepackaged Foods (GSLPF)* (CX 1-1985), which applies to all prepackaged foods, sets clear criteria on what should be considered *Country of Origin* as follows:

4.5 Country of origin

4.5.1 The country of origin of the food shall be declared if its omission would mislead or deceive the consumer.

4.5.2 When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.

As specified above, for the purposes of food labelling, the country of origin would change if processing changes the nature of the food. Note that the GSLPF does not describe/refer to *Country of Harvest*.

The scope of the *draft standard for Dried Saffron* (below) specifically states that it excludes industrial processing, which are steps that could change the nature of the product, as per the GSLPF description of country of origin stated above.

*This standard applies to plant products in their dried or dehydrated form as spices defined in Section 2.1 below, offered for direct consumption as an ingredient in food processing or for repackaging if required. **It excludes products for industrial processing.***

The Glossary of Terms for SCH Standards (SCH/7 INF/01) defines **Industrial Processing** as:

The application of physical or chemical processes that substantially modifies or transforms a product from its original state into other products such as the extraction of essential oils or other usable component from the spice. It excludes the blending of spices.

As industrial processing is excluded from the *Draft standard for dried saffron*, discussions about origin labelling provisions for saffron are limited to types of processing that are within the scope of the standard, and whether those types of processing change the nature of the food or not.

The CCSC definition of *Further Processing* found in the CCSC Glossary of Terms (SCH/7 INF/01) (below) includes things that do **not** change the nature as per the CCFL description of origin (i.e. sorting, grading, packaging etc. do not change the nature of the food).

The Glossary of Terms for SCH Standards defines **Further Processing** as:

Activities necessary to transform spices and herbs from raw agricultural commodities into finished, ready-to-eat product for direct consumption by individuals or use by commercial enterprises including catering purposes

or in formulated food products. These steps may include: Cleaning, sorting, sifting, grinding, grading, packaging into consumer ready packaging and/or, bulk containers which are intended for repacking into consumer size containers.

The scope of the Dried Saffron standard excludes *Industrial Processing*, and based on the CCSCH draft standard and definitions, *Further Processing* or different styles of saffron (which are all included in the same standard) would not change the nature of the product for the purpose of origin labelling as described in the GSLPF provisions on *Country of Origin*. Thus, even if further processing of dried saffron occurs in a country other than the country where the product was harvested, the country of harvest remains the country of origin, as per the Codex Standard on Labelling of Prepackaged Foods.

Therefore, after carefully considering the information above, Canada does not believe that CCSCH is in a position to distinguish between *Country of Harvest* and *Country of Origin* for Dried Saffron and should reflect this in its response to CCFL.

Canada is of the view that declaration of *Country of Harvest* in the Dried Saffron standard would introduce confusion and inconsistencies between existing Codex texts (both CCSCH and CCFL).

Should some member countries desire to maintain labelling for Country of Harvest, Canada suggests adherence to previous CCFL advice, stating that *Country of Harvest* should be an optional declaration, in line with all 9 previously adopted CCSCH standards.

European Union

The EU and its Member States (EUMS) thank the Secretariat for the information on matters arising from Codex Alimentarius Commission and its subsidiary bodies.

The EUMS would like to submit the following remarks and considerations with regard to the matters arising from the Codex Alimentarius Commission and its subsidiary bodies.

1. Standard on Saffron (Para 19 ii. and para 23 b) of CX/SCH 24/7/2 Rev.1)

The EUMS consider that for saffron the indication of the country of harvest shall be mandatory for the following reasons:

- CCSCH5 agreed to split country of origin and country of harvest into two independent and clear provisions for spices and culinary herbs standards and to reconsider provision of country of harvest (mandatory or optional) in individual standards should the need arise. Considering the particularities of the spices trade and supply chain of saffron and its unique quality characteristics, there is strong need for mandatory indication of country of harvest. The provision shall apply on the solid basis for the protection of product's safety, quality, authenticity and prevention of food fraud.
- Labelling provisions shall provide clear and reliable information to consumers regarding the quality of the products. The quality characteristics of saffron vary considerably depending on the country where it has been cultivated, even when same species or cultivars are used. Therefore, the country of harvest is an essential piece of information regarding the quality of the product.
- The country of origin for saffron shall be the place where it has been harvested since processing do not change the "nature" of the product. Processing such as, sorting, cleaning, drying, crushing, grading or/and packing are not capable to alter the quality of the end product, which is primarily attributed to the quality of the harvested product. The mandatory indication of both the country of harvest and of the country of origin ensures a consistent application of this rule. In addition, given that for other spices the country for origin may be different from the country of harvest, naming the country of origin without providing the country of harvest could be confusing and misleading to consumers. These two terms are not contradictory and the indication of both terms shall be mandatory to ensure protection of the product identity and authenticity.
- In accordance with the General Standard for the Labelling of Prepackaged Food (GSLPF), the country of origin shall be declared if its omission could mislead or deceive the consumer. Due to the aforementioned particularities of saffron, the indication of the country of harvest should be mandatory.
- The mandatory indication of the country of harvest is a non-costly requirement, that can be effectively applied by food business operators (FBOs) who have to ensure the traceability of their products and therefore is considered an effective and dissuasive tool against food fraud and adulteration in the trade chain. Traceability, including the indication of the country of harvest, provides transparency along the food chain and, in turn, ensures the protection of the authenticity of the product, thus, contributing to

fraud prevention. (Scientific literature^{1,2,3,4,5,6} shows that an increased number of fraud issues occurs for saffron, which includes misrepresentation, adulteration and substitution, since saffron faces a remarkably high demand and high production costs in the global market).

2. 42nd Session of the Codex Committee on Methods and Analyses and Sampling (CCMAS42) – Questions from CCMAS to CCSCCH to assist in the endorsement of methods (Para 20 b. and Appendix of CX/SCH 24/7/2 Rev.1)

The EUMS would like to recall the previous recommendations of CCMAS40, that still apply (REP19/MAS):

13. CCMAS40 agreed that CCSCCH should note:

- [...]
- *It was important to establish and utilize consistent provisions and terminology when possible.*
- [...]

14. *The Committee encouraged delegations to CCMAS to liaise with their counterparts to CCSCCH on methods of analysis, India as the lead country on spices and culinary herbs in both Codex and ISO to better coordinate work on methods of analysis for these products, and that equally the Codex Secretariat should ensure that guidance is given to CCSCCH on how to present methods of analysis for endorsement taking into account the guidance provided in the Procedural Manual.*

In addition, methods of analysis sent to CCMAS for endorsement should be checked against methods previously endorsed and enclosed in CXS 234-1999 to ensure consistency.

Regarding the terminology issues, the use of the template for SCH standards should also be encouraged as it could help significantly reducing such inconsistencies or errors.

The EUMS propose the following replies to the questions in the Appendix:

Questions from CCMAS to CCSCCH to assist in the endorsement of methods¹³

Standard for dried roots, rhizomes, and bulbs – dried or dehydrated ginger (CXS 343-2021); the Standard for dried floral parts – cloves (CXS 344-2021) and Standard for dried basil (CXS 345-2021)

1. ISO 927 is identified as a Type I method for “whole dead insects”, but as a Type IV for ‘live insects’. Is there a reason for this difference in typing?

It is suggested to identify ISO 927 for both provisions as Type I.

2. MPM-V8 is listed as a Type IV for ‘mammalian/other excreta’, however ISO 927 appears to capture this category and is identified as a Type I at other parts of the table. Is there a reason for selecting a Type IV for this provision?

MPM-V8 method is suggested to be dropped.

Standard for dried floral parts – saffron

1. The taste strength, aroma strength, colouring strength provisions use the ISO 3632-2 and are listed as Type IV. As this ISO standard is specific to saffron, is there a reason it is listed as a Type IV and not a Type I?

ISO 3632-2 should be listed as Type I.

Standard for dried or dehydrated chilli pepper and paprika (CXS 353-2022)

1. For the provision ‘live insects’ there are two methods listed and both identified as Type I. Are these methods

¹ Joint Research Centre (JRC) of the European Commission: Results of an EU wide coordinated control plan to establish the prevalence of fraudulent practices in the marketing of herbs and spices: https://food.ec.europa.eu/system/files/2021-11/food-fraud_action_herbs-spices_report_jrc126785_0.pdf

² S.A.Ordoudi et al. 2017. Uncovering a challenging case of adulterated commercial saffron: Food Control 81 (2017) 147-155

³ M.V.García-Rodríguez et al. 2017. Comparative evaluation of an ISO 3632 method and an HPLC-DAD method for safranal quantity determination in saffron: Food Chemistry 221 (2017) 838–843

⁴ E.A.Petrakis et al. 2017. Sudan dyes in adulterated saffron (*Crocus sativus* L.): Identification and quantification by 1H NMR: Food Chemistry 217 (2017) 418–424

⁵ A.Koocheki, E.Milani. 2020. Chapter 20 - Saffron adulteration. Saffron. Science, Technology and Health, Woodhead Publishing Series in Food Science, Technology and Nutrition 2020, Pages 321-334

⁶ J.Wakefield et al. 2019. Chemical profiling of saffron for authentication of origin: Food Control Volume 106, December 2019, 106699

identical? If not, one must be endorsed as Type I method and the other removed.

ISO 927 should be kept. Only one can be the Type I method.

Draft Standard for dried small cardamom and draft Standard for spices derived from dried fruits and berries (Part A – allspice, juniper berry and star anise)

1. There are Type I and Type IV methods listed for the provisions “whole dead insects” and “insect fragments”. While listing both a Type I and Type IV is allowed, there should be a compelling reason for the listing. Would it be possible to explain the reasoning for this request?

ISO 927 should be kept.

2. There are parenthetical comments in the provision for ‘filth’ and ‘light filth’, which says list all the filth here – for example – mammalian excreta? It is unclear if this is text should have been removed.

Comparison between different CCSCCH standards

1. In the *Standard for dried roots, rhizomes and bulbs – dried or dehydrated ginger* (CXS 343-2021) ISO 927 is a Type IV for ‘mammalian / other excreta’, but in the *Standard for dried seeds – nutmeg* (CXS 352-2022) ISO 927 is listed as a Type I for this same provision. Is there a reason for the different typing of the same method for the same provision?

ISO 927 as the Type I method is proposed for all the mentioned provisions.

¹³ REP23/MAS paragraphs 23-25

India

In response to questions asked by CCFL47 at para 19, India would like to submit the following points to be considered:

The rationale for making the two labelling provisions mandatory in the saffron standard was the following:

- 1) The 5th session of CCSCCH, while discussing the labelling provisions (8.3 and 8.3.1) of Country of origin/Country of harvest, on the clarification sought by the CCFL45, had agreed to keep both provisions in the standards and split “Country of Origin/Country of Harvest” into two independent and clear provisions, i.e. a provision on “Country of Origin” being mandatory and a provision on “Country of Harvest” being optional; and that these provisions would be reconsidered in individual standards, should the need arise.
- 2) Section 4 of CXS 1-1985, with heading “MANDATORY LABELLING OF PREPACKAGED FOODS” says, “The following information shall appear on the label of prepackaged foods as applicable to the food being labelled, except to the extent otherwise expressly provided in an individual Codex standard”.
- 3) As per Lacey Act Web Governance System (LAWGS) of USDA, country of harvest is defined as “the country from which a plant has been taken or harvested”. Further, it is an obligation rest with producing countries only that will ensure the authenticity of producing country and make informed choices to consumers in the international trade.
- 4) Among all the spices and culinary herbs, Saffron is the most expensive spice produced in a few countries under specific geo-climatic conditions and this has a bearing on the quality of the saffron. Because of this, the country of harvest becomes very important in case of saffron. It is just one part of the flower and hence its volume of production is very low compared to other spices and hence the high price. Due to its high value, it is more often subjected to adulteration and fraud.
- 5) The parameters such as Picrocrocine, Safranal and Crocin attributes to the quality of Saffron that comes from the geo-climatic conditions of specific region thus mandatory declaration of both country of origin and country of harvest will ensure the protection of the true origin, identity and authenticity of this product and also prevent misbranding. This helps the consumer to make an informed choice without being misled.

Considering the above scenario, India would like to submit that keeping both the labelling provisions of country of origin and country of harvest as mandatory in the standard of saffron is warranted, and is also consistent with the decision taken in CCSCCH5 about assessing the need for these provision based on specific needs of SCH standards.

Indonesia

Regarding the question from CCMAS, in principle Indonesia supports to use standardized and consistent term(s) across standard. For question number 10, Indonesia would like to propose the use of “visible mould” instead of “mould visible”, since this term is more appropriate than “mold visible”. In addition, for question

number 11, Indonesia supports the separation of declaring: “whole dead insect” and “whole life insect” for further clarity. Such separation may facilitate CCMAS in endorsing method of analysis.

Kenya

Kenya takes note of matters arising from the 45th and 46th sessions of the Codex Alimentarius Commission (CAC45 and CAC46) and its executive committee (CCEXEC83, CCEXEC84, and CCEXEC85) and the glossary of terms for CCSCH.

Morocco

➤ **Labeling: Country of Origin and Country of Harvest:**

○ **National Position:**

Morocco supports the mandatory indication of the country of harvest, especially when it differs from the country of origin.

○ **Rationale**

Prevention of Food Fraud

When a food item, such as saffron, undergoes processing in a second country, it is crucial to ensure that consumers are informed about the actual place of harvest. This measure is essential to minimize the risk of food fraud, thereby strengthening consumer confidence in the quality and authenticity of the saffron they purchase.

Understanding Handling Practices:

The country of harvest informs consumers about specific practices in that region that influence the quality of saffron. This facilitates consumers in evaluating the product's quality while promoting transparency in the supply chain and discouraging unethical practices.

High Value and Vulnerability of Saffron to Fraud:

Due to its high value, saffron is susceptible to fraud. The obligation to specify the country of harvest enhances traceability, discouraging fraud by providing authorities and consumers the ability to verify the authenticity of the product.

➤ **Etiquetage : Pays d'origine et pays de récolte :**

Position nationale :

Le Maroc est pour l'indication obligatoire du pays de récolte s'il est différent du pays d'origine.

Argumentaire :

Prévention de la fraude alimentaire :

Lorsqu'un aliment, tel que le safran, subit une transformation dans un deuxième pays, il est essentiel de garantir que les consommateurs sont informés du lieu réel de la récolte. Cette mesure est cruciale pour minimiser le risque de fraude alimentaire, renforçant ainsi la confiance des consommateurs dans la qualité et l'authenticité du safran qu'ils achètent.

Compréhension des pratiques de manipulation :

Le pays de récolte informe les consommateurs sur les pratiques spécifiques à cette région, influant sur la qualité du safran. Cela facilite l'évaluation de la qualité du produit par les consommateurs tout en promouvant la transparence dans la chaîne d'approvisionnement et en décourageant les pratiques non éthiques.

Valeur élevée et vulnérabilité du safran à la fraude :

En raison de sa valeur élevée, le safran est exposé à la fraude. L'obligation de spécifier le pays de récolte renforce la traçabilité, décourageant la fraude en offrant aux autorités et aux consommateurs la possibilité de vérifier l'authenticité du produit.

Thailand

the standard for saffron

Thailand support the labelling provision for the country of harvest as an optional. Because this provision should be specified as minimum requirements as in the standard template and other existing standards. We support the labelling provision on country of harvest, region of harvest and year of harvest as optional on labelling. Because this provision should specify only minimum requirements that are the same as in the

standard layout. Mandatory on specifying country of harvest in the label may cause confusion in trade and is not related to quality and safety of the products according to the purposes of Codex.

Uganda

Uganda takes note of the information provided in CX/SCH 24/7/2 Rev.1 and appreciates the work done by the various subsidiary bodies.

Uganda is in support of the recommendations provided by the various bodies.

In addition, Uganda would recommend that the various test methods represented as “types” be defined to help in making recommendations on test methods from a known point of view.

the United States of America

After discussions with the United States Codex Committee on Methods of Analysis and Sampling Delegation, the United States CCMAS and CCSCCH delegations recommend the following as responses to your questions:

- i. ISO 927 is listed as a Type I method for whole dead insects and live insects as this method measures both parameters. It is unreasonable to perform two separate methods of analysis when ISO 927 can be used for both parameters.
- ii. The United States prefers the use of Methods of Analysis from independent standards organizations over those from national governments; national governments can cancel or remove support for their national methods without notice leaving producers and importers with no validated methods.
- iii. It is recommended to choose one of the 2 methods listed and identified as Type I and be consistent with its use throughout SCH standards.
- iv. ISO 3632-2 is a Type I method specifically for saffron aroma strength. The test for aroma strength in this method is the definition of aroma strength and should therefore be the Type I method for all provisions in Saffron.
- v. There should not be a Type IV Method of Analysis listed when a validated, defining method exists for an SCH. Therefore, it is recommended to use ISO927 for both types of insect defects in CCSCCH Standards. Note, in CXS43, ISO927 is listed as a Type IV method for mammalian/other excreta and in CXS352, ISO927 is listed as a Type I method for the same provision. Since both commodities in CXS343 and CXS352 are listed in ISO927 then ISO927 could be listed as a Type I in both standards.
- vi. Whole dead insects and live insects are treated differently in trade and have separate provisions. When a live insect is found, the lot is rejected; whereas there is an allowance for whole dead insects which only when exceeded, the lot is rejected.