

codex alimentarius commission



FOOD AND AGRICULTURE
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Agenda Item 4 (d)

CX/FFV 06/13/10 Add.1

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES
13th Session, Mexico City, Mexico, 25 - 29 September 2006
PROPOSED DRAFT CODEX GUIDELINES FOR THE
QUALITY CONTROL OF FRESH FRUITS AND VEGETABLES
(AT STEP 3)

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ARGENTINA

Proposed Draft Codex Guidelines for the Quality Control of Fresh Fruits and Vegetables (at Step 3)

Argentina would like to thank for the opportunity to make comments to this document.

- 1) Argentina would like to have an explanation about the reasons for the incorporation of the **Audit** function.
- 2) Section 1-**DEFINITIONS**. Some modifications are suggested for the definition of "Lot". By virtue of it, Argentina suggests the following definition due to it is clearest and complete:

Lot: A stated quantity of produce, fresh fruits and/or vegetables which have uniform characteristics related to the following aspects: packer and/or dispatcher, country of origin, nature of the fresh fruits and vegetables, fresh fruits and vegetables class, size (if fresh fruits and/or vegetables are graded according to size), variety or commercial type, type of packaging and presentation.

However, if during the inspection of a consignment is difficult to distinguish between different lots and/or the presentation of different lots is not possible, all lots of an specific consignment should be considered as a single lot, provided that they are similar in regard to the nature of the produce, size and variety or commercial type.

Nevertheless, Argentina supports that any definition that may be made in the CCFICS should be considered, based on the revision of the Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates (CAC/GL 38-2001), in as much as this topic has been discussed in the working group celebrated in Brussels from 27 to 29 June, 2006.

- 3) Section 2- **IMPLEMENTATION OF INSPECTION PROCEDURES**, item 2.1. **General Remarks**. It is suggested to include the following at the end of the last paragraph: "... and the method to be used.", due to for some measurements exist several methods.

- 4) Item 2.3- **PREPARATION OF PRODUCE FOR SAMPLING**. In the first paragraph, it is suggested to remove: "The applicant or their representative shall supply all information necessary for the identification of the consignment or lot to be inspected. Lots in a consignment may be treated as one if they are similar in regard to the nature of the fresh produce, packer and/or dispatcher, country of origin, class of produce, size (if the product is graded according to size), variety or commercial type (according to the relevant provisions of the quality Standard) and type of packaging and presentation."

- 5) Item 2.5 **ASSISTANCE TO THE INSPECTOR**. It is suggested to add the bold sentence below in the last item:

-physical assistance to the Inspector **and other instruments (for example, a balance)**.

- 6) Item 2.6.4. **Sampling**, 4th paragraph. Argentina would like to have an explanation about the inclusion of the sentence "This procedure may be applicable when the produce is cut or destroyed".

- 7) Argentina suggests to correct the numeration of the following paragraphs:

2.6.3.1. a 2.6.4.1.

2.6.3.2. a 2.6.4.2.

AUSTRALIA COMMENTS

Australia is pleased to offer the following comments in relation to the Proposed Draft Codex Guidelines for the Quality Control of Fresh Fruit and Vegetables for consideration by the Committee at its forthcoming session.

Firstly we would like to thank the working group for its work on the proposed revision to the guideline, however, Australia considers that prescriptive quality factors have the potential to become technical barriers to trade and thus should not be introduced into Codex Standards.

Australia does not regulate quality control or management systems for quality and therefore continues to question the status of the document, including the utility of the draft guidelines, in countries where there is no provision for inspection of goods for quality standards. It is imperative that any provisions included in this standard do not act as technical barriers to trade.

To this end if the work is to progress at all, it should be drafted in the context of the existing Codex guidelines that govern inspection and certification, and should be cognisant of the obligations within WTO Agreements that apply to the development of technical regulations.

NEW ZEALAND COMMENT

NEW ZEALAND APPRECIATES THE OPPORTUNITY TO COMMENT ON THE PROPOSED DRAFT GUIDELINES FOR THE QUALITY CONTROL OF FRESH FRUITS AND VEGETABLES, CX/FFV 06/13/10.

GENERAL COMMENTS

New Zealand appreciates the work done by Canada and other members of the working group in developing the Proposed Draft Guidelines to this point.

Since CCMAS has the responsibility to consider methods of sampling proposed by commodity committees, these guidelines should be referred to CCMAS at an appropriate time. In addition CCFICS should also be asked to comment on certification and inspection aspects of the Guidelines.

INTRODUCTION

The introductory paragraphs should include comments to clarify the context in which it is intended that the Guidelines will be applied. From the nature of the techniques that are described, we understand that the Guidelines apply to inspection at the border of the importing country, in situations where the whole consignment is available for inspection. It would also be helpful if the Guidelines noted that other sampling procedures may be appropriate in other situations, such as when the product is being packed in pack houses in the exporting country, or when consignments have been broken down during distribution in the importing country.

It would be helpful to note that the Codex standards for fresh fruit and vegetables are examples of quality standards.

In paragraph 2, the *Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates* (CAC/GL 38-2001) should be referenced, and the guidelines should be consistent.

In paragraph 4, the word “control” should be deleted, since the Certificate of Inspection does not control.

1. DEFINITIONS

The definition of “standards” is important, since the scope of the Guidelines is limited to establishment of conformity to quality standards. New Zealand is concerned that the proposed definition could include aspects that are outside the mandate of Codex. We suggest the definition should read as follows:

Quality standards are quality criteria for fresh fruits and vegetables, including presentation and marking or labelling, set down by the competent authorities in relation to the protection of consumers and conditions of fair trading.

2. IMPLEMENTATION OF INSPECTION PROCEDURES

Since these are guidelines, the construction “should” or similar is preferred to “shall”.

Section 2.3, Preparation of Produce for Sampling

The arrangement of the whole lot in the manner specified in the guidelines seems unnecessary. If only ten boxes of product are to be inspected, at most ten pallets, selected by the inspector, will need to be unpacked and arranged. A two-stage procedure, in which the inspector first directs the parts of the lot to be arranged in the way described, may often be appropriate for large lots.

Section 2.6.4, Sampling

a) The last sentence of paragraph 2 should read, "... it is important that at least the minimum quantity of primary samples specified in this table is taken."

b) Some guidance seems necessary as to the manner in which the primary samples are to be selected. This is particularly necessary as the inspector will be able to see the produce in the neighbourhood from which a primary sample is to be selected before selecting the sample. Faced with twenty melons over 2 kg close to the point of inspection, of which two are obviously unsatisfactory and eighteen look fine, how does the inspector choose a sample of six?

Possibly "ISO 874, Fresh Fruit and Vegetables" to which the draft guidelines refer as the source for tables 1 and 2, contains a description of a suitable method. If so, a reference should be given. The Codex "General Guidelines on Sampling" refer to "virtual numbering" of "increments" but a practical method of implementing this for fruit and vegetables is needed.

c) Similarly in the case of packed product, some appropriate reference should be given for selection of samples, or a procedure described in detail.

Section 2.7, Inspection of Produce

In cases where conformity to quality standards relies on a quality management system (QMS), the nature of the QMS should be clear.

Section 2.10, Appeal Inspection

a) The applicant is allowed to appeal "if dissatisfied with the results of an inspection." This seems rather loose. What is to stop the applicant asking for an appeal inspection simply in the hope that he will have better luck next time? Sampling plans are rendered ineffective if an applicant is allowed two or more attempts to get the result that he wants.

b) Requirements for the resolution of commercial disputes (mentioned in the starred paragraph) are outside the scope of a Codex document.

CERTIFICATE FOR THE CONFORMITY OF FRESH FRUITS AND VEGETABLES

Title: The scope of the Guidelines makes it clear that hygiene provisions are not included, and this should be reflected in the title of the certificate, for instance, "Certificate for the Conformity of Fresh Fruits and Vegetables to Quality Standards".

Attestation: The standards to which the certificate attests should be clearly referenced.

GUATEMALA COMMENTS

Paragraph	Changing	Changing suggestion
Page # 3. <i>PROPOSED DRAFT GUIDELINES FOR THE INSPECTION AND CERTIFICATION OF FRESH FRUITS AND VEGETABLES FOR CONFORMITY TO QUALITY STANDARDS</i> (AT STEP 3)	This document provides a framework for inspecting and certifying fruits and vegetables for conformity to quality standards to ensure that the produce meet requirements in order to protect consumers from deceptive marketing practices and to facilitate trade on the basis of accurate product description.	Due to the grammar, the text in yellow is better understood.
Page # 4. OFFICIAL INSPECTION BODY AND OFFICIAL CERTIFICATION BODY¹	Official inspection bodies and official certification bodies are bodies administered by a government agency having jurisdiction empowered to perform a regulatory or enforcement function or both for conformity to quality standards.	Due to the grammar, the text in yellow is better understood.
Page # 4. OFFICIALLY RECOGNIZED INSPECTION BODY AND OFFICIALLY RECOGNIZED CERTIFICATION BODY¹	Officially recognized inspection bodies and officially recognized certification bodies are bodies which have enforcement functions and have been formally approved or recognized by a government agency having jurisdiction.	Due to the grammar, the text in yellow is better understood.
Page # 4. INSPECTOR	Person, officially recognized and authorized by an Official/Officially recognized Inspection and/or Certification Body, who has appropriate and regular training and has been proven competent under a competency scheme , enabling them to undertake inspection and/or certification.	Due to the grammar, the text in yellow is better understood
Page # 4. CERTIFICATION¹	Certification is the procedure by which Official/Officially recognized Inspection and/or Certification Bodies provide written or equivalent assurance that graded and packed fresh fruit and vegetables conform to the quality standards. The certification of fresh fruit and vegetables may be, as appropriate, based on a range of inspection activities which may include continuous online inspection, auditing of quality management systems , and examination of graded and packed produce.	It is suggested to remove the text in pink because audits of a Quality Management System does not replace inspections. Moreover, with our proposal the text in yellow is better understood.
Page # 5. INSPECTION¹	Inspection is the examination of fresh fruits and vegetables, outlined in Section 2, including the grading and packing of fresh produce, in order to verify that they conform to the standards.	Due to the grammar, the text in yellow is better understood.

Paragraph	Changing	Changing suggestion
Page# 5. AUDIT	Audit is a systemic and functionally independent examination to determine whether activities and related results comply with the planned objectives.	Due to the grammar, the text in yellow is better understood.
Page # 5. STANDARD²	A Standard is a Quality Standard Text which sets out quality criteria, including provisions concerning the presentation and parking or labelling, set down by the competent authorities, against which fresh fruits and vegetables will be evaluated.	Due to the grammar, the text in yellow is better understood.
Page # 5. TRADER	A trader is anyone (buyer, broker, dealer, grower, packer, shipper, exporter, importer, wholesaler, distributor, etc.) who markets fresh fruits and vegetables.	Due to the grammar, the text in yellow is better understood.
Page # 5. LOT³	A stated quantity of fresh fruits and/or vegetables which has , at the time of inspection, uniform similar characteristics.	The word “has” should be wrote because it is referred to the lot.
Page # 6. PACKAGE	Container or receptacle, (e.g., box, bag, clam shell, etc) which is used to hold fresh fruits and vegetables with the intent to preserve and Project its contents.	
Page # 6. APPLICANT	Anyone who has a financial interest in the consignment or lot (sending) and requests an inspection.	Due to the grammar, the text in yellow is better understood.
Page # 6. 2.1 GENERAL REMARKS	Sampling cannot then be carried out at random. Hence, before starting sampling, its purpose should be defined, i.e., the characteristics to be tested should be specified.	Due to the grammar, the text in yellow is better understood.
Page # 7. 2.2 PLACE OF INSPECTION	The inspection of the produce may be carried out during the grading and parking operation, at the point of dispatch , during transport, at the import point, at the wholesale market, distribution centre, etc.	Due to the grammar, the text in yellow is better understood.
Page # 7. 2.3 PREPARATION OF PRODUCE FOR SAMPLING	This means that the applicant of an inspection should place the consignment or lot in such a manner that it is completely and readily accessible, and displayed for inspection and the quality and condition of the fresh fruits and vegetables are fully disclosed.	Due to the grammar, the text in yellow is better understood.
Page # 8. 2.4 IDENTIFICATION OF LOTS AND/OR GETTING A GENERAL IMPRESSION OF THE CONSIGNMET	The identification of lots should be carried out on the basis of their marking codification or other criteria.	Due to the grammar, the text in yellow is better understood.

Paragraph	Changing	Changing suggestion
Page # 8. 2.5 ASSISTANCE TO THE INSPECTOR	- suitable grading table where produce may be inspected;	
Page # 9. 2.6.1 Assessment of Packaging and Presentation on the Basis of Primary Samples	The packaging and the material used within the package should be verified for suitability and cleanliness according to the provisions of the standards. If only certain types of packaging are permitted, the Inspector will check whether these are being used. If the individual Standard includes provisions concerning presentation, their conformity is also verified.	Due to the grammar, the text in yellow is better understood.
Page # 9. 2.6.2 Verification of Packaging on the Basis of Primary Samples	The inspector should ascertain whether the produce is marked labelling according to the Standard. The accuracy of the marking should also be verified.	Due to the grammar, the text in yellow is better understood.
Page # 9. 2.6.4 Sampling	The criteria on the degree of development and/or ripeness can be verified using an instrument, such as a refractometer and/or penetrometer, and methods laid out in the Standard or in accordance with acceptable practices.	Due to the grammar, the text in yellow is better understood.
Page # 10. 2.6.3.1 2.6.4.1 Packed produce	In the case of packed produce (wooden packages , cardboard packages, bags, etc.); the primary samples shall be taken at random throughout the.....	Due to the grammar, the text in yellow is better understood.
Page # 11. 2.6.3.2 2.6.4.2 Bulk produce		Here, the number paragraph should be in the correct order.
Page # 12. Example:	Minimum sampling for lot 5,200 kg in weight: Five (5) primary samples of 20 kg each for a total of 100 kg or 10 primary samples of 10 kg each. Minimum sample for lot of 1000 melons (larger than 2 kg each): Six (6) primary samples of 5 melons each.	Due to the grammar, the text in yellow is better understood.
Page # 12. 2.7 INSPECTION OF PRODUCE	In the case where an Official/Officially recognized Inspection and/or Certification body is responsible for the auditing of QMS rather than the direct examination of graded and packed produce, the certification should reflect this on the certificate (Annex II). A copy of note sheets is not required to be attached to the Certificate of Inspection, however the following notation must be identified on the Certificate of Inspection "Certification based on applicant's shelf evaluation of conformity and audit of Quality Management System."	We question the paragraph because we do not know any country in which the Official Body audits the Quality Management System instead of performing the inspection.

Paragraph	Changing	Changing suggestion
<p>Page # 12. 2.8 REPORT OF INSPECTION RESULTS</p>	<p>This is not necessary if it is possible to achieve compliance with the Standard by a change in the marking in the label of the produce.</p> <p>Produce for which a finding of non-conformity has been issued may not be moved without the authorization of</p>	<p>Due to the grammar, the text in yellow is better understood.</p>
<p>Page # 14. 2.10 Appeal Inspection</p>	<p>..., if inspections are performed for other reasons, such as resolution of commercial disputes, 75% of the lot available for inspection is acceptable at a minimum.</p> <p>If the appeal inspection does not confirm the results of the original inspection, the original inspection certificate may be rendered null and void.</p>	<p>Due to the grammar, the text in yellow is better understood.</p>