

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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ORGANIZATION



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Agenda Item 2

CX/FH 08/40/2
September 2008

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD HYGIENE

Fortieth Session

Guatemala City, Guatemala, 1 - 5 December 2008

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

A. GENERAL DECISIONS OF THE 31ST SESSION OF THE CODEX ALIMENTARIUS COMMISSION (Geneva, Switzerland, 30 June – 4 July 2008)

1. The Commission **adopted** several amendments to the Procedural Manual, including amendments to the Format of Codex Standards which contains revised section on Hygiene. These amendments will be included in the 18th Edition of the Procedural Manual. The Commission also **adopted** 35 new or revised Codex standards or related texts elaborated by the Codex Committees and Task Forces; it **approved** a number of new work proposals and proposals for discontinuation of work. The Commission also took various decisions which are important for the work of the Commission and its subsidiary bodies.

2. The Commission elected the following new officers for the Commission:

- **Chairperson:** Ms Karen HULEBAK (USA)
- **Vice-Chairpersons:** Mr Sanjay DAVE (India), Mr Ben MANYINDO (Uganda), and Mr Knud ØSTERGAARD (Denmark).

3. Details on all these matters can be found in ALINORM 08/31/REP which is available from:
<http://www.codexalimentarius.net>

B. DECISIONS OF THE 31ST SESSION OF THE COMMISSION RELATED TO THE WORK OF THE COMMITTEE

4. The following texts considered and adopted by the Commission have direct relation to the work of the Codex Committee on Food Hygiene (CCFH).

DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 8 OR STEP 5/8

Proposed Draft Code of Hygienic Practice for Powdered Formulae for Infants and Young Children (ALINORM 08/31/REP, paras 40-45)¹

5. The Commission noted the creation of a new genus *Cronobacter*, which was equivalent to *Enterobacter sakazakii* and agreed to use both taxonomic names in the Code.

¹ ALINORM 08/31/13, Appendix II

6. Some delegations noted the need for testing for *E. sakazakii* throughout the production chain as well as in the end product and were of the opinion that affordable alternative methods were needed to avoid the testing of powdered infant formula becoming a burden, especially for developing countries. It was also indicated that assistance was needed for better surveillance of *E. sakazakii* in powdered infant formula.

7. The Representative of WHO emphasized that testing did not ensure absence of *E. sakazakii*, that testing specifically for *E. sakazakii* was not necessarily more expensive than ordinary microbiological testing and that the primary responsibility for ensuring the safety of powdered infant formula lay with the industry. It was further indicated that technical assistance to countries to improve surveillance practices could be considered by WHO.

8. The Representative of WHO explained that there was no conflict between the WHO/FAO Guidelines for Safe Preparation, Storage and Handling of Powdered Infant Formula and the Codex code of practice. The Representative further informed the Commission that the recently held World Health Assembly (May 2008) had adopted a resolution (WHA61.20) which indicated that the Assembly was encouraged by the work of the FAO/WHO through Codex on the *Code of Hygienic Practice for Powdered Formulae for Infants and Young Children*; that Member States were urged to implement through application and dissemination the WHO/FAO Guidelines on Safe Preparation, Storage and Handling of Powdered Infant Formula to minimize the risk of bacterial infection and to ensure that labelling conformed with standards, guidelines and recommendations of Codex taking into account resolution WHA58.32 and in addition urged Member States to investigate the possible use of donor milk through human milk banks for vulnerable infants as a risk-reduction strategy.

9. To the concerns raised by several observers about the revocation of the *Recommended International Code of Hygienic Practice for Foods for Infants and Young Children* (CAC/RCP 21-1979) which also provided guidance for foods other than powdered formulae, it was clarified that, although the scope of the *Code of Hygienic Practice for Powdered Formulae for Infants and Young Children* was narrower and did not cover canned baby foods or processed cereal-based foods, the General Principles on Food Hygiene and other existing Codes of Practice would be sufficient to provide guidance for these products and that the Code focused on powdered infant formulae because these products were those implicated in outbreaks related to the presence of *E. sakazakii* and *Salmonella enterica*.

10. The Commission **adopted** the Proposed Draft Code of Hygienic Practice for Powdered Formulae for Infants and Young Children at Steps 5/8, with the omission of Steps 6 and 7, with the amendment to use both *Cronobacter* and *E. sakazakii* in the Code.

Proposed Draft Annex II on the Guidance on Microbiological Risk Management Metrics to the Principles and Guidelines for the Conduct of Microbiological Risk Management (ALINORM 08/31/REP, para. 46)²

11. To the request to FAO/WHO to develop a practical manual on the implementation of metrics which would be especially beneficial to developing countries, the Representative of FAO explained that the completion of such a manual would require some time because there was a need to gain practical experience on the application of the metrics at the national level. The Commission **adopted** the Proposed Draft Annex II on the *Guidance on Microbiological Risk Management Metrics to the Principles and Guidelines for the Conduct of Microbiological Risk Management*.

Proposed Draft Guidelines for the Validation of Food Hygiene Control Measures³

13. The Commission adopted the above Guidelines as proposed by the Committee.

ELABORATION OF NEW STANDARDS AND RELATED TEXTS

14. The Commission **approved** the elaboration of Commodity-Specific Annexes to the Code of Hygienic Practice for Fresh Fruits and Vegetables (CAC/RCP 53-2003), job code N04-2008 and the elaboration of the Code of Hygienic Practice for *Vibrio* Species in Seafood, job code N05-2008. These documents will be considered by the 40th Session of the CCFH at Step 4.

² ALINORM 08/31/13, Appendix IV.

³ ALINORM 08/31/13, Appendix III.

Amendments to the Standard on Natural Mineral Waters (ALINORM 08/31/REP, paras 106-108)

15. The Commission noted the proposal of Kenya to initiate new work on the completion of the Section on methods of analysis in the Codex Standard on Natural Mineral Waters (CODEX STAN 108-1981) in view of the fact that, in the standard, there was no indication of specific methods of analysis and sampling procedures available for a number of chemical substances mentioned in Sections 3.2.17 (Surface active agents), 3.2.18 (Pesticides and PCBs), 3.2.19 (Mineral oil) and 3.2.20 (Polynuclear aromatic hydrocarbons), and the proposal to revise the Section on Hygiene to make it easier to use and consistent with the Recommended International Code of Hygienic Practice for Collecting, Processing and Marketing of Natural Mineral Waters (CAC/RCP 33-1985). The Chair of the Committee on Natural Mineral Waters also noted that the proposal from Kenya had been presented orally at the last session of the Committee on Natural Mineral Waters, however it had not been examined by the Committee as it fell outside the mandate given to the Committee by the 30th Session of the Commission. The Commission further noted that the project document had been considered at the last session of the Executive Committee and, after some discussion, agreed to refer the issue on the methods of analysis raised in Project Document 22 to the Committees on Contaminants in Foods, on Pesticide Residues and on Methods of Analysis and Sampling for review in their respective areas of competence as a matter of priority, especially whether further work was warranted and desirable.

16. The Commission also agreed to **request** the Committee on Food Hygiene to consider whether it was possible to give a higher priority to the revision of the Recommended International Code of Hygienic Practice for Collecting, Processing and Marketing of Natural Mineral Waters.

17. The Commission also **requested** the Committees concerned, as mentioned above, to inform the Executive Committee and the Commission about their findings in order to allow the Commission to take an informed decision on this matter at its next session.

18. The Committee is therefore **requested** to inform the Executive Committee and the Commission of its consideration of this matter.

AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS (AGENDA ITEM 7)

19. The issue of amendments to Codex standards and related texts has been included as new standing agenda item for the Commission allowing the Secretariat to address inconsistencies discovered in the context of publishing revised Codex texts. For details of consideration see (ALINORM 08/31/REP, paras 76-91).

20. In Section on Food Hygiene of the Guidelines on Formulated Supplementary Foods for Infants and Young Children (CAC/GL 08-1991) there was a reference to the Recommended International Code of Hygienic Practice for Foods for Infants and Children (CAC/RCP 21-1979). This revoked Code contained end-product microbiological specifications of advisory nature for dried biscuit type product (plain and coated), dried and instant products, dried products requiring heating before consumption and thermally processed products packaged in hermetically sealed containers.

21. This matter will be considered by the 30th Session of the CCFNSDU (Cape Town, South Africa, 3-7 November 2008).

22. The Commission noted the taxonomic note on *Enterobacter sakazakii* (*Cronobacter* species) in the working document and recalled that when adopting the **Proposed Draft Code of Hygienic Practice for Powdered Formulae for Infants and Young Children at Step 5/8** under Agenda Item 4, it had also agreed to amend throughout the document "*Enterobacter sakazakii*" to read "*Enterobacter sakazakii* (*Cronobacter* species)".

23. The Committee should be informed that there are also some inconsistencies in texts elaborated by the Committee on Food Hygiene; e.g. in Section 5.2 on Cleaning and Disinfection – Washing up of the the Recommended International Code of Hygienic Practice for Precooked and Cooked Foods in Mass Catering (CAC/RCP 39-1993) there is a reference to “old” Annex I of the Recommended International Code of Practice – General Principles of Food Hygiene (CAC/RCP 1-1969) which contained practical guidance for cleaning. During the revision of this Code, Annex I had been taken out from Recommended International Code of Practice – General Principles of Food Hygiene, however the reference to it in the Recommended International Code of Hygienic Practice for Precooked and Cooked Foods in Mass Catering remained.

24. The Committee **is invited** to consider how to deal with this inconsistency (and others that might have arisen from previous revocations or amendments) and decide on a course of action(s), if required.

MATTERS ARISING FROM REPORTS OF THE COMMISSION, CODEX COMMITTEES AND TASK FORCES

The Use of the Lactoperoxidase System (LPS) for Milk and Milk Products in International Trade (ALINORM 08/31/REP, paras 179-189)⁴

25. The Commission recalled that consensus could not be reached at its last session on the lifting of the restriction on the use of the LPS for products in international trade and that this matter had been referred back to the Committee on Food Hygiene for further discussion based on the provision of new information and data requested through a Circular Letter.⁵ The Commission was reminded that no such restriction existed in the Codex Alimentarius as such, but that at the adoption of the Guidelines for the Preservation of Raw Milk by the Lactoperoxidase System by the 19th Session of the Commission, it was emphasized that the LPS should not be used for products intended for international trade⁶ and that this statement was reconfirmed at its 27th Session in 1999⁷.

26. The Representative of FAO reminded the Commission that, at its request, a joint FAO/WHO technical meeting on benefits and potential risks of the lactoperoxidase system of raw milk preservation (Rome, Italy, 28 November - 2 December 2005)⁸ had been convened and data as well as the safety evaluation by the 35th meeting of JECFA had indicated that there were no safety concerns relating to the components or metabolites of the LPS when used in accordance with the Guidelines.

27. The Delegation of Cuba expressed the view that the agreement reached at the 30th Session of the Commission had not been fulfilled as regards the reply to the circular letter requesting countries to submit new scientific evidence on the use of the LPS system and risks to human health, since only four countries had replied to the circular letter in time; however in the meeting of the Committee on Food Hygiene held in India in October 2007 new documents were circulated, there was very little time to discuss the subject, which did not allow to reach a conclusion.

28. Many delegations supported the lifting of the restriction based on the scientific evidence provided and because of the absence of new scientific information that questioned the safety of the LPS. In their view, Codex should abide by its risk analysis principles and base its decisions on science.

29. Some other delegations were of the opinion that the restriction should be maintained. According to their view some concerns still remained that the thiocyanate ion could have a toxicological effect when iodine intake was not sufficient; that pasteurization did not eliminate the thiocyanate ion; that there might be the possible misuse of the LPS by small farmers; and that the LPS inhibited growth of foodborne pathogens but did not eliminate them.

30. Some other delegations further questioned the addition of chemicals to raw milk as this could constitute adulteration of milk.

⁴ ALINORM 08/31/13, paras 173-180

⁵ ALINORM 07/30/REP, paras 168-177

⁶ ALINORM 91/40, para. 234

⁷ ALINORM 99/37, para. 216

⁸ Report available at http://www.fao.org/ag/agn/agns/chemicals_lactoperoxidase_en.asp

31. The Representative of WHO pointed out that the effectiveness of the LPS was limited to short periods and therefore its applicability to products in international trade was limited because of longer duration of transport.

32. After some discussion, the Chairperson put forward a proposal to the Commission to lift the restriction on the use of the LPS in products in international trade, but to reconfirm its previous decision that the most appropriate method for preservation was refrigeration and that the LPS be considered as an alternative only where refrigeration was not possible.

33. Several delegations supported the proposal of the Chairperson, while other delegations expressed their reservation to the proposal.

34. The Delegation of New Zealand noted that the Code of Hygienic Practice for Milk and Milk Products (CAC/RCP 57-2004) allowed for several microbiostatic control measures including the LPS and that the use of any of these measures required validation prior to their use with respect to their effectiveness and safe use. The Delegation, pointing out that this point was also emphasized in the Guidelines for the Validation of Food Safety Control Measures adopted at the current session, which provided that control measures required validation on a case-by-case basis, proposed that the restriction be lifted, but that the use of the LPS be conditional on infrastructure and validation and be based on mutual agreements between countries depending on patterns of trade, and in line with this observation, further proposed to amend footnote 9 in Appendix A: Microbiostatic Control Measures - Code of Practice for Milk and Milk Products by the addition of the following: "Any trade in milk treated by the lactoperoxidase system should only be on the basis of mutual agreement between countries concerned, and without prejudice to trade with other countries." This view was supported by many delegations.

35. In view of the lack of time to resolve the issues, that is lifting the restriction in paragraph 19 or lifting the restriction under the conditions proposed by New Zealand, the Commission **agreed** to postpone further discussion until its next session. The Delegations of Cuba and Chile expressed their reservation to the decision and the way in which the matter had been dealt with by the Commission.

36. The Committee is **invited to note** the ongoing discussions in the Commission.

C. MATTERS ARISING FROM OTHER CODEX COMMITTEES AND TASK FORCES

CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS

Endorsement of Hygiene Provisions in the Codex Standards and Codes of Practice

37. The Committee on Fish and Fishery Products provided the following clarification to questions posed by the 38th Session of the CCFH on the hygiene provisions in the Standard for Raw and Live Bivalve Molluscs⁹:

- The Committee agreed to refer only to the limit for *E.coli* irrespective of the type of indicator bacteria used in growing-area monitoring programmes;
- The Committee explained that *E.coli* as an indicator has been used for a long time and was effective to monitor the safety of end products and that its inclusion in the standard should not be delayed with the understanding that it could always be reviewed when further scientific advice became available;
- The Committee included action to be taken when microbiological criteria were not met, including detention, recall and further processing.
- The Committee explained that the use of a three-class sampling plan for *E.coli* was consistent with the General Guidelines on Sampling (CAC/GL 50-2004) and with the recommendations by the ICMSF.
- The Committee agreed to defer consideration of a criterion for *Vibrio parahaemolyticus* pending completion of the work undertaken by the Committee on Food Hygiene.
- The Committee provided an analytical method for *Salmonella* in Section I-7.

⁹ ALINORM 08/31/18, paras 66-76 and paras 89-93, Appendix III.

38. The 31st Session of the Commission adopted the draft Standard for Raw and Live Bivalve Molluscs (ALINORM 08/31/REP, Appendix VII).

39. The Committee is **invited** to consider the clarification provided by the CCFFP on the endorsement of the hygiene section of the Standard for Raw and Live Bivalve Molluscs and to inform the 32nd Session of the Commission of its decision.