

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

**CX/FH 03/2
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD HYGIENE

Thirty-fifth Session

Orlando, USA, 27 January - 1 February 2003

MATTERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION AND/OR OTHER CODEX COMMITTEES TO THE FOOD HYGIENE COMMITTEE

1. MATTERS ARISING FROM THE 50TH SESSION OF THE EXECUTIVE COMMITTEE

Proposed Draft Revised Guidelines for the Application of the HACCP System: Application in Small and/or Less Developed Businesses (ALINORM 03/13, Appendix III)

1. In addition to the written comments submitted, the Executive Committee requested that the Guidelines should take account of concerns and particular needs of specific sectors of small and/or less developed businesses, e.g., street foods.

The Executive Committee adopted the above Guidelines at Step 6.

(B) CONSIDERATION OF NEW WORK PROPOSALS AT STEP 1 OF THE PROCEDURE¹

2. The Executive Committee considered proposals for new work at Step 1 of the Procedure and proposals for the discontinuation of previously approved individual work items. The decisions of the Executive Committee regarding new work are tabulated in Appendix III of ALINORM 03/3A. In addition the Executive Committee made specific comments on some of the proposals as indicated below.

Proposed Draft Guidelines for the Validation of Food Hygiene Control Measures

3. The Executive Committee approved the elaboration of the Proposed Draft Guidelines for the Validation of Food Hygiene Control Measures as Annex to the International Code of Practice – General Principles of Food Hygiene, however expressed concern about the heavy workload of the Committee on Food Hygiene. Following the question from the Member of Asian Region that it was not clear as to whether every food hygiene measure required validation or what was the practicality of requiring validation for each food hygiene measure, the Executive Committee clarified that this matter could be addressed by the

¹ CX/EXEC 02/50/7; CX/EXEC 02/50/7-Add.1.

Committee on Food Hygiene and that newly elaborated validation provisions should be consistent with the texts elaborated by the Committee on Food Import and Export Inspection and Certification Systems.

(D) MATTERS ARISING FROM CODEX COMMITTEES²

Proposed Draft Revised Code of Practice for the Processing and Handling of Quick Frozen Foods

4. The Executive Committee noted that the Committee on Meat and Poultry Hygiene had agreed that specific inputs on the Proposed Draft Code should be submitted directly to the Committee on Food Hygiene. The Committee on Fish and Fishery Products had agreed that the provisions of the Code were applicable to the Draft Code of Practice for Fish and Fishery Products and that the text could be recommended for adoption at Step 5 (ALINORM 03/18, para. 9).

5. The Member from Asia reiterated the concerns expressed at the 24th Session of the Commission concerning the initial draft of the Code developed by the IIR, especially as some provisions in the Code were too restrictive and would cause difficulties in developing countries; further elaboration of the Code should therefore take these aspects into account. The Executive Committee noted that the Code was now under consideration in the Step Procedure and that member countries had the opportunity to comment and propose amendments as required in the framework of the Committees concerned.

6. The Executive Committee recalled that the Proposed Draft Code was not only a code of hygienic practice addressing food safety issues, but a code of practice that covered also essential quality aspects and product stability. It encouraged other concerned Committees to provide concrete input to the development of the Code and in particular the Committee on Processed Fruits and Vegetables.

Discussions on this matter at the relevant Codex Committees are presented in Section 3.2 of this document.

Committee on Milk and Milk Products - Lactoperoxidase

7. The Committee on Milk and Milk Products had considered the request from the FAO Global Lactoperoxidase Group of Experts to reconsider the provisions of the Codex Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System (CAC/GL 13-1991). The Committee had not considered this request in detail and had noted that the Executive Committee might provide advice on whether and how to proceed with a revision of the Guidelines in the framework of Codex (ALINORM 03/11, para. 13). The Executive Committee noted the request of the Global Lactoperoxidase Group of Experts to provide a scientific and/or technical basis for restricting the use and application of lactoperoxidase in international trade and recalled that the Guidelines had been originally developed by the Committee on Food Hygiene.

8. The Executive Committee agreed that this might be of particular interest to developing countries and invited Regional Coordinating Committees to ask the views of member countries on the use of that system, the relevance of the current Codex Guidelines and the need for their revision.

9. The Executive Committee recognized that all relevant health aspects of this complex issue should be considered in order to ensure that any revision of current provisions was based on risk analysis. The Executive Committee therefore agreed to ask the Committee on Food Hygiene to consider whether the provisions restricting the use of the lactoperoxidase system in international trade should be retained and whether the current Guidelines should be revised. The Executive Committee also noted that the initial evaluation by JECFA covered the process but that the chemicals used would require further evaluation, and agreed to ask JECFA to undertake a new risk assessment of the lactoperoxidase system, in order to ensure an updated scientific basis for further decision.

Discussions on this matter at the relevant Codex Committees are presented in Section 3.1 of this document

² CX/EXEC 02/50/9, CRD 2 (Progress report on the 3rd Session of the *ad hoc* Intergovernmental Task Force on Animal Feeding)

Committee on Food Hygiene – Antimicrobial resistance

10. As regards antimicrobial resistance, the Executive Committee noted that FAO, WHO and OIE were in the process of organising an expert consultation on antimicrobial resistance and that further action in the framework of Codex would depend on the results of the scientific advice provided by the Consultation. The Executive Committee also recalled that a multidisciplinary approach was necessary and agreed with the view of the Vice-Chair (Professor Slorach) that coordination between concerned Committees and Task Forces should be pursued and that all sources of antimicrobial resistance related to animal or plant production should be taken into account.

3. MATTERS ARISING FROM CODEX COMMITTEES

3.1 LACTOPEROXIDASE

The Following Regional Coordinating Committees considered this issue:

FAO/WHO Coordinating Committee for Europe (ALINORM 03/19)

8. Following the recommendations of the Executive Committee, the Committee agreed that the Committee on Food Hygiene should consider the opportunity of revising the *Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System* (CAC/GL 13-1991), and that a new risk assessment should be undertaken by JECFA. The Committee agreed that the lactoperoxidase system should be applied only when refrigeration was not possible and that milk and milk products preserved with this system should not be used in international trade.

FAO/WHO Coordinating Committee for North America and the South West Pacific

9. The 50th Session of the Executive Committee, while discussing the opportunity of revising the current Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System, invited Regional Coordinating Committees to consider the use of the system, the relevance of the current Codex Guidelines and the need for their revision. The Executive Committee asked the Codex Committee on Food Hygiene to consider whether the provisions restricting the use of the lactoperoxidase system in milk used for processing into products that would enter international trade should be retained and whether the current Guidelines should be revised. The CCEXEC also noted that the initial JECFA evaluation covered the process but that the chemicals used would require further evaluation as well as a risk assessment of the system itself in order to ensure an updated scientific basis for potential further work.³

10. The Committee generally supported further JECFA review of the chemicals and processes involved as well as the consideration of the microbiological issues within the Codex Committee on Food Hygiene. The Committee also noted that the Guidelines were important for countries where refrigeration was not available and that the system was not intended for product entering international trade. It was stated that in view of the fact that the original Guidelines were developed prior to the current Codex standing under the WTO Agreements, FAO or WHO might further develop the Guidelines outside of the Codex process as advice to their Member countries. In any case, it was suggested that the reviews by JECFA and CCFH must be completed before moving further.

11. The Secretary of the Commission clarified that although Codex texts were normally intended for international trade, several Codex standards involved products intended for domestic consumption (e.g., street foods) and that in any case, the description and scope of the Standard should provide flexibility in this regard.

12. The Committee recommended that the further reviews by JECFA of the chemicals used and the system itself and by the Codex Committee on Food Hygiene of the microbiological safety of the final product should be concluded before proceeding any further.

³ ALINORM 03/3A, paras. 86-88.

FAO/WHO Coordinating Committee for Africa (ALINORM 03/28)

13. The Committee recalled the Codex Committee for Milk and Milk Products, had asked the advice of the Executive Committee how to proceed with consideration of milk products prepared in conformity with the Codex Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System (CAC/GL 13-1991). It had been noted that the Guidelines contained a specific provision excluding such products from international trade. The Coordinating Committee also recalled that this matter had been considered by the 50th Session of the Executive Committee and which had asked the Codex Committee on Food Hygiene to consider whether the provisions restricting the use of lactoperoxidase system in milk used for processing into products which would enter into international trade be retained and whether the Guidelines should be revised.

14. The Secretariat clarified that the issue raised very basic questions concerning the maintenance of measures restricting international trade in the absence of an appropriate risk assessment. It was noted the initial JECFA evaluation covered the process as originally developed in the 1980's, but that in the meantime some chemicals used in this system had been changed or were used in different proportions. Therefore there was a need for a re-evaluation of the system by JECFA. Moreover, it did not appear that there existed an adequate microbiological risk assessment of the process, although there was considerable evidence that the system delays the spoilage of raw milk under ambient conditions in tropical countries.

15. The Delegation of Tanzania informed the Committee that a pilot program using the lactoperoxidase system had been carried out some time ago and it showed that the milk processed with this system could be transported and sold fresh to markets that were 40-50km away.

16. The Delegation of Uganda supported by other delegations and the Observer from Consumers International indicated that there were some uncertainties with this process and that until they were resolved the restrictions on the use of this system should be maintained.

17. The Committee supported the decisions of the Executive Committee and views expressed by the delegation of Uganda.

FAO/WHO Coordinating Committee for Latin America and the Caribbean (ALINORM 03/36)

15. Several delegations opposed to the use of the lactoperoxidase system as this practice could be avoided by applying good agricultural, handling and manufacturing practices. In addition, they stressed that in their countries they did not use the lactoperoxidase system which was even banned by national legislation. Technologies currently available had already overcome the need for using this method for the preservation of raw milk. However, it was recognized that in some countries, especially tropical ones, this system was used in accordance with Codex guidelines could still apply this system at national level, but not in the framework of Codex for the purposes of international trade. It was also recognized that, in any case, an early risk assessment of the lactoperoxidase system should be undertaken by JECFA to ensure an updated scientific basis to evaluate its safety.

16. The Delegation of Cuba informed the Coordinating Committee that this system was widely used in its country and agreed that a risk assessment on the safety of the lactoperoxidase system should be carried out by JECFA as early as possible.

The Committee is invited to consider the matter in the light of the decisions of the Executive Committee (see paras above).

3.2 Proposed Draft Revised Code of Practice for the Processing and Handling of Quick Frozen Foods

Committee on Meat and Poultry Hygiene (ALINORM 03/16)

5. The Committee noted the request of the 49th Executive Committee to refer the proposed draft Revised Code of Practice for the Processing and Handling of Quick Frozen Foods⁴ for technical inputs to relevant Codex committees, including the CCMPH. The CCMPH however agreed that specific inputs related to the proposed draft Revised Code should be referred by governments and international organizations directly to the Codex Committee on Food Hygiene.

Committee on Fish and Fishery Products (ALINORM /18)

9. The Committee noted the decisions of the 49th Session of the Executive Committee on the above Code and the work in this area carried out in other Codex Committees. The Committee was of the view that the provisions of the above code were well applicable to the Proposed Draft Code of Practice for Fish and Fishery Products from the general point of view and decided to reference it in the relevant sections of the Proposed Draft Code for Fish and Fishery Products. The Committee also noted that the Proposed Draft Code for the Processing and Handling of Quick Frozen Foods referred to “traceability” and that the use of this term might need further consideration to ensure consistency with other Codex texts. The Committee agreed that the Proposed Draft Code of Practice for the Processing and Handling of Quick Frozen Foods could be recommended for adoption at Step 5 and encouraged Member States to submit their specific comments directly to the Committee on Food Hygiene.

Committee on Processed Fruits and Vegetables (ALINORM 03/27)

75. The 47th Session of the CCEXEC entrusted the revision of the Recommended International Code of Practice for the Processing and Handling of Quick Frozen Foods to the International Institute of Refrigeration (IIR).

76. The 49th CCEXEC retained the Code at Step 4 and referred it to the Codex Committees on Meat and Poultry Hygiene (CCMPH), Fish and Fishery Products (CCFFP) and Processed Fruits and Vegetables (CCPFV) for their technical inputs and to the Committee on Food Hygiene (CCFH) for the finalization of the text.

77. In this regard, the 50th CCEXEC recalled that the Proposed Draft Code was not only a code of hygienic practice addressing food safety issues but also a code of practice that covered essential quality aspects and product stability. It therefore encouraged other concerned Committees, in particular CCPFV, to provide concrete input to its development.

78. The Committee noted that the 8th Session of the CCMPH had agreed that specific inputs related to the aforesaid document should be referred by governments and international organizations directly to the Codex Committee on Food Hygiene. It also noted that the 25th Session of the CCFFP agreed that the proposed draft Code could be recommended for adoption at Step 5 and encouraged Member States to submit their specific comments directly to the Codex Committee on Food Hygiene.

79. The delegation of Thailand informed the committee that the Code was discussed in CCMPH and CCFFP under Matters of Interest arising from the 24th Session of the Codex Alimentarius Commission and Other Codex Committees.

80. The Committee had a discussion on the appropriateness to recommend the Code for adoption at Step 5 and further consideration by the Codex Committee on Food Hygiene. A number of delegations⁵ were in favour of this proposal stating that significant progress had been made on the technical content of the Code

⁴ ALINORM 01/27-Addendum 1

⁵ Canada, France, Hungary, Italy, Morocco, United Kingdom, United States, European Community and other countries.

and that the remaining issues related more to hygienic than quality provisions. It was noted that Codex should take advantage and develop the experience and expertise of other specialized bodies working at the international level, especially in view of the heavy workload of the subsidiary bodies of the Codex Alimentarius Commission.

81. A number of delegations⁶ shared the views expressed by the Delegation of Thailand that careful consideration should be given to the quality aspects addressed by the Code as quality might vary through countries and trading partners and thus became a potential technical barrier to trade. These delegations expressed their concern that the provisions contained in the Code were too restrictive for compliance.

82. It was pointed out that certain sections of the Code referred to documents developed by organizations other than the Codex Alimentarius Commission (e.g. IIR/IIF Guide, UNECE Agreement on the International Carriage of Perishable Foods and on the Special Equipment to be Used for such Carriage (ATP)). These organizations had limited membership as opposed to the Commission thus made it difficult the accession to their documents. In this regard, some delegations suggested that, as an alternative solution, relevant parts of the reference documents cited in the Code might be introduced in the corresponding sections of the Code.

83. Reference was made to the ongoing discussion at the Codex Committee on General Principles (CCGP) on the development of *Guidelines for Cooperation with International Organizations*, which would provide guidance on linkages between the work of the Codex Alimentarius Commission with such organizations.

84. Reference was also made to the ongoing discussions at the Codex Committee on Food Hygiene on the difficulties of the application of the HACCP System in small and/or less developed businesses. In this respect, it was pointed out that the current Code provided for Defect Action Points (DAPs) to identify/control quality defects in addition to HACCP requirements posed additional burden to processing industries especially with regard to fruits and vegetables in a number of developing countries.

85. In view of the above considerations, these delegations were of the opinion that the Code should be returned to Step 3 for comments and further discussion at the Committee's next session.

86. The Delegation of Denmark suggested that the Commission might provide clarification on the implications in international trade of Codex texts that were "to provide background information and guidance" as indicated in Section 1 – Objective of this Code.

87. The Committee noted a number of comments on the Code e.g, the removal of the square brackets around the term "perishable"; the removal of reference to national legislation and tolerances from the Code; no reference to mobile refrigeration stations; the deletion of reference to Temperature indicators as not reliable; the introduction of provisions for those units processing different commodities to prevent cross contamination; divergent opinions on the removal of the square brackets around the Section 3.6.2 Traceability/Traceback; etc. The Committee noted that some of these comments were more related to the work of the CCFH.

88. The Committee could not reach consensus on how to proceed further with the consideration of the Code. It therefore agreed to seek the advice of the Commission as to the best way to consider this Code taking into account the relevance of the quality provisions for the processed fruit and vegetable sector, in particular for developing countries.

The Committee is therefore invited how to proceed further with the Code in the light of the above information.

⁶ India, Malaysia, Nigeria, Philippines and other countries.