



**Food and Agriculture
Organization of the
United Nations**



**World Health
Organization**

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CF12/CRD19

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON CONTAMINANTS IN FOODS**

**Twelfth Session
Utrecht, The Netherlands, 12 - 16 March 2018**

Comments submitted by Thailand on agenda item 5, 7, 8, 9, 10, 14 and 15

THAILAND

Agenda Item 5 Proposed draft and draft maximum levels of lead in selected commodities in the General Standard for Contaminants and Toxins in Food and Feed (CXS 193-1995) (at Steps 7 and 4)

Thailand would like to thank the United States of America for analysing data and preparing the draft MLs.

In general, we found that several proposed MLs were based on 96% compliance rate (4% violation rate) which we believe it is a rather high violation rate. We, specifically, have comments on some proposed MLs as follows:

For **salt**, we do not agree with the recommendation for lowering the ML from 2 mg/kg to 1 mg/kg with 96% compliance rate (4% violation rate) because this commodity is a food ingredient which small amount is consumed per day. In a number of countries including developing countries, salt is mainly produced from small and medium manufacturers. So, in this case, we propose the compliance rate of 98% (2% violation rate) is a more appropriate value that reflects to a proposed ML of 1.5 mg/kg.

Also, we do not agree with the recommendation for lowering the ML of **edible fats and oils** from 0.1 mg/kg to 0.07 mg/kg because this commodity has high volume in global market and applies to several types of fats and oils. The hypothetical ML of 0.07 mg/kg with 4% violation rate causes too much impact to the international trade. Therefore, we propose the ML should be lower to 0.08 mg/kg with compliance rate of 97% (3% violation rate) for this commodity.

Agenda Item 7 Proposed draft maximum levels for methylmercury in fish including associated sampling plans (at Steps 4)

Thailand would like to express the appreciation to the Netherlands, New Zealand and Canada for preparing proposed draft maximum levels for methylmercury in fish. We would like to provide the following comments for consideration.

Establishment of MLs for methylmercury in following species of fish

In consideration of proposals for MLs, using occurrence data on methylmercury by excluding data without LOD/LOQ and using less than 5% rejection rate is an accept process that reflects most suitable value.

Tuna: We are of the view that it might not be obvious to distinguish tuna species as well as identify origin of tuna. Thus, we support the establishment of ML in all tuna at **1.2 mg/kg** which has appropriate rejection rate of 3%. This option is more feasible in practice.

Alfonsino: We support the establishment of ML in alfonsino at **1.5 mg/kg** which has appropriate rejection rate of 4%.

Shark/dogfish: We support the establishment of ML in shark/dogfish at **1.6 mg/kg** which has appropriate rejection rate of 4%.

Swordfish: We support the establishment of ML in swordfish at **2.4 mg/kg** which has appropriate rejection rate of 4%.

Establishment of footnotes to the MLs

We would like to seek the clarification about **footnote on analysis of total mercury as a screening tool for methylmercury**. The text does not cover the case when the total mercury concentration is exactly equal to the ML. In this case, the follow-up test should be conducted or not? Thus, we think that footnote should be clearly modified as followed:

*“Countries or importers may decide to use their own screening when applying the ML for methylmercury in fish by analysing total mercury in fish. If the total mercury concentration is below **or equal to** the ML for methylmercury, no further testing is required and the sample is determined to be compliant with the ML. If the total mercury concentration is above the ML for methylmercury, follow-up testing shall be conducted to determine if the methylmercury concentration is above the ML.”*

For **the existing footnote to the GL for processed fish and fish product**, we are of the view that it might be not correct and not appropriate to attach the existing footnote to the MLs for fresh/frozen fish since it is not in line with the decision of CCCF11 not to establish MLs for canned tuna. Thus, we propose to delete or modify this footnote with the deletion of reference to processed fish. We, however, believe that the set MLs can be applied for testing or controlling raw material for further processing of tuna.

Agenda Item 8 **Proposed draft revision of the Code of practice for the prevention and reduction of dioxins and dioxin-like PCBs in food and feed (CXC 62-2006)** (at Steps 4)

Thailand appreciates the excellent work on proposed draft revision of the COP done by the European Union, chaired of the EWG. Since the revised COP proposed detailed substantial revision specific with in limited time, so we are unable to consult with relevant stakeholders. We believe that it is not appropriate for the Committee to consider and comment on the proposed revision in details and postpone it to the next meeting.

Agenda Item 9 **Proposed draft Code of practice for the reduction of 3-monochloropropane-1,2-diol esters (3-MCPDE) and glycidyl esters (GE) in refined oils and products made with refined oils, especially infant formula** (at Steps 4)

Thailand wishes to express its appreciation to the chair, the Unites States of America and co-chairs, the European Union and Malaysia, for leading the EWG on the proposed draft Code of practice for the reduction of 3-MCPDE and GE in refined oils and products made with refined oils, especially infant formula. We also appreciate the opportunity to comment on this issue as followed.

General comments

The proposed draft COP is developed on the basis of the information on 3-MCPDE and GE mitigation methods currently used by industry and in experimental stage. We are of the view that recommended practices in the proposed draft COP have to be based on scientifically proven studies to reduce formation of 3-MCPDE and GE significantly. Also, some methods under experiment are not appropriate for recommended practices. We believe that some recommended practices are not practical, increase cost of production and also cause excessive waste water that affected environment. So, we suggest reviewing and selecting only recommended practices which are practically and significantly reduce formation of 3-MCPDE and GE.

Specific comments

We are pleased to provide our specific comments on each section as follows:

Paragraph 26: For the recommendation to select oil plant varieties with low lipase activity, scientific information to confirm the reduction of free fatty acids and acylglycerol precursors from low lipase activity oil plant variety is needed. Moreover, it is not practical to change the entire plantation from regular to low lipase activity oil plant varieties.

Paragraph 27: The recommendation to minimize the use of irrigation water that has excessive amounts of chlorine-containing compounds is not practical. Also, scientific information to confirm that the significant reduction of 3-MCPDE and GE when chlorine usage is minimized is need.

Paragraph 31: The recommendation to wash crude vegetable oil with polar solvents like chlorine-free water is not practical. Since it increases production cost and waste water affected environment.

Paragraph 35: The recommendation to use milder and less acidic conditions for decreasing 3-MCPDE in vegetable oils is not appropriate for producing quality palm oil because it does not remove gum completely.

Paragraph 37: The recommendation to use wet degumming method in palm oil is not practical because it does not remove gum completely and increase waste water adversely affected environmental.

Paragraph 40: The recommendation to use greater amounts of bleaching clay for reducing 3-MCPDE and GE in vegetable oil increases cost of production and oil loss during bleaching.

Paragraph 42 and 43: The recommendation to reduce deodorization temperature or conduct 2-stage deodorization is not technologically appropriate for palm oil production.

TREATMENT POST REFINING: We suggest adding an additional text under this heading as followed:

“TREATMENT POST REFINING

The following recommended practices are for reducing level of 3-MCPDE and GE in refined vegetable oils with high level of these esters by using re-bleaching, re-deodorization or other process.

47. Conduct...”

SELECTION AND USES OF REFINED OILS IN FOOD PRODUCTS MADE FROM THESE OILS, INCLUDING INFANT FORMULA: We suggest adding an additional text under this heading as followed:

“SELECTION AND USES OF REFINED OILS IN FOOD PRODUCTS MADE FROM THESE OILS, INCLUDING INFANT FORMULA

In case refined vegetable oils with low level of 3-MCPDE and GE is needed for food such as infant formula, recommended practices details in paragraphs 54-56 should be followed.

Oil selection

54. Selecting...”

Paragraph 55: We suggest to delete this paragraph because the recommendation to reduce the amount of refined vegetable oils in finished product for expecting reduction of the levels of those esters in finished product is incorrect.

Agenda Item 10 Proposed draft maximum level for total aflatoxins in ready-to-eat peanuts and associated sampling plan (at Step 4)

Thailand supports the establishment of ML for total aflatoxin in ready-to-eat peanuts at 10 µg/kg because it is consistent with the Codex MLs for tree nuts particularly on the separation of MLs between ready-to-eat peanuts and peanuts intended for further processing.

However, we suggest that the Committee consider whether the additional explanation is needed to distinguish between ready-to-eat peanuts and peanuts intended for further processing e.g. by having additional information on label or accompanied documents of the shipment. So, the competent authority knows which ML should be applied to specific shipment of peanuts.

Agenda Item 14 Discussion paper on future work on maximum levels for lead for inclusion in the General Standard for Contaminants and Toxins in Food and Feed (CXS 193-1995)

Thailand appreciates the preparation of discussion paper on future work on MLs for lead for inclusion in the GSCTFF done by Brazil as chair of the EWG.

Regarding the proposal of EWG, the category of “algae and seaweeds” was prioritized in intermediate priority with high occurrence level but trade information not found. We are of the view that this category is important to international trade and also there was available trade data. The FAO/WHO Coordinating Committee for ASIA (CCASIA) starts work on the development of standard for laver products in 2010. Laver products are called in various terms such as edible seaweed, edible red algae, etc. The project document for new work proposed to CCASIA and CAC (CX/ASIA 10/17/15) states that the global trade volume for laver products has been increased progressively.

It rose from 130million USD in 2005 to 173million USD in 2009. They are also traded in more than 70 countries globally. Moreover, quantities and value of seaweeds can be contributed by FAO – Fisheries and Aquaculture Information and Statistic Branch.

The General Standard for Contaminants and Toxins in Food and Feed (CXS 193-1995) is referred to by the Regional Standard for Laver Products (CXS 323R-2017) under *Section 5 Contaminants*. Thus, there is a need and priority to establish the ML of lead in laver product.

So, we are of the view that the category of “algae and seaweeds” which was proposed to prioritize in intermediate priority should be move up to high priority.

Agenda Item 15 Discussion paper on aflatoxins and sterigmatocystin contamination in cereals

Thailand wishes to thank Brazil, chair of the EWG, for the extensive work on the discussion paper on aflatoxins and sterigmatocystin contamination in cereals.

We believe that it is important to consider the establishment of MLs for aflatoxins in cereal and cereal-based products and in food for infants and small children. However, the *Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals* (CAC/RCP51) has been revised and added its annexes on zearalenone, fumonisins, ochratoxin A, trichothecenes and aflatoxins and recently adopted by CAC39 in 2016. We are of the view that the revised COP should be implemented for some period of times e.g. three years before collecting all available data to consider the need for ML establishment. The occurrence data collected at that time can be the updated data due to the implementation of the revised COP.