

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 3

CX/FAC 06/38/2
February 2006

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

Thirty-eighth Session
The Hague, the Netherlands, 24 -28 April 2006

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES¹

PART 1. MATTERS ARISING FROM THE 28TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION (Rome, Italy, 4-9 July 2005)

1.1 Risk Analysis Policy²

1. The Commission **adopted** the following draft texts which were forwarded by the 36th Session of the Committee through the Codex Committee on General Principles for inclusion in the Codex procedural manual:

Risk Analysis Principles Applied by the Codex Committee on Food Additives and Contaminants³

CCFAC Policy for Exposure Assessment for Contaminants and Toxins in Foods or Foods Groups⁴,

2. The Commission **added** the words “as approved by the Commission” at the end of the second sentence of paragraph 1 of Section 1 “Scope” of the Risk Analysis Principles Applied by the Codex Committee on Food Additives and Contaminants.

1.2 Draft Standards and Related Texts adopted at Step 8 and Step5/8⁵

3. The Commission **adopted** at Step 8 and Steps 5/8 the following draft standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 37th session:

Food Additive Provisions of the General Standard for Food Additives;

Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nuts;

Code of Practice for the Prevention and Reduction of Tin Contamination in Canned Foods;

Maximum Levels for Cadmium in Wheat Grain; Potato; Stem and Root Vegetables; Leafy Vegetables; and, other Vegetables;

Amendments to the International Numbering System for Food Additives

¹ This document only contains information on matters arising from or referred by the 28th Session of the Codex Alimentarius Commission (Part 1) and from the 57th Session of the Executive Committee (Part 2) that are specific to the activities of the Codex Committee on Food Additives and Contaminants. Other decisions and guidance of the 28th Session of the Commission are found in ALINORM 05/28/41. The Codex Secretariat will report verbally on matters of horizontal nature as appropriate to the discussion of the Committee.

² ALINORM 05/28/41, paras 37-38.

³ ALINORM 05/28/33, Appendix II.

⁴ ALINORM 05/28/33, Appendix III.

⁵ ALINORM 05/28/41, para. 45 and Appendix V.

*Specifications for the Identity and Purity of Food Additives arising from the 63rd JECFA meeting
Revision of the Preamble of the General Standard for Contaminants and Toxins in Foods (GSCTF)
(N09-2004)*

1.3 Proposed Draft Standards and Related Texts adopted at Step 5⁶

4. The Commission **adopted** at Step 5 and advanced to Step 6 the following proposed Draft *revised Preamble of the GSFA* as proposed by the Codex Committee on Food Additives and Contaminants at its 37th session.

5. The following paragraphs provide additional information concerning the discussions that took place on certain items or contain additional decisions taken by the Commission in regard to the adoption of the following texts:

Proposed Draft Maximum Level for Total Aflatoxins in Unprocessed Almonds, Hazelnuts and Pistachios

6. The Delegation of Norway expressed its reservation to the proposed draft maximum level, which was higher than the level in their legislation (10 µg/kg). The Delegation indicated that Norway would continue to use this lower level because: the high carcinogenic and genotoxic effect of aflatoxins called for the application of the ALARA principles; the Code of Practice for the Prevention and Reduction of Aflatoxins Contamination in Tree Nuts would allow for further reduction in the level of contamination; the publicizing of nutritional values of these products might lead to an increased intake of these products; and, the sorting and processing of pistachios and hazelnuts, contrary to peanuts, did not significantly reduce the aflatoxins levels.

7. The Commission **adopted** the Proposed Draft Maximum Level at Step 5 as proposed by the Committee and advanced it to Step 6. The Delegation of the European Community stated that their possible future acceptance of this level would depend on the outcome of the ongoing discussion on the maximum level for total aflatoxins in processed almonds, hazelnuts and pistachios.

Proposed Draft Maximum levels for Cadmium in Marine Bivalve Molluscs (excluding oysters and scallops) and in Cephalopods (without viscera) and in Polished Rice

8. The Commission **adopted** the Proposed Draft Maximum Levels for cadmium at Step 5 as proposed by the Committee and advanced them to Step 6. It noted the reservation of the Delegations of China, the European Community, Egypt, Norway, Nigeria, Singapore and Switzerland, concerning the maximum levels of cadmium in polished rice. The Commission noted the concern of the Delegations of South Africa, Thailand and Chile, supported by several other delegations, regarding the maximum levels of cadmium in marine bivalve molluscs, which were considered too low to be practicable, and in cephalopods and gastropods, and should be set at a level based on ALARA principles; the need to better define the range of species to which the maximum levels were applicable in order to avoid trade barriers created by levels set by national legislations; and the use of these levels for processed products, such as dried molluscs. These delegations suggested that these issues need to be further considered by the CCFAC.

1.4 Withdrawal or Revocation of Existing Codex Standards⁷

9. The Commission **approved** the withdrawal from the Codex Alimentarius of the Maximum Levels for Food Additives (Codex General Standard for Food Additives) as proposed by the 37th Session of the Codex Committee on Food Additives and Contaminants.

⁶ ALINORM 05/28/41, paras 71 and 75-77 and Appendix VI.

⁷ ALINORM 05/28/41, paras 89-91 and Appendix VII.

List of Individual Codex Maximum/Guideline Levels for Contaminants and Toxins⁸

10. The Commission noted that Codex Maximum/Guideline Levels for Contaminants and Toxins were incorporated in Schedule I of the General Standard for Contaminants and Toxins in Foods (GSCTF), which had not been officially forwarded for adoption by the Commission. Therefore, the Commission **agreed** to postpone the revocation of individual Codex Maximum/Guideline Levels as proposed by the Committee to its next session, pending submission by CCFAC of Schedule I of the General Standard for Contaminants and Toxins in Foods (GSCTF) to the Commission.

11. This matter will be considered during the discussion of Agenda item 12 (b).

General Principles for the Use of Food Additives (CAC/MISC 1-1972)⁹

12. The Commission while **approving** the revocation of General Principles for the Use of Food Additives (CAC/MISC 1-1972), **agreed** to delete the reference to these Principles from paras 3, 4 and 6 of “Relations between Commodity Committees and General Committees – Food Additives and Contaminants” in the Procedural Manual, as proposed by the Committee.

1.5 Proposals to elaborate new Standards and Related Texts

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13. The Commission **approved** proposals for new work on the following standards and related texts as proposed by the Codex Committee on Food Additives and Contaminants at its 37th session:

Proposed Draft Revision of the “Class Names and International Numbering System for Food Additives - CAC/GL 36-1989 (N07-2005)

Proposed Draft Appendix to the Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nuts to address additional measures for the prevention and reduction of Aflatoxins in Brazil Nuts (N08-2005)

Proposed Draft Code of Practice for the Reduction of Chloropropanols during the Production of acid-Hydrolyzed Vegetable Proteins (HVPs) and Products that Contain acid-HVPs (N09-2005)

1.6 Others

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Review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces

14. The Commission endorsed the following recommendations:

[14] CCFAC should be split into separate Additives and Contaminants committees.

[15] The General Standard for Food Additives (GSFA) should be the single authoritative reference point for food additives and this should be made clear in all commodity standards.

15. The Delegation of the Netherlands, as host government of the Committee on Food Additives and Contaminants, stated that the current workload of the Committee was too heavy and the large number of working groups that needed to operate under the present framework raised concern from the viewpoint of transparency. The Delegation supported the recommendation to split the Committee into two, and offered to host the Contaminant Committee. The Delegation of Brazil also expressed its interest in hosting the new Contaminant Committee. The Commission requested the Secretariat to prepare the Terms of Reference for each of the new committees and present them at the next sessions of the Committee on General Principles and the Committee on Food Additives and Contaminants¹², with a view to their adoption and the designation of host countries at the next session of the Commission.

⁸ ALINORM 05/28/12, Appendix XVIII and para. 124.

⁹ ALINORM 05/28/12, para. 55 and Appendix VI.

¹⁰ ALINORM 05/28/41, para. 93 and Appendix VIII.

¹¹ ALINORM 05/28/41, paras 143-144 and 191-194.

¹² The Codex Secretariat will present a verbal report of the consideration on this matter by the 23rd Session of the Codex Committee on General Principles (Paris, France, 10-14 April 2006).

16. Several Members requested clarification of Recommendation 15. The Commission noted that under the current Codex rules and procedures, Commodity Committees had the mandate to develop the lists of additives taking into account technological needs and to submit them for endorsement by CCFAC. The Commission recognized that the GSFA, still under development, would become the single authoritative reference point for food additives when completed and the ongoing work of the Committee on Food Additives and Contaminants in this regard.

Mandate of the CCFAC

17. The Commission **agreed** that the proposal of the Committee for the revision of its terms of reference in relation to sampling plans would be taken into account in the drafting of the terms of reference for the Committees on Food Additives and on Contaminants and Toxins in Food.

General Standard on Food Additives

18. The Commission agreed to amend Annex B (Food Category System) of the General Standard for Food Additives by including coconut water as an example in the description of food category 14.1.2.1 (Fruit Juices) as proposed by the CCFAC.

General Standard for Contaminants and Toxins in Foods (GSCTF)

19. The Commission **agreed** to revoke the maximum levels for lead in specific commodity Codex standards for processed meat products, as proposed by the Committee.

Provision of Scientific Advice

20. The Commission **noted** the concern expressed by CCFAC with regard to the serious budgetary situation of WHO for JECFA activities.

PART 2. MATTERS ARISING FROM THE 57TH SESSION OF THE EXECUTIVE COMMITTEE (Geneva, Switzerland, 6 -9 December 2005)¹³

21. The Committee **agreed** to propose that the Commission recommend the following to Codex Committees and Task Forces:

- To prioritize work when the agenda of the Committee includes many items of work;
- To invite all Chairpersons, or host countries for adjourned committees, to provide their comments on the items of work that have been under consideration for more than five years; and
- To inform the Executive Committee and the Commission of the proposed timeframe for completion of all items that have been approved as new work prior to 2004.

22. Pending consideration of these proposals by the Commission, the Committee agreed to invite Codex Committees to implement the three proposals above without delay.

23. The Committee **is invited** to inform the 58th Session of the Executive Commission of the proposed timeframe for completion of all items approved as new work prior to 2004.

¹³ ALINORM 06/29/3, paras 63-65.