

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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TO Codex Contact Points
Contact Points of international organizations having observer status with Codex

FROM Secretariat,
Codex Alimentarius Commission,
Joint FAO/WHO Food Standards Programme

SUBJECT **REQUEST FOR COMMENTS AT STEP 3 ON THE PROPOSED DRAFT REVISION OF
THE CLASSIFICATION OF FOOD AND FEED:
GROUP 024 – SEEDS FOR BEVERAGES AND SWEETS**

DEADLINE 17 April 2017

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BACKGROUND

1. Background on the discussion of the revision of the Classification of Food and Feed (CAC/MISC 4-1993) can be found in the reports of the 36th – 48th sessions of the Committee on Pesticide Residues (CCPR) including relevant sessions of the Codex Alimentarius (CAC) held between 2004 – 2016. Reports of Codex committee meetings are available at <http://www.codexalimentarius.org>.
2. The 48th Session of CCPR (CCPR48) (April 2016) agreed that the Electronic Working Group on the revision of the Classification chaired by the United States of America and co-chaired by the Netherlands would continue to work on Group 021 Seeds for Beverages and Sweets to look into the possible expansion and grouping of this Group including the possibility for multiple entries of commodities in different groups of the Classification and report back at the next session with a proposal for consideration.¹ The list of participants is presented in Appendix III.

SUMMARY OF THE DISCUSSION

3. There was agreement within the EWG that the plant part needs to be considered when describing a commodity and it is acceptable to include the same commodity with different plant part in different groups (for example radish roots and radish leaves). Finally, it was agreed that it is appropriate to include cross-referencing where commodities (without a code number) can be listed in a group, but with reference to its primary classification.
4. The general consensus in the EWG is that only commodities can be included not listed in any other group/subgroup to avoid any possible confusion of having two different CXLs for the same commodity. So e.g. basil seeds (HS 0722) cannot be included because it is already in Group 028A Seeds (Subgroup from herbs and spices)². Other proposed commodities for inclusion in this Group are not “after processing, used in the production of beverages and sweets” as stated in the description of Group 024, therefore it wouldn't be desirable to add them to this Group. No other plant commodities that fit the criteria for crop grouping were proposed by the EWG.

¹ REP16/PR, paras. 146-150, 158

² REP11/PR, paras. 87-92, Appendix VI

5. There were still some commodities that have not yet been included in the Classification. China previously proposed the inclusion of water chestnut (*Trapa natans*), foxnut (*Euryale ferox*) and lotus seed (*Nelumbo nucifera*) in Group 024. In 2013, CCPR decided to remove water chestnut and foxnut from the group of root and tubers³. No decision was made for the new classification of these commodities, but the suggestion was to place them in the Type 04 Nuts and Seeds. This type includes three Groups: 022 Tree Nuts, 023 Oilseeds and 024 Seeds for Beverages and Sweets. For Groups 022 and 023 agreement was already reached by CCPR in 2010 (oilseeds)⁴ and 2011 (tree nuts)⁵. It does not seem appropriate to include water chestnut, foxnut and lotus seed in one of these groups.

6. Possible options include:

- (1) include water chestnut, foxnut and lotus seed in Group 024 – Seeds for beverages and sweets. However these commodities are not “after processing, used in the production of beverages and sweets” and therefore it wouldn’t be desirable to add them to this Group. It wouldn’t be possible to set a group-CXL for the whole group, only for parts of the group, because there will be no or very little similarity between these commodities.
- (2) create a new group in Nuts and Seeds: “Group 025 - Miscellaneous nuts and seeds”. Water chestnut, foxnut and lotus seed can be included in this new group. This means that a small group will be created, with only a very few minor commodities that may not meet the criteria for crop grouping.
- (3) develop a system within the Classification to provide codes for commodities that don’t meet the criteria for crop grouping. This will create a system to code commodities that are not included in a group.

CONCLUSIONS

7. The EWG could not develop proposals to expand Group 024 to plants (other than seeds) that could also be used for the production of beverages or syrups.

RECOMMENDATIONS

8. The Committee is invited to consider how to deal with the issues raised in paragraphs 4-6 to progress in the finalization of Group 024.

REQUEST FOR COMMENTS

9. Codex members and observers are kindly invited to provide comments on Group 024 Seeds for Beverages and Sweets as provided in Appendix II taking into account the conclusions and recommendations of the EWG (paragraphs 7-9).

10. In submitting comments, Codex members and observers are kindly invited to also take into consideration:

- (1) The discussion held at CCPR48¹.
- (2) The mandate of the EWG¹.
- (3) The guiding principles and the criteria for crop group of the Classification (as in Appendix I).
- (4) The table for representative commodities for Group 024 as proposed in CL 2017/22-PR (Agenda Item 7e)

³ REP13/PR, para. 122, REP14/PR paras. 132-135, Appendix IX

⁴ ALINORM 10/33/24, paras. 86-97, Appendix IX

⁵ REP11/PR, paras. 87-92, Appendix VI

APPENDIX I
(For information)

The Classification of Food and Feed (CAC/MISC 4-1993) includes food commodities and animal feedstuffs for which Codex maximum residue limits will not necessarily be established. The Classification is intended:

- to be a listing of food commodities in trade as complete as possible, classified into groups on the basis of the commodity's similar potential for pesticide residues;
- primarily to ensure the use of uniform nomenclature and secondarily to classify foods into groups and/or sub-groups for the purpose of establishing group maximum residue limits for commodities with similar characteristics and residue potential; and
- to promote harmonization of the terms used to describe commodities which are subject to maximum residue limits and of the approach to grouping commodities with similar potential for residue for which a common group maximum residue limit can be set.

Characteristics for crop grouping are:

1. Commodity's similar potential for pesticide residues;
2. Similar morphology;
3. Similar production practices, growth habits, etc;
4. Edible portion;
5. Similar GAP for pesticide uses;
6. Similar residue behavior;
7. To provide flexibility for setting (sub) group tolerances.

**APPENDIX II
(For comments)**

Existing group: Seed for beverages and sweets

1.1.1.1.1 Class A

1.1.2 Type 4 Nuts and seeds Group 024 Group Letter Code SB

The seeds for beverages and sweets are derived from tropical and sub-tropical trees and shrubs. After processing the seeds are used in the production of beverages and sweets.

These seeds are protected from pesticides applied during the growing season by the shell or other parts of the fruit.

Portion of the commodity to which the MRL applies (and which is analysed): **Unless specified, whole commodity (seed only, other parts of the fruit not included).**

1.1.2.1 Group 024 Seed for beverages and sweets

| <u>Code No.</u> | <u>Commodity</u> |
|-----------------|---|
| SB 0091 | Seed for beverages |
| SB 0715 | Cacao beans <i>Theobroma cacao</i> L.; several ssp. |
| SB 0716 | Coffee beans among others <i>Coffea arabica</i> L.; <i>C. canephora</i> Pierre ex Froehner <i>C. liberica</i> Bull ex Hiern.; ssp. and cultivars |
| SB 0717 | Cola nuts <i>Cola nitida</i> (Vent.) Schott & Endl.; <i>C. acuminata</i> (P. Beauv.) Schott & Endl.; <i>C. anomala</i> K. Schum.; <i>C. verticillata</i> (Thonn.) Stapf ex A. Chev. |
| - | Kola , see Cola nuts |

Crops still to be classified and numbered:

Water chestnut

(*Trapa natans*)

Foxnut

(*Euryale ferox*)

Lotus seed

(*Nelumbo nucifera*)

**APPENDIX III
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