codex alimentarius commission

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

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The Hague, the Netherlands, 24 – 28 April 2006

PROPOSED DRAFT SAMPLING PLAN FOR AFLATOXIN CONTAMINATION IN ALMONDS, BRAZIL NUTS, HAZELNUTS AND PISTACHIOS

COMMENTS AT STEP 3

The following comments have been received from: Brazil, Canada and European Community

BRAZIL:

Brazil supports the proposed maximum level of 15 ppb for aflatoxins in unprocessed tree nuts (almonds, hazelnuts and pistachios) at Step 5 and wait for the discussion paper with a proposal and justifications for a maximum level for aflatoxins in processed tree nuts, to be prepared by Iran and European Community.

CANADA:

Canada wishes to express its appreciation to the working group, led by the United States, for the preparation of this discussion paper. The Canadian delegation would like to offer the following comments, recognising that the proposed sampling plan will be further elaborated once a maximum limit has been accepted by CCFAC.

With respect to the operating characteristic (OC) curves, we wonder if it would be useful to include curves for aggregate sample sizes other than 20 kg to assist in any discussions of the importer/exporter risk and costs. We note that the Codex Standards already stipulate an aggregate sample size for (groundnuts) peanuts of at least 20 kg. Unless future discussions and analysis provide a compelling rationale for using an aggregate sample size other than 20 kg, we would suggest that it may be desirable to maintain a 20 kg aggregate sample size for consistency with the already existing Codex Standard for peanuts.

At this time, we would like to suggest that the following would also be important components of the sampling plan, once it is further elaborated:

- guidance on the number of sampling sites/locations within a lot from which the incremental samples that will comprise the aggregate sample should be drawn;
- guidance on how results from re-sampled lots should be handled (e.g. averaging results rather than favouring one result over others).

Minor editorial suggestions:

With respect to the graph shown on page 4, we would like to suggest that the axes be labelled and that “Mc” and “M” be defined.

It would also be helpful to provide a few references for the document, including the full reference for the FAO Food and Nutrition Paper cited on page 4:

> Sampling plans for aflatoxin analysis in peanuts and corn, Report of an FAO technical consultation, Rome, 3-6 May, 1993. FAO Food and Nutrition Paper No. 55.

EUROPEAN COMMUNITY

The European Community supports the elaboration of the sampling plan for aflatoxin contamination in unprocessed almonds, Brazil nuts, hazelnuts and pistachios as an adequate sampling procedure is of crucial importance for estimating lot average levels and is an essential component in the development of any maximum level in cases where contaminants are heterogeneously distributed throughout a lot, as is the case for aflatoxins.

The European Community notes that the sampling plan has to be adjusted depending on the maximum level that will be considered by CCFAC for either unprocessed or processed almonds, Brazil nuts, hazelnuts and pistachios.

The European Community wishes to make the following comments at this stage of the discussions:

- As there is not yet a maximum level agreed at Codex, this should be made clear by putting throughout the document any reference to a maximum level in square brackets.

- No maximum level for aflatoxins is yet under consideration in CCFAC for Brazil nuts and therefore all reference to Brazil nuts should be deleted from the document. Furthermore in the "Discussion paper on aflatoxin contamination in Brazil nuts" (CX/FAC 06/38/24), it is recommended that an international specific sampling plan for Brazil nuts is developed (§ 54, V.d).

- The European Community wishes to take the pragmatic view of adopting a single sampling plan for aflatoxins in all types of nuts. The proliferation of several different sampling plans will cause confusion.

- Given the toxicity of aflatoxins and the Codex guiding principle to protect consumers health, the European Community is of the opinion that the sampling plan particularly in the case of processed almonds, hazelnuts and pistachios intended for direct human consumption, should be refocused to minimize the consumer's risk, while maintaining the feasibility of the sampling procedure.

- The sample has to be representative for the consignment. Therefore the sample must be constituted from incremental samples taken throughout the consignment. This rather than sample size is the key issue in aflatoxin sampling plans. Consequently it is of major importance to define the number of incremental samples to be taken throughout the consignment lot as it was also done in the Codex sampling plan for total aflatoxins in peanuts intended for further processing (CODEX STAN 209-1999, Rev. 1 – 2001).

- It is not appropriate to refer in a sampling plan which will be applicable worldwide to specific equipment which might even not be available worldwide. Therefore no reference should be made to a particular type of mill. It is more appropriate to describe the degree of homogenisation to be achieved as has been done in the sampling plan for peanuts intended for further processing (CODEX STAN 209 – Rev 1). Sample preparation performance criteria should be defined instead of specifying equipment to be used.

- Also analytical method performance criteria should be developed.

- The sampling plan should not be based on shelled sample as shelling nuts prior to analysis is very costly.