

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

CX/PR 02/2
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

Thirty-fourth Session

The Hague, The Netherlands, 13 - 18 May 2002

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

1. MATTERS ARISING FROM THE EXECUTIVE COMMITTEE

1.1 MATTERS ARISING FROM THE 48TH SESSION OF THE EXECUTIVE COMMITTEE

Antibiotics Used on Agricultural Commodities and Antimicrobial Resistant Bacteria in Food (ALINORM 01/4, paras 36-37) - Coordination of Work

The Executive Committee noted that the first of these matters had been raised by the Committee on Pesticide Residues (ALINORM 01/24A para. 122) and the second by the Committee on Food Hygiene (ALINORM 01/13A, paras 132-142). In relation to the first matter, the Executive Committee was of the opinion that the use of antimicrobials on agricultural commodities should be subject to evaluation within a risk analysis framework; the question was whether the normal process used for the evaluation of pesticides was the appropriate one. In the second case, the Executive Committee agreed that consideration should be given to the consideration of antimicrobial resistant micro-organisms in food within a risk analysis framework on a case-by-case basis as micro-organism/food combinations were being assessed.

The Executive Committee agreed however that the issues raised by these Committees required a more general and multidisciplinary and multi-agency response. It noted the on-going work of the Committee on Residues of Veterinary Drugs in Foods and the Task Force on Animal Feeding. Moreover, it was aware of the recommendations contained in the *WHO Global Principles for the Containment of Antimicrobial Resistance in Animals Intended for Food*¹ and the work of the OIE. It noted that in the past, attempts to coordinate work between Codex Committees with diverse mandates had not always been successful and that the establishment of new task forces to deal with these specific issues had helped to resolve the issues at hand. Without prejudice to the possibility of establishing a new Task Force, it recommended that FAO and WHO should give consideration to convening as soon as possible a multidisciplinary expert consultation in cooperation with OIE and if required the IPPC, to advise the Commission on possible directions to be taken including the establishment of a new task force if necessary. The consultation should consider all uses of antimicrobials in agriculture and veterinary use (including aquaculture) and take into account the role played

¹ WHO document WHO/CDS/CSR/APH/2000.4

by antimicrobials as essential human and veterinary medicines. It noted that the convening of an additional expert consultation in the forthcoming biennium would be subject to the availability of funds.

1.2 MATTERS ARISING FROM THE 49TH SESSION OF THE EXECUTIVE COMMITTEE (ALINORM 03/3)

Maximum Residue Limits for Pesticides (CCPR)² (paras 5-6)

The Executive Committee advanced all of the proposed draft maximum residue limits to Step 6. It noted the concerns of the Representative of Latin America and the Caribbean Europe supported by the Representative of Europe in regard to the maximum residue limits for 2,4-D for grapefruits and oranges and the proposal to establish a general limit applicable to all citrus fruits. It requested the Committee on Pesticide Residues to consider post harvest application of this pesticide.

The Executive Committee requested the Committee on Pesticide Residues to review carefully the draft maximum residue limits for fenamiphos (085) specifically in relation to acute dietary intake effects. The Executive Committee stressed the need to make progress on the question of chronic exposure and acute dose effects.

Review of the Joint FAO/WHO Food Standards Programme (Codex Alimentarius) (paras 42-43)

The Representative of WHO announced that FAO and WHO had agreed in principle to the need and scope for a comprehensive review of the Codex programme in order to meet the challenge of a rapidly changing world and in light of concerns about the sustainability of the programme due to its increased workload and the consequent demands on Member countries. Further discussions would take place between the parent organizations of the process to be followed for the review including the arrangements for an external review process. The Executive Committee welcomed this initiative, including the proposal for an external component to the review process. The Representative of WHO also noted the need to draw upon the experience of Member countries and upon regional perspectives. During the discussion, some Members noted the importance of considering the scope of Codex activities throughout the food safety continuum, and the extent to which food standards continued to be relevant in today's world.

The Executive Committee asked to be kept informed of developments in this area and for a preliminary report to be provided at its next session. It was informed that it was envisaged that the final outcome of the review would be transmitted to the 25th Session of the Commission (2003) for consideration.

2. MATTERS ARISING FROM THE 24TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION (ALINORM 01/41)

The following items considered by the 24th Session of the Commission are pertinent to the work of the Committee:

2.1 FAO CONFERENCE ON INTERNATIONAL TRADE BEYOND THE YEAR 2000: SCIENCE-BASED DECISIONS, HARMONIZATION, EQUIVALENCE AND MUTUAL RECOGNITION (PARAS 42-44)

It was noted that the Melbourne Conference had directed to the Codex Alimentarius Commission certain recommendations. Other recommendations had been directed to FAO and WHO or else to Member governments.³ The Commission specifically **endorsed** the following recommendations of the Melbourne Conference and requested the Executive Committee to monitor their applications and their incorporation in the Medium-Term Plan as appropriate:

Recommendation 12: exchange of information about potentially hazardous foodstuffs moving in international trade;

Recommendation 13: urgency of Codex guidance on the judgement of equivalence;

Recommendation 14: consideration of the special needs of developing countries;

² ALINORM 01/21 Part II-Add.3 (Comments of Germany, Spain).

³ Recommendations 1,2,3,5,7,9,10,13,15,19,20 of the Melbourne Conference.

- Recommendation 16: standards development for food composition, sensory quality and safety;
- Recommendation 17: standards not to be over-prescriptive or unnecessarily stringent;
- Recommendation 18: promote and extend the General Principles of Food Hygiene and HACCP to the whole food chain;
- Recommendation 21: effectiveness of the use of written comments.

The Committee is invited to use the above recommendations where appropriate.

2.2 CONSIDERATION OF THE DRAFT STRATEGIC FRAMEWORK, PROPOSED DRAFT MEDIUM PLAN 2003-2007 AND THE CHAIRPERSON'S ACTION PLAN⁴ (PARAS 46-70)

The 24th Session (July 2001) of the Codex Alimentarius Commission adopted⁵ the draft Strategic Framework, including the Strategic Vision Statement (for details see Appendix II of ALINORM 01/41), the web:

<http://www.codexalimentarius.net/cac24/alinorm0141/appiie.htm#E9E18>

It agreed that the draft Medium-Term Plan should be revised by the Secretariat in the light of the Strategic Framework, the Commission's discussion and the written comments received, and should incorporate the elements of the Chairperson's Action Plan agreed to by the Commission. The Commission agreed that the activities envisaged in the Medium Term Plan should include cost estimates to determine whether the objectives could be achieved within available resources and that the revised draft Medium-Term-Plan be circulated for the inputs of the Codex Coordinating Committees, other Codex Committees, Member governments and international organizations for further consideration and finalization at the 25th Session of the Commission.

The 49th Session (September 2001) of the Executive Committee of the Codex Alimentarius Commission noted⁶ that Circular Letter CL 2001/26-EXEC had been sent to Members of the Commission on 14 August 2001. Governments and interested international organizations had been being invited to comment on the revised Draft Medium-Term Plan and also to propose or suggest new activities. Following the deadline for comments (30 November 2001) the Revised Draft Medium-Term Plan will be up-dated and placed on the Codex Website. The Plan will be up-dated following each Codex Committee/Task Force session to include new proposals as they arise.

This Plan will then be submitted to the 50th Session of the Executive Committee (2002) for review and then to governments and interested international organizations for comments. Those Codex Committees (especially Regional Committees) that had not previously commented will also have to opportunity to contribute to the development of the Medium-Term Plan. The Revised Draft Medium-Term Plan together with the various proposals made by Codex Committees and other interested parties will be considered by the 51st Session of the Executive Committee and then submitted to the 25th Session of the Codex Alimentarius Commission for adoption.

While considering **Further Strengthened Scientific Support and Science-Based Decision-Making** the Commission noted that recent changes had led to the improved identification and selection of experts and temporary advisors for expert groups and consultations and that detailed information on the selection process was contained on the websites of both organizations. It was noted that such experts were required to complete and attest to declarations of detailed interest in this regard to avoid conflict of interest.

The Commission welcomed these developments and a planning meeting in November 2001 which would examine, among other issues, increased coordination between the JECFA, JMPR, and the other expert groups devoted to microbiological contamination and biotechnology on matters including selection and

⁴ ALINORM 01/6, ALINORM 01/6-Add. 1 and 3, Commission/CAC/LIM 1 and ALINORM 01/4

⁵ ALINORM 01/41, paras. 46-70 and Appendix II.

⁶ ALINORM 03/3, paras. 37-41.

establishment of a roster of experts for such bodies, including increased transparency in the process. Several delegations, including The Netherlands speaking as the Member responsible for appointing the Chairperson of the Codex Committee on Pesticide Residues, and observers expressed their concerns that current working arrangements for expert bodies, developed decades ago, increasingly did not meet the requirements of the Commission. They stressed that these structures needed to be reviewed urgently to keep pace with the needs and the expectations of Member countries, the Commission and the public.

The Commission **requested** FAO and WHO to circulate a letter of information on the improvements already made. It requested FAO and WHO to convene a consultation to review the status and procedures of the expert bodies and to develop recommendations for consideration by the Directors-General on additional ways to improve the quality, quantity and timeliness of scientific advice to the Commission. It was recommended that such a consultation include the Chairpersons of the relevant Codex Committees and appropriate outside experts drawn from the scientific community and all interested groups including those representing industry and consumers.

The Delegation of Egypt requested FAO and WHO to ensure that there would be adequate regional representation of experts and temporary advisors with a view to encouraging Member countries in all regions to adopt decisions developed on a scientific basis.

The Committee is invited **to provide its input** to the draft Medium-Term-Plan, if it considers that its work is not covered enough.

2.3 RISK ANALYSIS POLICIES OF THE CODEX ALIMENTARIUS COMMISSION⁷ (PARAS 71-85)

For details see ALINORM 01/41 and:

The Commission adopted the position, in regard to the consideration of precaution, that:

“When there is evidence that a risk to human health exists but scientific data are insufficient or incomplete, the Commission should not proceed to elaborate a standard but should consider elaborating a related text, such as a code of practice, provided that such a text would be supported by the available scientific evidence” (para. 83).

2.5 STATEMENTS OF PRINCIPLE ON THE ROLE OF SCIENCE IN THE CODEX DECISION-MAKING PROCESS AND THE EXTENT TO WHICH OTHER FACTORS ARE TAKEN INTO ACCOUNT: CRITERIA (PARAS 93-98)

The Commission amended and adopted Criteria for the Consideration of Other Factors Referred to in the Second Statement of Principle on the Role of Science related to “other legitimate factors” in the Codex Decision Making Process and the Extent to Which Other Factors are Taken into Account.

For details see ALINORM 01/41 and:

<http://www.codexalimentarius.net/cac24/alinorm0141/appiie.htm#E10E31>

2.6 TEXTS ELABORATED BY THE COMMITTEE ON PESTICIDE RESIDUES

2.6.1 Draft Revised Maximum Residue Limits for Pesticides⁸ (para 144)

The Commission **adopted** the Draft and Draft Revised MRLs at Step 8 noting the reservations of the Delegations of Germany and the United States and the concerns of the Observer from Consumers International on the MRLs for ethephon in view of concerns regarding the acute reference dose, particularly in the case of children.

⁷ ALINORM 01/9, CAC/LIM 1 (comments of Consumers International), CAC/LIM 11 (comments of Argentina).

⁸ ALINORM 01/24, Appendix II; ALINORM 01/24A, Appendix II; CAC/LIM 1 (Comments of Consumers International)

2.6.2 *Extraneous Maximum Residue Limit for DDT (para. 145)*

The Commission was unable to reach a consensus on proposals to establish the Extraneous Maximum Residue Limit (EMRL) for DDT for meat at either 3 mg/kg or 5 mg/kg as proposed by the Committee on Pesticide Residues. A majority of the Members of the Commission who expressed an opinion favoured a lower EMRL of 1 mg/kg. However, since such a limit represented a significant amendment⁹ of the proposals of the Committee on Pesticide Residues, the Commission decided to retain the current temporary EMRL of 5 mg/kg and agreed that the proposal to lower the EMRL to 1 mg/kg should be referred to the Committee for further consideration.

2.6.3 *Proposed Draft and Proposed Draft Residue Limits for Pesticides¹⁰ (para. 146)*

The Commission **adopted** the MRL for ethephon for dried grapes at **Step 5 only**. It amended the MRL for citrus fruit to 0.5 mg/kg for pyroxyfen (200) following the decision of the Committee and **adopted** the remaining Draft and Draft Revised MRLs at Steps 5 and 8 with the omission of Steps 6 and 7.

2.6.4 *Proposed Draft Amendments to the Codex Classification of Foods and Animal Feeds¹¹ (para. 147)*

The Commission **adopted** the Proposed Draft Amendments at Step 5 of the Accelerated Procedure as presented.

2.6.5 *Other matters (paras 148-149)*

The Commission noted the information regarding the document *Tobacco Company Strategies to Undermine Tobacco Control Activities of the World Health Organization, Report of the Committee of Experts on Tobacco Industry Documents* which had been commissioned by the Director-General of WHO. The report indicated that the Tobacco Industry, through a WHO Temporary Advisor who was receiving fees from the tobacco industry at that time, had attempted to influence unduly the conclusions of the 1993 JMPR on the toxicological evaluations of ethylenbisdithiocarbamates (EBDCs) and ethylthiourea (ETU). The Commission took note of the thorough review of this case by the 2000 JMPR and the 33rd Session of the Committee on Pesticide Residues (April 2001). The 2000 JMPR had concluded that the 1993 evaluations were valid. The 33rd Session of the Committee was informed that an independent review conducted since also confirmed the conclusion of the 1993 JMPR and had decided that no further action was required concerning the Codex Maximum Residue Limits for dithiocarbamates, **adopted** by the Commission at its 23rd Session (July 1999); however new data on these substances would be evaluated as they became available.

The Commission also noted that the 2000 JMPR had recommended a range of enhanced transparency measures on which WHO was taking action and that the Organization had already introduced revised procedures for declaration of interest.

2.6.7 *Principles for the Establishment of Codex Methods of Analysis (paras 89-90)*

The Commission **agreed** to add a new sub-section on *General Criteria for the Selection of Methods of Analysis Using the Criteria Approach* as proposed by the Committee on Methods of Analysis and Sampling.

The Commission also considered the proposal for a new section on *Guidelines and Working Instructions to Aid the Implementation of the Criteria Approach*. The Delegation of Sweden, referring to its written comments and supported by some delegations, proposed to simplify the text to make it more suitable for inclusion in the Procedural Manual. Other delegations indicated that in view of the highly technical nature of the document, more time was required to consider the amendments proposed and the specialized

⁹ *Guide to the Consideration of Standards at Step 8 of the Procedure for the Elaboration of Codex Standards including Consideration of Statements relating to Economic Impact*: Procedural Manual of the Codex Alimentarius Commission, 11th ed., 1999, FAO/WHO, Rome.

¹⁰ ALINORM 01/24, Appendix III, ALINORM 01/24A, Appendix III; ALINORM 01/21, Part I-Add.3 (Comments of Germany); CAC/LIM 1 (Comments of Consumers International).

¹¹ ALINORM 01/24A, Appendix IV, CAC/LIM 13 (Comments of Argentina).

Committee should review them further. The Commission **agreed** that the revised text should be referred back to Committee on Methods of Analysis and Sampling for further consideration.

3. MATTERS ARISING FROM CODEX COMMITTEES

3.1 CODEX COMMITTEE ON GENERAL PRINCIPLES (CCGP) (ALINORM 01/33A, PARAS 76-83)

Application of Risk Analysis in the Elaboration of Codex Standards

The Codex Committee on General Principles is considering the Application of Risk Analysis in the Elaboration of Codex Standards prepared by India (for details see ALINORM 01/33A, paras 76-83). While considering it, the CCGP requested relevant Committees to consider specific issues raised which are relevant to the work of the Committee on Pesticide Residues.

This matter is placed on Agenda Item 5 (c).

3.2 CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES (CCNFSDU, ALINORM 03/26, PARAS 91-117)

Proposed Draft Revised Standard for Processed Cereal-Based Foods for Infants and Young Children

While revising the above Standard, the Committee agreed with the suggestion of the Observer of the EC to amend the pesticide residue provisions endorsed by the CCPR (ALINORM 01/24, para.74) in order to provide additional protection of infants and young children by inserting the following text (subject for endorsement by the Committee on Pesticide Residues):

“These limits shall take into account the specific nature of the products concerned and the specific population group for which they are intended”.

As the wording for pesticide residue provisions endorsed by the CCPR at its session had been amended by the Committee on Nutrition and Foods for Special Dietary Uses, the Pesticide Residue Committee is invited to consider and take an action on the amendment proposed by the 24th Session of the CCNFSDU.

4. MATTERS OF INTEREST ARISING FROM FAO/WHO

Review of working Procedures of the Joint FAO/WHO Meeting on Pesticide Residues

FAO and WHO have commissioned a wide-ranging review of the working procedures of JMPR. The report by the consultant, Mr S.J. Crossley, is available at the WHO web site, <http://www.who.int/pcs/jmpr/jmpr.htm>,

or the FAO web site,

http://www.fao.org/ag/agp/agpp/pesticid/jmpr/pm_jmpr.htm.

FAO and WHO are asking CCPR to respond to the recommendations in the report that are directed to it. This matter is placed on Agenda Item 12 “Other Business and Future Work”.