



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 6

CX/PFV 12/26/6-Add.1

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**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON PROCESSED FRUITS AND VEGETABLES**

**26th Session
Montego Bay, Jamaica,
15 – 19 October 2012**

Comments on the

**PROPOSED DRAFT SAMPLING PLANS INCLUDING METROLOGICAL PROVISIONS FOR CONTROLLING MINIMUM
DRAINED WEIGHT OF CANNED FRUITS AND VEGETABLES IN PACKING MEDIA (At Step 3)**

Comments Submitted by: Brazil, Chile, Costa Rica, Cuba, European Union, India, Jamaica, United States

BRAZIL

In regard to the aforementioned draft standard, Brazil congratulates FRANCE efforts to elaborate the Draft Document on Sampling Plans for Controlling Minimum Drained Weight for discussion, and would like to present some general and specific comments aiming harmonization for a better understanding and adoption of the Standard.

General Comments

Brazil would like to reinforce that the document should reflect the aims and the supported background to continue the work based on an expectation that the Draft ought to simplify wording and provisions of previous versions (Para 104 REP 11/PFV).

In that sense, Brazil does not support the adoption of an AQL of 2.5% used on Decision for the Defective Test (acceptance or rejection of lots) and would like to highlight that the Draft should rely on AQL 6.5%.

Brazil considers that an AQL of 2.5% does not consider the nature of plant products and its inherited uniformity fluctuations, being more appropriate to metrological verification of industrial components and materials that are out of nature's control – which is not the case of processed fruits and vegetables.

Considering Canned Palmito and its producing line, size and diameter fluctuations exists and impacts final presentation when small cut pieces and fragments (unfit for normal consumption) are added just to attain to metrological provisions. Format, dimension and weight fluctuations exist and will certainly impact the number of product units in a container.

Specific Comments

Section 1 Scope

Rationale

A direct language is preferable to avoid repetition and misunderstanding of the Draft's objectives.

Suggestion

1. SCOPE

The sampling plan applies to canned fruits and vegetables **assessment of the labeling** ~~presented in a packing medium in rigid containers for which specific product standards require a declaration of drained net weight. Legal metrology requirements for some prepackaged products labelled in predetermined constant nominal quantities of weight. Sampling plans and procedures for use by legal metrology officials in verifying the weight quantity of product presented in a packing medium in rigid containers in prepackages.~~

Section 1 Scope – Note
<p>Rationale</p> <p>It is not clear why to further restrict the adoption of the Draft as the use is already related to the weight verification by metrology officials to verify labeling declaration of drained net weight.</p>
<p>Suggestion</p> <p>Note: the sampling plans are not for use in the quantity control processes of prepackers.</p>

Section 2.1 Nominal Weight
<p>Rationale</p> <p>Editorial changes to a direct language.</p>
<p>Suggestion</p> <p>2.1 NOMINAL WEIGHT</p> <p>Declared Quantity of product in a pre-package, including the liquid medium, declared on the label by the packager.</p> <p>2.2 NOMINAL DRAINED WEIGHT¹ (QN)</p> <p>Declared Quantity of product in a pre-package less the liquid medium, declared on the label by the packager.</p> <p>The symbol Qn is used to designate the nominal drained weight.</p> <p>It is recommended that tThe nominal drained weight must be declared in accordance with the General Standard for the Labelling of Pre-packaged Foods (CODEX STAN 1-1985).</p>

Section 2.4 Liquid Medium or Packing Media
<p>Rationale</p> <p>Amendments to a better understanding of the ingredients to be weighted.</p>
<p>Suggestion</p> <p>2.1 LIQUID MEDIUM OR PACKING MEDIA</p> <p>The following media, possibly in mixtures, provided that the liquid and its aggregable constituents are is merely an adjunct to the essential elements of that preparation (and is not a decisive factor for the purchase): water, aqueous solutions of salts, brine, aqueous solutions of food acids, vinegar, aqueous solutions of sugars, aqueous solutions of other sweetening substances, fruit or vegetable juices, oil, aromatic plants, spices and seeds.</p>

Section 2.6 Inspection Lot (also called a batch)
<p>Rationale</p> <p>Amendments to a better understanding of the proposal.</p>
<p>Suggestion</p> <p>2.6 INSPECTION LOT (also called a batch)</p> <p>When prepackages are checked at the end of the packing line, the number in each batch is equal to the maximum hourly output of the packing line, without any restriction as to batch size.</p> <ul style="list-style-type: none"> - The sampling plan should only be used for lots comprising 100 up to 10.000 items. - For lots of more than 10,000 items, the lot is divided so that each segment has at least 100 and not more than 10,000 items. In this case, a lot is accepted if each of the segments is accepted by the inspection. - For lots that have fewer than 100 items, the statistical control by sampling envisaged for lots of at least 100 to at most 10,000 items is not appropriate.

Section 2.7 SAMPLE SIZE
<p>Rationale</p> <p>Amendments to a better understanding of the proposal.</p>
<p>Suggestion</p> <p>2.7 SAMPLE SIZE</p> <p>Pre-packages taken from each an inspection lot and used to provide information that will serve as the basis for a decision on the conformance of the inspection size.</p> <p>The size of the laboratory samples will be equal to 20 pre-packages.</p>

Section 5.2 CONDITIONS FOR TESTING
<p>Rationale</p> <p>Product and the laboratory environment should have a control of temperature not to impact weighting results with viscosity fluctuations of the packing media.</p>
<p>Suggestion</p> <p>5.2 CONDITIONS FOR TESTING</p> <p>Sampling can be performed anytime.</p> <p>Samples should be handled and kept at a temperature of 21 °C ± 2 °C prior to testing.</p>

Section 5.4 DETERMINING THE ACTUAL QUANTITY OF PRODUCT OF A SAMPLE
<p>Rationale</p> <p>A specific sentence not to overlay products should be provided not to impact final result.</p>
<p>Suggestion</p> <p>5.4 DETERMINING THE ACTUAL QUANTITY OF PRODUCT OF A SAMPLE</p> <p>1) Determine the sieve's weight.</p> <p>2) Open the pre-package and pour the product and liquid medium across the sieve. Care should be taken not to overlay product, as it may compact and smash delicate fruits and vegetables and impact final result.</p> <p>3) Distribute the product and liquid medium over the surface of the sieve but do not shake the material on the sieve. In packages above 2.5Kg, care should be taken not to have layers above 10cm. If the layer in the 30cm diameter sieve is above 10cm, measures should be divided to avoid excessive overlaying.</p> <p>4) Tilt the sieve to an angle of 17° to 20° from the horizontal to facilitate draining. Carefully invert by hand all solid product, or parts thereof, which have hollows or cavities if they fall on the sieve with the hollows or cavities in soft products (e.g. sliced fruit) by tilting the sieve. Allow a 2 minute drain time.</p> <p>5) 3) Reweigh the sieve plus contents and calculate the drained quantity as follows:</p>

CHILE

Comment 1: In regards to the scope of mass in section 5.3, we suggest that requirements be specified for the weighing instrument to be used; considering the tolerable errors in Table 1, we propose to include, in this case, a paragraph as follows: **“The weighing instrument used should be accuracy class III in OIML R76-1”.**

Comment 2: Page 8: Annex 1. Average Test. Replace “QN” with “Qn” throughout the document.

Comment 3: We propose this change to make the text clear, deleting parts of it.

5.2 CONDITIONS FOR TESTING

Sampling ~~can be performed anytime.~~

~~However the test~~ shall be performed when, according to the manufacturer, the product is ready to be consumed.

Comment 4: An “l” is missing (Spanish version, page 8).

Nota: The subsequent weighing of the sieve should ensure that it is clean and without residues of product. The sieve does not need to always be dried provided that the weight is accurate before using.

COSTA RICA

Costa Rica appreciates the opportunity to provide these comments:

The Proposed Draft Sampling Plan in CX/PFV 12/26/6 does not consider flexible containers, which puts Costa Rica at a disadvantage because there are a large number of products with flexible presentations on the market today that are left outside the scope of the document.

In addition, we believe that this document may be considered a trade-restrictive standard, since it considers sampling methods representatives of commercial volumes above those managed in Costa Rica.

Similarly, Costa Rica believes the document should be addressed to the industry rather than government inspectors.

Costa Rica believes that the document departs considerably from the international reference standard (OIML R87 2004), which is also a reference in the Central American Technical Regulation (RTCA) No. 01.01.11:06: Quantity of Product in Prepackages.

CUBA

(i) **General Comments** – There isn't.

(ii) **Specific Comments**

2.5 CAPACITY OF CONTAINER – To add in this title with on foot of page the test method to determine the capacity of containers: ISO 90.1:86 Determination of water capacity in metal containers and General Codex Method for Processed Fruits and Vegetables CAC/RM 46:1972.

Milliliters abbreviation should be: mL and no ml.

2.7 SAMPLE SIZE – In this Section it is necessary to describe the sample plan applied according to ISO 2859 (part 1): AQL, inspection level, # Ac and Re, etc.

5.3 APPARATUS AND 5.4 DETERMINING THE ACTUAL QUANTITY OF PRODUCT OF A SAMPLE

In these Sections it is necessary to mention the General Codex Method for Processed Fruits and Vegetables AOAC 968.30 Canned Vegetables – Drained Weight and the established method of OIML R 87 for drained weight (Annex C) that it is described in the Standard.

ANNEX 1

→ drain during 2 minutes to an angle of 17° to 20°,...

ANNEX 2

In the # 1. Nominal weight and Nominal drained weight it is necessary to clarify if it is referred to the declared in the labelling.

EUROPEAN UNION

The European Union and its Member States (EUMS) would like to thank France for preparing the draft document on sampling plans.

The draft document in its current form provides practical and useful guidance for carrying out controls of minimum drained weight, in particular confirmatory inspections. It is in conformity with other Codex guidelines on sampling and with the other relevant international standards (OIML R87). The draft document would significantly contribute for ensuring fair practices in trade of canned fruits and vegetables. For these reasons, EUMS support its adoption as a Codex guideline.

To take into account the difficulties in filling which could occur for certain types of canned fruits and vegetables, such as French beans or large sized fruits or vegetables, the EUMS suggest modifying Table 1 in section 2.8.4 on tolerable negative error as follows:

Nominal drained weight in g	Tolerable negative errors of the drained weight	
	Percentage of Qn	g
0 to 50	<u>9</u> 18	-
50 to 100	-	<u>4,5</u> 9
100 to 200	<u>4,5</u> 9	-
200 to 300	-	9 <u>18</u>
300 to 500	<u>3</u> 6	-
500 to 1000	-	15 <u>30</u>
1000 to 10000	<u>1,5</u> 3	-
10000 to 15000	-	150 <u>300</u>
Up to 15000	<u>1</u> 2	-

INDIA

Section 2 DEFINITIONS

Subsection 2.7 Sample Size

The text may be modified as under:

“Pre-packages taken from ~~an~~ an inspection lot and used to provide information that will serve as the basis for a decision on the conformance of the inspection size.”

Rationale: Spelling/Typographical/Grammatical error.

Section 5 PROCEDURE FOR DETERMINATION OF DRAINED WEIGHT

Subsection 5.2 Conditions for testing

The text in the first row under product column in Table 2 may be modified as under:

“Fruits, vegetables and other vegetable foodstuffs (~~except strawberries, raspberries, blackberries, kiwi and loganberries~~).”

Rationale: As the recommended periods of time for checking drained weight for strawberries, raspberries, blackberries, kiwi fruit, loganberries has also been mentioned separately and as such exception clause may not be required.

JAMAICA

GENERAL COMMENTS:

Jamaica thanks the working group led by France for preparing this document. The statistical aspect of the document, including the Tolerable Negative errors for drained weight, was accepted based on its conformance to the ISO 2859 Standard and the ‘International Organization of Legal Metrology OIML R 87 Quantity of product in prepackages’

SPECIFIC COMMENTS:

Section 2.3

This statement should be corrected to read, “Quantity of product in a pre-package after equilibrium of solution is established and the liquid medium has been drained according to the test methods in Section 5.2.”

Section 2.6

The sampling plan is based on lot size of 100 to 10,000 prepackages. Provision could be made for a smaller sample size for lots comprising 100 prepackages or less.

Though the information is statistically derived, it could be presented in a more simplified manner.

Section 2.8

“Negativ” should be “Negative”

2.8.1

This statement should be corrected to read, “The negative error of a pre-package is the quantity by which the actual weight of the pre-package ~~are~~ is less than the nominal weight.”

Section 4 Testing Plan (Destructive Test) Annex 1

Defective Test:

Page 9, ‘Final Decision’ which reads “The batch is accepted if it complains to the 3 tests” should read “The batch is accepted if it ~~ecomplains~~ complies with the 3 tests”.

Section 5.2 Conditions for Testing

The document states that “Sampling can be performed at anytime” then further states “Sampling should therefore take place after such equilibrium has been attained, in other words at least 14 days after sterilization...”. Table 2 goes on to give specific time periods after sterilization.

This requires some clarification as there appears to be some disparity.

The sentence may be stated as it is in the OIML R 87 and Welmec 6.8 documents to read. “Unless otherwise stated in the table below, sampling should ~~therefore take place after such equilibrium has been attained, in other words~~ at least 14 days after sterilization, pasteurization or any similar process, after equilibrium has been attained, or when the operator considers the products ready for market.

Section 5.4 Determining the Actual Quantity of Product of a Sample

Point 2, “ Carefully invert by hand all solid product, or parts thereof, whiff have hollows or cavities if they fall on the sieve with the hollows or cavities in soft products (e.g. sliced fruit) by tilting the sieve.”

This sentence needs reconstruction to clarify the meaning.

This statement should be stated as it is in the Welmec 6.8 document to read, “Carefully invert by hand all solid product, or parts thereof, which have hollows or cavities if they fall on the sieve with the hollows or cavities facing upwards. Drain the hollows or cavities in soft products (e.g. sliced fruit) by tilting the sieve.”

UNITED STATES

General Comment:

The United States welcomes the opportunity to comment on the Proposed Draft Sampling Plan Including Metrological Provisions for Controlling Minimum Drained Weight (MDW) of Canned Fruits and Vegetables in Packing Media and appreciates efforts of the e-working group led by the Delegation of France in this regard.

Specific Comments:

The United States believes that the limited CCPFV resources would be more effectively applied to other work of more importance such as developing new standards rather than this pursuit. Based on feedback from the processed fruit and vegetable trade and national regulatory agencies, the United States believes that “the existing Minimum Drained Weight text in CCPFV standards works well, is simple, is easily understood and applied”. There is no evidence that minimum drained weight requirements have created any problems in international trade. The existing Acceptance Quality Level (AQL) value of 6.5 is internationally accepted and has served trade efficiently. There is no justification for reducing the AQL value from 6.5 to 2.5 thereby making CCPFV standards being more restrictive than necessary.

The draft document that emerged from the working group is still too complex for the purposes intended. It is riddled with errors and inconsistencies in addition to the questions surrounding its main reference - OIML R 87. OIML R 87 is undergoing extensive revisions that may have a major impact on the sampling plans and other provisions of the recommendation. OIML Technical Committee 6 (TC6) formed a special subcommittee to develop new sampling plans for consideration because errors in the current statistical requirements were uncovered several years ago and have been confirmed.

OIML is expected to receive proposed revisions and corrections from the subcommittee later this year and it is anticipated that OIML will adopt a new and corrected edition of R87 in 2013 or later. The next meeting of TC6 will be held in Tokyo, Japan in October (22 to 26) 2012.

The tables within Section 2.8 on Negative Error and Tolerable Negative Error taken directly from OIML R87 were developed based on values developed in Europe more than two decades ago. These values do not reflect the variations found in of packages filled using modern packaging equipment.

U.S. POSITION

The U.S. strongly recommends to the CCPFV to discontinue the development of this document for the following reasons:

- i. The document is based on a method that is acknowledged as erroneous. Instead of perpetuating the use of these erroneous values it would be best for the CCPFV to wait for the revised OIML document
- ii. The revised Proposed Draft Sampling Plan Including Metrological Provisions for Controlling Minimum Drained Weight (MDW) of Canned Fruits and Vegetables in Packing Media as presented is still too complex for the intended purpose.
- iii. In the meantime the CCPFV may ask members to collect data using the Codex procedures on drained weight to evaluate if the existing practice limit and AQL should be amended.