codex alimentarius commission

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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Agenda Item 5 **CX/CF 08/2/5 Add.1**
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

Second Session

The Hague, the Netherlands, 31 March - 4 April 2008

PROPOSED DRAFT REVISION OF THE PREAMBLE OF THE CODEX GENERAL STANDARD FOR CONTAMINANTS AND TOXINS IN FOODS (GSCTF)

Comments at Step 3 submitted by Brazil, Cuba, EC, Japan, Morocco and The Netherlands

BRAZIL

Item 1.3.3 – Specific criteria

The following criteria shall (not preventing the use of other relevant criteria) be considered, if appropriate, when developing ….

Page 8 – We ask to keep the paragraph: "For each session of the CCCF, a working document shall be prepared in which the complete list of CODEX Standards for contaminants in foods (both proposed and agreed) is presented in the form of Schedule I".
This working document is a very important source of information, especially for developing countries.

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- Establishment of maximum levels - Regarding the need to "communicate in a transparent and accessible manner", we suggest that when the Committee arrive to the conclusion that it is not necessary to establish a maximum level for a contaminant in a certain food category, this information should be kept in the Schedule I, with the year of the evaluation. The maximum level should be mentioned as "not necessary".

- 8th bullet point: to delete "however" in the last sentence.

Page 16: Annex III - 4th bullet point: Replace IDA and TDI for PMTDI

- We prefer to keep the Appendix II in the GSCTF

- The Committee should choose among the terms safe/tolerable intake level, toxicological reference value and toxicological guidance value and use it through the manual and Schedule I.

CUBA

Cuba is of the opinion that the document as prepared *[? word missing in Spanish]* and agrees that it contains valuable information for discussion at the second meeting of the CCCF.

EC

The European Community and its Member States (ECMS) welcome the proposed draft Revision of the preamble of the Codex General Standard for Contaminants and Toxins in Foods (GSCTF).

As regards the points raised by the electronic working group to be considered at the plenary session at the Codex Committee on Contaminants in Foods, the ECMS have following positions:

- As regards deletion of texts related to the internal Codex procedures from the Preamble and to integrate them into the Procedural Manual:

The ECMS are of the opinion that it is appropriate to delete completely Section 1.4. "Codex Procedure for Establishing Standards for Contaminants and Toxins Foods" from the Preamble as it refers to an internal Codex Procedure and it is not addressed to the Codex Member countries. It is also proposed to delete from the Preamble the related Annex II "Procedure for Risk Management Decisions".

As both texts refer to internal Codex procedures, their inclusion in the Procedural Manual should be considered. However, a careful examination is required before inclusion in order to ensure consistency and to avoid overlap with other existing more recent texts in the Procedural Manual (in particular "Risk Analysis Principles Applied by the Codex Commission on Food Additives and the Codex Committee on Contaminants in Foods" & "policy of the Codex Committee on Contaminants in Foods for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups).

- **As regards to better integrate the feed aspects in the preamble of the GSCTF:**

The ECMS are of the opinion that it is appropriate to modify the current proposed Preamble to better integrate the feed aspects related to the protection of public health, since this could be affected by possible transfer of contaminants present in feed into food of animal origin. The ECMS are of the opinion that this can be best achieved by proposing to the Committee to extend the mandate of the electronic working group to include this aspect.

- As regards the maximum levels set in Schedule I of the GSCTF for commodities which can be used for human consumption as well animal feeding:

The ECMS are of the opinion that it is appropriate to specify that all existing maximum levels and guideline levels in Schedule I refer to commodities intended for human consumption.

Finally, it is proposed to replace in the current text in Appendix I, point1.2.2. 5) "Residues of processing aids" by "Residues of processing aids that are within the terms of reference of the Codex Committee on Food Additives (CCFA)". It is furthermore proposed to keep the Codex definition of processing aid for completeness.

JAPAN

Japan appreciates the efforts of the European Community for being the lead in preparing the revision.

We believe that it is essential to keep in mind, during the process of the revision, the objectives of the GSCTF and of the texts in the Procedural Manual. From this perspective, we support in principle the proposed draft revision of the Preamble of the GSCTF and proposed draft Annex to the “Risk Analysis Principle Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods”. In addition, we would like to propose the following amendments:

1. We confirm our agreement with the principles of the revision shown in para. 6(a). Those texts/provisions only relevant to the Codex Alimentarius Commission and its subsidiary bodies should be included in the Procedural Manual and those primarily relevant to Codex members should be published as part of the *Codex Alimentarius*, in the case of contaminants, in the GSCTF.

2. Japan is of the opinion that Section 1.4, "Codex Procedure for Establishing Standards for Contaminants and Toxins in Foods" and Annex II should be deleted from the Preamble. All their texts are only relevant to CCCF and not to Codex members and, therefore, should be found only in the Procedural Manual but not the Preamble of the GSCTF. They have already been included in paras 2, 5, 6 and 7 in the proposed draft Annex to the "Risk Analysis Principle Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods" which will be included in the Procedural Manual after its adoption. Annex II should also be transferred to the Procedural Manual, if the content is found to be useful for the CCCF.

3. Japan thinks that the section on the "Information about National Regulations" in "Fair Trade Consideration" (in Annex I) is more relevant to the CCCF than Codex members and should preferably be deleted. However, if it is meant to be related to the obligations and rights stipulated to the SPS Agreement, we do not oppose to its retention.

4. The Review and Revision of Schedule I in Section 1.6 is a matter of Codex/CCCF Procedure. The identical text appears in the proposed draft Annex to the "Risk Analysis Principle Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods" (para. 23) and therefore Section 1.6 should be deleted.

5. We agree to insert para. 24 in the Annex to the "Risk Analysis Principle Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods". However, in order to correctly reflect the current situation, the text should be amended as follows:

   "For each session of the CCCF, in order to assist consideration by the CCCF, a working document shall be prepared in which a complete list of maximum levels/guideline levels and codes of practice for contaminants in foods and feeds, both adopted by the Commission and being elaborated at various steps of the Codex Procedure, is presented in the format of Schedule I. In addition, the following information should be included in the working document:

   - As Part 2, maximum levels for quality factors;
   - Conclusions of JECFA evaluation;
   - Relevant Commission conclusions; and
   - Relevant CCCF conclusions."

MOROCCO

Morocco appreciates the effort of the electronic working group led by the European Community in preparing the draft revision of the preamble of the General Standard for Contaminants and Toxins in Foods and is pleased to offer the following comments and proposals.

1. Complementary food categorization system for the GSCTF

In this point Morocco proposes a new approach in order to avoid the shortcomings of the current approaches and reach objectives set by codex system
We can see several shortcomings in the current food codification:

- The CCPR approach about pesticides that CCCF is trying to apply covers a small scope of products(mainly vegetables, fruits, cereals) while contaminants cover a wide range of products(vegetables, fruits, cereals, Meat, Fish , Dairy products; eggs; fats and oils, sugar confectionery
- Chocolate, Beverages, water, processed food, etc….)
- The use of latin alphabet makes it difficult for people like Chinese, Arabs, or Russians to deal with this codification
- The use of english wording makes it difficult for non english speaking people like French, Spanish, or Turkish to understand very well this codification
- These shortcomings increase the risk of lack of transparency
- These shortcomings increase the risk of obstacle to trade

Therefore, the moroccan proposal is to use a codification system that is able to overcome these shortcomings. It should:

- Use only figures to eliminate alphabet and language problems
- Cover all food and feed products that are traded internationally
- Be known by all countries that deal in international trade
- Have already shown its impact on enhancing transparency
- Have been successfully used to facilitate communication in international trade

This codification system is mainly the Harmonized system with slight adaptations to CCCF's needs; and Morocco is ready to make a more detailed proposal.

The Harmonized system has been designed and put together by the Word Customs Organization with the input of member countries (see http://www.wcoomd.org)

As an example, the Harmonized system is organized in the following way with several detail levels :

FIRST LEVEL OF DETAIL: ALL PRODUCTS CONCERNED IN 23 CHAPTERS

Section I
Live animals; animal products

1 Live animals
2 Meat and edible meat offal
3 Fish and crustaceans, molluscs and other aquatic invertebrates
4 Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included
5 Products of animal origin, not elsewhere specified or included

Section II
Vegetable products
6 Live trees and other plants; bulbs, roots and the like; cut flowers and ornamental foliage
7 Edible vegetables and certain roots and tubers
8 Edible fruit and nuts; peel of citrus fruit or melons
9 Coffee, tea, maté and spices
10 Cereals
11 Products of the milling industry; malt; starches; inulin; wheat gluten
12 Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder
13 Lac; gums, resins and other vegetable saps and extracts
14 Vegetable plaiting materials; vegetable products not elsewhere specified or included

Section III
Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes

15 Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes

Section IV
Prepared foodstuffs; beverages, spirits and vinegar;

16 Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates
17 Sugars and sugar confectionery

18 Cocoa and cocoa preparations
19 Preparations of cereals, flour, starch or milk; pastry cooks' products
20 Preparations of vegetables, fruit, nuts or other parts of plants
21 Miscellaneous edible preparations
22 Beverages, spirits and vinegar
23 Residues and waste from the food industries; prepared animal fodder

SECOND LEVEL OF DETAIL: COMMODITIES GROUPS IN ONE CHAPTER (ex of vegetables)

0701 Potatoes, fresh or chilled
0702 Tomatoes, fresh or chilled
0703 Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled
0704 Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled
0705 Lettuce (Lactuca sativa) and chicory (Cichorium spp.), fresh or chilled
0706 Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled
0707 Cucumbers and gherkins, fresh or chilled
0708 Leguminous vegetables, shelled or unshelled, fresh or chilled
0709 Other vegetables, fresh or chilled
0710 Vegetables (uncooked or cooked by steaming or boiling in water), frozen
0711 Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption
0712 Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared
0713 Dried leguminous vegetables, shelled, whether or not skinned or split
0714 Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith

THIRD LEVEL OF DETAIL: SINGLE COMMODITIES IN ONE CHAPTER

7 EDIBLE VEGETABLES AND CERTAIN ROOTS AND TUBERS

0701 Potatoes, fresh or chilled:

0701 10 00 − **Seed**
0701 90 − **Other:**
0701 90 10 − − For the manufacture of starch
− − Other:
0701 90 50 − − − New, from 1 January to 30 June
0701 90 90 − − − Other

0702 00 00 Tomatoes, fresh or chilled

0703 Onions, shallots, garlic, leeks and other alliaceous vegetables, fresh or chilled:

0703 10 − **Onions and shallots:**
− − Onions:
0703 10 11 − − − Sets
0703 10 19 − − − Other
0703 10 90 − − Shallots
0703 20 00 − **Garlic**
0703 90 00 − **Leeks and other alliaceous vegetables**

0704 Cabbages, cauliflowers, kohlrabi, kale and similar edible brassicas, fresh or chilled:

0704 10 00 − **Cauliflowers and headed broccoli**
0704 20 00 − **Brussels sprouts**
0704 90 − **Other:**
0704 90 10 − − White cabbages and red cabbages
0704 90 90 − − Other

0705 Lettuce (*Lactuca sativa*) and chicory (*Cichorium* spp.), fresh or chilled:

− **Lettuce:**
0705 11 00 − − **Cabbage lettuce (head lettuce)**
0705 19 00 − −
− **Chicory:**
0705 21 00 − − **Witloof chicory (*Cichorium intybus* var. *foliosum*)**
0705 29 00 − −

0706 Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots, fresh or chilled:

0706 10 **00** − **Carrots and turnips**
0706 90 − **Other:**
0706 90 10 − − Celeriac (rooted celery or German celery)
0706 90 30 − − Horseradish (*Cochlearia armoracia*)
0706 90 90 − − Other

0707 00 Cucumbers and gherkins, fresh or chilled:

0707 00 05 − Cucumbers
0707 00 90 − Gherkins

0708 Leguminous vegetables, shelled or unshelled, fresh or chilled:

0708 10 00 − **Peas (*Pisum sativum*)**
0708 20 00 − **Beans (*Vigna* spp., *Phaseolus* spp.)**
0708 90 00 − **Other leguminous vegetables**

0709 Other vegetables, fresh or chilled:

0709 20 00 − **Asparagus**
0709 30 00 − **Aubergines (eggplants)**
0709 40 00 − **Celery other than celeriac**
− **Mushrooms and truffles:**
0709 51 00 − − **Mushrooms of the genus *Agaricus*** .
0709 59 − − **Other:**
0709 59 10 − − − Chanterelles
0709 59 30 − − − Flap mushrooms
0709 59 50 − − −
0709 59 90 − − − Other .
0709 60 − **Fruits of the genus *Capsicum* or of the genus *Pimenta*:**
0709 60 10 − − Sweet peppers
− − Other:
0709 60 91 − − − Of the genus *Capsicum*, for the manufacture of capsicin or capsicum oleoresin dyes
0709 60 95 − − − For the industrial manufacture of essential oils or resinoids
0709 60 99 − − − Other
0709 70 00 − **Spinach, New Zealand spinach and orache spinach (garden spinach)**
0709 90 − **Other:**
0709 90 10 − − Salad vegetables, other than lettuce (*Lactuca sativa*) and chicory (*Cichorium* spp.)
0709 90 20 − − Chard (or white beet) and cardoons
− − Olives:

0709 90 31 − − − For uses other than the production of oil
0709 90 39 − − − Other
0709 90 40 − − Capers
0709 90 50 − − Fennel
0709 90 60 − − Sweetcorn
0709 90 70 − − Courgettes
0709 90 80 − − Globe artichokes
0709 90 90 − − Other

0710 Vegetables (uncooked or cooked by steaming or boiling in water), frozen:

0710 10 00 − **Potatoes**
− **Leguminous vegetables, shelled or unshelled:**
0710 21 00 − − **Peas (*Pisum sativum*)**
0710 22 00 − − **Beans (*Vigna* spp., *Phaseolus* spp.)**
0710 29 00 − −
0710 30 00 − **Spinach, New Zealand spinach and orache spinach (garden spinach)** . . . . . .
0710 40 00 − **Sweetcorn**
0710 80 − **Other vegetables:**
0710 80 10 − − Olives
− − Fruits of the genus *Capsicum* or of the genus *Pimenta*:
0710 80 51 − − − Sweet peppers
0710 80 59 − − − Other
− − Mushrooms:
0710 80 61 − − − Of the genus *Agaricus*
0710 80 69 − − − Other
0710 80 70 − − Tomatoes
0710 80 80 − − Globe artichokes
0710 80 85 − − Asparagus
0710 80 95 − − Other .
0710 90 00 − **Mixtures of vegetables**

0711 Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption:

0711 20 − **Olives:**
0711 20 10 − − For uses other than the production of oil (3)
0711 20 90 − − Other
0711 40 00 − **Cucumbers and gherkins**
− **Mushrooms and truffles:**
0711 51 00 − − **Mushrooms of the genus *Agaricus***
0711 59 00 − − **Other**
0711 90 − **Other vegetables; mixtures of vegetables:**
− − Vegetables:
0711 90 10 − − − Fruits of the genus *Capsicum* or of the genus *Pimenta*, excluding sweet peppers
0711 90 30 − − − Sweetcorn
0711 90 50 − − − Onions
0711 90 70 − − − Capers .
0711 90 80 − − − Other .
0711 90 90 − − Mixtures of vegetables

0712 Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared:

0712 20 00 − **Onions**
− **Mushrooms, wood ears (*Auricularia* spp.), jelly fungi (*Tremella* spp.) and truffles:**
0712 31 00 − − **Mushrooms of the genus *Agaricus***
0712 32 00 − − **Wood ears (*Auricularia* spp.)**
0712 33 00 − − **Jelly fungi (*Tremella* spp**

0712 39 00 − − **Other**
0712 90 − **Other vegetables; mixtures of vegetables:**
0712 90 05 − − Potatoes, whether or not cut or sliced but not further prepared
− − Sweetcorn (*Zea mays* var. *saccharata*):
0712 90 11 − − − Hybrids for sowing (3)
0712 90 19 − − − Other
0712 90 30 − − Tomatoes
0712 90 50 − − Carrots
0712 90 90 − − Other

0713 Dried leguminous vegetables, shelled, whether or not skinned or split:

0713 10 − **Peas (*Pisum sativum*):**
0713 10 10 − − For
0713 10 90 − − Other
0713 20 00 − **Chickpeas (garbanzos)**
− **Beans (*Vigna* spp., *Phaseolus* spp.):**
0713 31 00 − − **Beans of the species *Vigna mungo* (L.) Hepper or *Vigna radiata* (L.) Wilczek**
0713 32 00 − − **Small red (Adzuki) beans (*Phaseolus* or *Vigna angularis*)**
0713 33 − − **Kidney beans, including white pea beans (*Phaseolus vulgaris*):**
0713 33 10 − − − For sowing
0713 33 90 − − − Other
0713 39 00 − − **Other**
0713 40 00 − **Lentils**
0713 50 00 − **Broad beans (*Vicia faba* var. *major*) and horse beans (*Vicia faba* var. *equina*, *Vicia faba* var. *minor*)**
0713 90 00 − **Other**

0714 Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:

0714 10 − **Manioc (cassava):**
0714 10 91 − − Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced
0714 10 98 − − Other
0714 20 − **Sweet potatoes:**
0714 20 10 − − Fresh, whole, intended for human consumption (2
0714 20 90 − − Other
0714 90 − **Other:**
− − Arrowroot, salep and similar roots and tubers with high starch content:
0714 90 11 − − − Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced
0714 90 19 − − − Other
0714 90 90 − − Other

2. Comments on other parts of the preamble

Proposed additions are underlined and deletions are ~~struck out.~~

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APPENDIX I
CODEX GENERAL STANDARD FOR CONTAMINANTS AND TOXINS IN FOODS
CODEX STAN 193-1995 (Rev.3-2007)
1. PREAMBLE
1.1 SCOPE

This Standard contains the main principles and procedures which are used and recommended by the Codex Alimentarius in dealing with contaminants and toxins in foods and feeds(feed should be left throughout the doc, or removed but not use it from time to time), and lists the maximum levels of contaminants and natural toxicants in foods and feeds which are recommended by the CAC to be applied to commodities moving in international trade.

1.2 DEFINITION OF TERMS
1.2.2 Contaminant
Codex Alimentarius defines a contaminant as follows:
"Any substance not intentionally added to food, which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport and distribution(transport, storage, handling,….) ~~or holding~~ of such food or as a result of environmental contamination. The term does not include foreign bodies such as insect fragments, rodent hairs and other extraneous matter".This standard applies to any substance that meets the terms of the Codex definition for a contaminant,including contaminants in feed for food-producing animals, except:
1) Contaminants having ~~only food quality significance, but~~ no public health significance, in the food(s).

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1.3 GENERAL PRINCIPLES REGARDING CONTAMINANTS IN FOODS
1.3.1 General
Foods and feeds can become contaminated by various causes and processes. Contamination generally imply a risk to human or animal health and may have ~~has~~ a negative impact on the quality and safety of the food or feed ~~and may~~ Contaminant levels in foods shall be as low as reasonably achievable. The following actions may serve to prevent or to reduce contamination of foods and feeds:
- preventing food contamination at the source, e.g. by reducing environmental pollution.

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Risk analysis ~~assessment and risk management~~ considerations (cf. "Working Principles for Risk Analysis for Food Safety for Application by Governments" and "Risk Analysis Principles Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods"
(Section III of the Procedural Manual)
- risk assessment;
- risk management options and considerations;
- risk communication
- consideration of possible maximum levels in foods based on the criteria mentioned above; and
- consideration of alternative solutions.

1.4 CODEX PROCEDURE FOR ESTABLISHING STANDARDS FOR CONTAMINANTS AND TOXINS IN FOODS
1.4.2 Procedure for preliminary discussion about contaminants in the CCCF
Suggestions for new contaminants or new contaminant/commodity combinations to be discussed in CCCF and to be included in the GSCTF may be raised by Codex members ~~or by delegates or by the Codex secretariat~~.(secretariat should keep its role of processing info not requesting new work) An initial discussion may be held based on oral contributions, but preferably on the basis of a written request note containing relevant and adequate information, that should be provided to CCCF members in advance of next session.

1.5 FORMAT OF THE STANDARD FOR CONTAMINANTS IN FOODS

For each session of the CCCF, a working document shall be prepared in which the complete list of Codex Standards for contaminants in foods (both proposed and agreed) is presented in the form of Schedule I.The list of Codex contaminant standards for individual foods or food categories shall be presented according to aAn agreed food categorization system for expressing MLs is given in . See Annex IV. The food category descriptors are not intended to be legal product designations, but should be easy to use in order to increase transparency.

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Food consumption data for average, most exposed (high consumers) and susceptible sensitive consumer groups are desirable for evaluations of (potential) intake of contaminants. This problem, however, has to be addressed differently on a national and on an international scale. It is therefore important to have information about both average and high consumption patterns regarding a wide scale of foodstuffs, so that for every contaminant the most exposed consumer groups may be identified. Detailed information about high consumption patterns is desirable, both regarding group identification criteria (e.g. age or sex differences,vegetarian or regional dietary customs, etc.) and statistical aspects.

Information *about national regulations:* It is desirable that details are made available by countries (especially the main exporting and importing countries) about their national regulations regarding the contaminant in question, in particular on the data and the considerations on which these regulations are based. For a good evaluation of the problem it is essential that not only the data base is clear, but also the risk analysis ~~assessment and risk management~~ policy which is used for making decisions regarding maximum levels in foods.

Technological considerations

Information about the source of the contaminant and the way in which the food is contaminated, possibly including information, if it is available, about contamination being present in parts only of the product, is essential for assessing the possibilities to control the contamination process and to be able to guarantee a desired product quality and safety…

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Risk analysis ~~assessment and risk management~~ considerations

Risk assessment and risk management are conducted in accordance with the "Working Principles for Risk Analysis for Food Safety for application by Governments" taking into consideration "Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius (section III of the Procedural Manuel), the "Risk Analysis Principles Applied by the Codex Committee on Food Additives and the Codex

Page 13 (The last three dash points under Subsection on Establishment of maximum levels)

- The product as it should be analyzed and to which the ML applies, should be clearly defined. In general, MLs are set on primary products. MLs should all in general preferably be expressed as a level of the contaminant related to the product as it is, on a fresh weight basis. In some cases, however, there may be valid arguments to prefer expression on a dry weight basis. Preferably the product should all be defined as it moves in trade, with provisions where necessary for the removal of inedible parts that might disturb the preparation of the sample and the analysis. The product definitions used by the CCPR and contained in the Classification of foods and feeds may serve as guidance on this subject; other product definitions could ~~should only~~ be used for specified reasons, if agreed by CCCF. For contaminant purposes, however, analysis and consequently MLs should will preferably be on the basis of the edible part of the product. For fat soluble contaminants which may accumulate in animal products, provisions should be applied regarding the application of the ML to products with various fat content (comparable to the provisions for fat soluble pesticides).

- Guidance is desirable regarding the possible application of MLs established for primary products to processed products and multi-ingredient products. When products are concentrated, dried or diluted, use of the concentration or dilution factor is generally appropriate in order to be able to obtain a primary judgement of the contaminant levels in these processed products. The maximum contaminant concentration in a multi-ingredient food can likewise be calculated from the composition of the food. Information regarding the behaviour of the contaminant during processing (e.g. washing, peeling, extraction, cooking, drying etc.) is however desirable to give more adequate guidance here. When contaminant levels are consistently different in processed products related to the primary products from which they are derived, and sufficient information is available about the contamination pattern, it may be appropriate to establish separate maximum levels for these processed products. This also applies when contamination may occur during processing. In general however, maximum levels should preferably be set for primary ~~agricultural~~ products and may be applied to processed, derived and multi-ingredient foods by using appropriate factors. When these factors are sufficiently known, they should be added to the data base about the contaminant and mentioned in connection to the maximum level in a product.

- MLs should all preferably not be set higher than is acceptable in a primary (theoretical maximum intake and risk estimation) approach of their acceptability from a public health point of view. When this poses problems in relation to other criteria for establishing MLs, further evaluations are necessary regarding the possibilities to reduce the contaminant levels, e.g. by improving GAP and/or GMP conditions. When this does not bring a satisfactory solution, further refined Risk analysis ~~assessment and risk management~~ evaluations will have to be made in order to try to reach agreement about an acceptable ML.

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Procedure for risk assessment in relation to (proposed) MLs for contaminants

It is ~~will be~~ evident that in the case of contaminants, it is more difficult to control food contamination problems than in the case of food additives and pesticide residues. Proposed MLs will inevitably be influenced by this situation. In order to promote acceptance of Codex contaminant MLs, it is therefore important that assessments of the acceptability of those MLs are done in a consistent and realistic way. The procedure involves assessment of the dietary intake in relation to the proposed or existing MLs and the toxicological reference value. maximally acceptable intake from the toxicological point of view.

Page 14, second para

For contaminants and natural toxins in food, essentially the abovementioned same procedure is used. Food consumption patterns with a higher intake of critical foods may be used in the intake calculations when this is part of an accepted national or international health protection and risk ~~management~~ analysis policy..

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APPENDIX II
CODEX PROCEDURE FOR ESTABLISHING STANDARDS FOR CONTAMINANTS AND TOXINS IN FOODS

3. The terms of the Codex definition for a contaminant include contaminants in feed for food-producing animals, except:
- Contaminants having only food sensory ~~quality~~ significance, but no public health significance, in the food(s).

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COMMUNICATION OF THE STANDARD

25. After each session of the CAC, the accepted new version should be put on the web with multiple entries to be consulted. A Compact Disk should be made available in the following CCCF session.

THE NETHERLANDS

The delegation of the Netherlands supports the draft revision of the Preamble of the GSCTF and has one comment regarding paragraph 24 of the proposed draft ANNEX to the "Risk Analysis Principles Applied by the Codex Committee on Food Additives and the Codex Committee on Contaminants in Foods" (Appendix 2): '*For each session of the CCCF, a working document shall be prepared in which the complete list of Codex Standards for contaminants in foods (both proposed and agreed) is presented in the form of Schedule I.'*. This paragraph is not in line with previous decisions of CCFAC.

The paragraph refers to the 'Working document for information and use in discussions related to contaminants and toxins in the GSCTF' (CF/2 INF/1). In previous sessions of CCFAC, it was decided that this document would:

- contain information not only for contaminants and toxins for which Codex standards exist or are being developed, but also those for which further information is sought or about which a Codex decision has been taken, and that relevant information and references are added in order to give guidance about further actions required (ALINORM 04/27/12, para. 116 and APPENDIX XIII)
- if available, include references to validated methods of analysis as well as references to information on toxicological guidance (ALINORM 95/12A, para. 99).
- exclude references to revoked standards (ALINORM 04/27/12, para. 116).
- include maximum levels for quality-related parameters such as copper, zinc, iron, etc. as a record of the complete range of contaminants in the Codex system (ALINORM 04/27/12, para. 120)
- be prepared yearly by the delegations of the Netherlands and Japan (ALINORM 06/29/12, para. 116).

Preparing the working document in line with the current paragraph 24 would result in a document only containing proposed and agreed draft Standards, without the above information. Also, the text '*in the form of Schedule I.'* may lead to confusing the Working Document with Schedule I, the official list of current Codex Standards of contaminants and toxins.

To align the information with the decisions made by CCFAC, we therefore propose to amend the current text of the paragraph to: '*For each session of the CCCF, a working document with the complete list of Codex Standards for contaminants in foods and feeds (those discussed, proposed and agreed), including quality related parameters, is presented in the format of Schedule I. It will include references to validated methods of analysis, information on toxicological guidance from JECFA evaluations, but exclude references to revoked Codex Standards'.*