

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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Agenda Item 2 (d)

ALINORM 04/27/35-App.VII
CX/FFV 05/12/5

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

*Twelfth Session,
Mexico City, Mexico, 16 - 20 May 2005*

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Proposal for a standard layout for Codex standards for Fresh Fruits and Vegetables

Comments from (Australia, Guatemala and New Zealand)

AUSTRALIA

Please find below comments from Australia in response to Codex Circular Letter CL 2003/35-FFV on the proposal for a standard layout for Codex standards for fresh fruits and vegetables. Australia would like to thank the Codex Secretariat for this opportunity to comment.

General Comments

Australia supports the proposal to have a standardised layout for fruit and vegetables in order that standards developed within the Codex Committee for Fresh Fruit and Vegetables (CCFFV) are consistent and incorporate only those provisions that “protect health of consumers and ensure fair practices in food trade” (Article 1 – Statutes of Codex Alimentarius Commission). Australia believes that there is undue emphasis within many Codex commodity and UN/ECE standards on quality parameters that have no or little bearing on health or fair trade practices.

CCFFV standards should focus on consumer health and only include definitions and essential technical criteria that facilitate fair trade. Such standards must also allow for global variability in quality and compositional attributes in order to prevent formation of a technical barrier to trade. As Codex standards are referenced under WTO agreements, establishment of globally unrepresentative technical criteria could undermine legitimate international trade.

These principles are respectively noted in the Codex Procedural Manual under Acceptance of Codex Commodity Standards, and the Format and Content of Codex Standards. In particular the Procedural Manual stipulates under Description, Essential Composition and Quality Factors that “Some of the quality criteria e.g. allowances for defects, may represent good manufacturing practice or be left to trade contracts”.

Such provisions should thus not be automatically incorporated into the Standard Layout.

While Australia acknowledges that the Terms of Reference of CCFFV include consulting with UN/ECE in the elaboration of standards and codes of practice, accordingly to the same broad format, we would like it noted that the Terms of Reference also highlight that the two organizations should “ensure there is no duplication of standards or codes of practice”.

Australia would like this principle noted in the application of the Standard Layout to standards under development, or contemplated for development under the auspices of the CCFFV.

Specific Comments

2.1.2 Maturity requirements

Australia believes that maturity requirements should only be set where they are essential to support fair trade in produce. Where maturity requirements are set they must be globally representative. Australia would like a footnote added to this effect.

2.3 CLASSIFICATION

As above, Australia believes a footnote indicating that classes must give regard to all produce that is fit for sale and consumption and should not technically discriminate against any such produce.

2.3.3 Class II

This class includes [common name of the produce or part of the produce being standardized] which do not qualify for inclusion in the higher classes, but satisfy the minimum requirements specified in Section 2.1 above. The following defects, however, may be allowed, provided the [common name of the produce or part of the produce being standardized] retain their essential characteristics as regards quality, keeping characteristics and presentation:

[The defects must not, in any case, affect the [flesh/pulp/etc.] of the [fruit; produce; part of the produce being standardized or common name of the produce.]

3. PROVISIONS CONCERNING SIZING

4. PROVISIONS CONCERNING TOLERANCES

5. PROVISIONS CONCERNING PRESENTATION

Australia believes that the context by which the above provisions are regulated need to consider whether they are essential in supporting fair trade practices. Good Manufacturing Practice and market contracts establish such parameters and such provisions are thus not necessarily pertinent to the aims of Codex standards (see Codex Procedural Manual). A footnote or general note to this effect should be added to the Standard Layout.

Annex

<Non-Exhaustive><Exhaustive> List ofVarieties

Australia believes that varietal list should only be established where essential to identify distinct types of fruit and vegetables. Such lists are also required to be regularly updated and, where they are exhaustive, limit the adoption of new varieties. Such lists should also not act as de facto forms of varietal registration for trade purposes.

Australia also believes that where quality criteria are listed against variety (e.g. % soluble solids in Brix), these criteria give consideration to global compositional variation. Failure to do so will establish a technical barrier to legitimate trade in such varieties.

Australia believes a footnote highlighting the purpose and limitation of varietal lists should be incorporated in the Standard Layout.

GUATEMALA

Guatemala would like to present the following comments on the Standard Layout for **Codex standards for fresh fruits and vegetables, Apendix VII of ALINORM 04/27/35:**

Apendix VII

Numeral 2: Word “disposiciones” in Spanish is incorrect (presents an orthographical mistake); because the first was written with c and the second with s.

Numeral 2:

In categories there are indicated tolerances allowed. On the sixth indicated tolerance it says:

- free of abnormal external moisture, excluding ...

Suggested change:

- free of *unadmissible* external moisture, excluding ...

NEW ZEALAND

New Zealand shares the concerns about the inconsistencies in the structure and format of various standards for fruits and vegetables and supports the proposal to have a standardised layout for fruit and vegetable standards.

On the question of the proposed layout, it should be made clear that, when drafting Codex standards, flexibility should be allowed in the use of the standard layout, according to what are considered to be essential quality provisions for the product in question. For instance that text may be made more general or sections may be omitted. Several of the footnotes, such as 4, 5 and 6, already allow flexibility, but we suggest it would be useful to make a general statement in an introduction to the document such as the following:

Introduction

- This layout is for use by the Codex Committee on Fresh Fruits and Vegetables.
- The layout is intended to guide the committee in developing standards to ensure a consistent format, consistent terminology, and, where appropriate, consistent provisions.
- When drafting standards, the committee should consult this format, as well as UN/ECE standards according to the committee's terms of reference.
- Standards developed by the committee should express essential quality provisions for the product concerned for Codex purposes.
- The committee may omit text from the layout, or use more general wording, as appropriate for the product(s) concerned and as guided by the contributed expertise of members.

In the longer term it would be useful to have greater clarity on what constitutes essential quality provisions for Codex purposes to improve consistency in the level of prescriptiveness between standards and between committees.