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Agenda Item 11(c)

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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 SAMPLING PLANS FOR AFLATOXIN CONTAMINATION IN ALMONDS,
BRAZIL NUTS, HAZELNUTS AND PISTACHIOS (N07-2004)**

Comments at Step 3 submitted by Cuba and Iran

CUBA

Cuba considers the document to be very useful and has no further comments.

IRAN

The following are Iran's final comments on the PROPOSED DRAFT SAMPLING PLANS FOR AFLATOXIN CONTAMINATION IN ALMONDS, BRAZIL NUTS, HAZELNUTS AND PISTACHIOS

1. In paragraphs 24 and 25 of this document, the phrases " ... number of packages that incremental samples are taken from ... " ; " ... the number of packages sampled ... " , are used respectively with reference to Sampling Frequency (SF) for Static Lots. Although the intention of the paragraphs and phrases used would be clear to the informed reader, the uninitiated reader may misunderstand the intention of the author/regulator.

Therefore, we suggest that alternative phrasing be used to make it clear to the sampling enforcement agents that: If for instance, the specified formula for SF should yield a numerical value of 5, as a result of using the numerical values for a particular lot, on the right hand side of the specified equation.

Then, the derived value of 5 for SF, means that one out of every 5 bags in that particular lot is to be sampled, and not that a total of 5 bags are to be sampled from that particular lot, for the purposes of arriving at an aggregate sample size for that particular lot.

2. The observed (independently by producers in USA and Iran) combined average kernel to open in-shell nut mass ratio for pistachios is (0.57: 1).

The current standard ratio used by analytical laboratories in making the prescribed adjustment from the concentration of aflatoxins in homogenised in-shell pistachio nuts, to the aflatoxin concentration in the edible portion (kernel) of the nuts, is (0.50 : 1).

The difference between the observed ratio, and ratio currently in use by analytical laboratories, leads to an important source of error, when reporting the concentration of aflatoxins in the edible portion of pistachio nuts. The effect of the error is to inflate the estimate of the aflatoxin concentration in the edible portion of pistachio nuts by 14%.

The above error can be corrected by replacing the current multiplication factor of 2 used to convert from in-shell concentration, to concentration in the edible portion, with a factor of 1.75. It should also be noted that the combined average mass (USA and Iranian) for open in-shell pistachios, traded internationally is: 1.09 grams/nut. The origin specific figures are provided here below for reference purposes:

- The average mass for the open in-shell pistachio of Iranian origin is 1 gram, and the kernel to whole nut (open in-shell) mass ratio for this same nut is 0.55:1.
- The average mass for the open in-shell pistachio of US origin is 1.18 grams, and the kernel to whole nut (open in-shell) mass ratio for this same nut is 0.59: 1.

3. Finally, it is worth noting that there exist a wide range, and combination of possible Laboratory and Analytical Sample masses in addition to Maximum Levels, which could be used to achieve the Same Level of consumer protection against possible exposure to aflatoxin contamination in Tree Nuts.