CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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Agenda Item 14 **CF12/CRD14**

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

12th Session
Utrecht, The Netherlands, 12 - 16 March 2018

DISCUSSION PAPER ON FUTURE WORK ON MAXIMUM LEVELS FOR LEAD FOR INCLUSION IN THE GENERAL STANDARD FOR CONTAMINANTS AND TOXINS IN FOOD AND FEED (CXS 193-1995)

Comment submitted by EU, Kenya, Malaysia, Republic of Korea, Uganda, USA and AU

EUROPEAN UNION (EU)

The European Union (EU) welcomes the work by the electronic Working Group chaired by Brazil on future work on maximum levels for lead for inclusion in the general standard for contaminants and toxins in food and feed.

The EU would like to comment that because JECFA was not able to establish a safe level of exposure to lead, MLs should be set As Low As Reasonably Achievable (ALARA) in order to reduce the exposure to lead. In order to achieve this goal, the prioritisation of food items for the setting of MLs, should be done on the basis of a high exposure to lead, resulting from these food items, rather than on the basis of high occurrence data for lead. Commodities with high lead levels could be less relevant for setting MLs due to a low exposure in case they are consumed in lower quantities, while commodities with lower levels could be more relevant, when consumed in high quantities. The limited contribution to the exposure to lead from cocoa and cocoa products and tea and herbs/fruits for infusions would not justify their inclusion in the high priority list.

As MLs are already set for fresh fruit and vegetables, which can be enforced for dried fruit and vegetables, through the use of processing factors, there is no need to set separate MLs for dried fruits and vegetables.

KENYA

***GENERALCOMMENT**: We appreciate the work of the EWG and we have no objection for the work to proceed on for the purpose food safety and protection of the health of consumers.*

Comment: we agree with prioritization criteria and list of foods identified for establishment of MLs for lead that are not included in GSCTFF

MALAYSIA

Malaysia would like to congratulate members of the Electronic Working Group led by Brazil on the progression of the document.

Malaysia is of the view that CCCF should not propose further work on the development of new MLs for lead

for inclusion in the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) (CXS 193-1995) until work on the revision of existing MLs in the GSCTFF had been completed. This is in line with the recommendation made by the CCEXEC73 as mentioned in the Agenda Item 2 (para 9).

REPUBLIC OF KOREA

The Republic of Korea agrees with the prioritization criteria proposed by the EWG which is based on lead occurrence levels and quantity of international trade. We support the start of a new work to set lead MLs for all food categories identified in Table 4 and following the schedule proposed in the project document.

UGANDA

Uganda requests that calls for data and joining the EWG on the revision of lead MLs for foods in the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) are recirculated.

Furthermore, Uganda is in agreement with the prioritization of commodities for future work but requests that commencement of new work for setting of MLs for food categories not included in the GSCTFF should only be started after the review and revision of existing MLs in the GSCTFF has been completed. This will allow effective participation of members.

UNITED STATES OF AMERICA (USA)

- The U.S. supports lowering lead exposure from food.
- The U.S. considers the prioritization criteria outlined in paragraphs 14-17 to be a useful approach, but the discussion paper should take exposure data into account to prioritize foods for ML development.
- The U.S. recommends that work start only for food categories identified as high priority, or a subset of those food categories. Given the workload of the Committee, it would be helpful to determine the number of MLs under consideration for each food category; for example, would the Committee consider one ML for tea, or multiple MLs for black tea, white tea, green tea, etc.?
- The U.S. agrees with encouraging Codex members to indicate other relevant food categories not listed in the document. We suggest that spices be considered as a high priority.

AFRICAN UNION (AU)

Position 1: African Union does not object to the prioritization criteria and list of foods identified for establishment of MLs for lead that are not included in GSCTFF

Issue and Rationale: Following the evaluation of lead by JECFA at its 73rd meeting which associated lead exposure to neurodevelopmental effects, impaired renal function, hypertension, impaired fertility and adverse pregnancy outcomes; emphasizing that fetuses, infants and children are the most sensitive to lead, CODEX has since 2012 embarked on lowering of MLs for lead in foods in the *General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF) (CXS 193-1995). Accordingly, revision of MLs for lead in selected fruits, vegetables and other categories of foods in GSCTFF have been revised and is still ongoing. However, because of the wide support to continue work on new MLs for a range of food categories, CCCF at its 11th session established an EWG chaired by Brazil to prepare the current document which prioritizes food categories that are not included in GSCTFF for establishment of new MLs for lead.

Table 6: Proposed list of foods for the establishment of lead MLs for relevant categories

High priority	**Intermediate Priority**	**Low Priority**
1. Cereal-based food for infants and young children 2. Fruit juice and herbal tea for infants and young children 3. Canned baby food 4. Tea and herbal tea (herbs/fruits for infusions) 5. Products for special nutritional use 6. Cocoa and cocoa products 7. Seafood (except fish) 8. Dried fruits 9. Processed fishes	1. Eggs 2. Algae and seaweeds 3. Nuts and oilseeds 4. Sugar and confectionery (excluding cocoa) 5. Cereal flours and starches 6. Dried vegetables 7. Spices and Aromatic herbs 8. Alcoholic beverages (except wine) 9. Coffee and coffee-based beverages	1. Stalk vegetables 2. Vegetable juice 3. Ice and desserts 4. Non-alcoholic beverages

The prioritization criteria were drawn from different policy documents of CODEX which are given as follows:

1. The preamble of GSCTFF of section 1.3.2 which requires that "*Maximum levels (MLs) shall only be set for those foods in which the contaminant may be found in amounts that are significant for the total exposure of the consumer, taking into consideration the Policy of the Codex Committee on Contaminants in Foods for Exposure Assessment of Contaminants and Toxins in Foods or Food Groups (Section IV of the Procedural Manual)*".
2. Paragraph 9 of the Policy of the CCCF states that "*From dietary exposure estimates JECFA identifies foods/food groups that contribute significantly to the exposure according to CCCF's criteria for selecting food groups that contribute to exposure*". i.e. contaminant or toxin contributes approximately 10% or more or 5% or more of the tolerable intake
3. Paragraph 10 of the Policy of the CCCF states that "*The CCCF determines criteria for selecting foods/food groups that contribute significantly to total dietary exposure of a contaminant or toxin. These criteria are based upon the percentage of the tolerable intake (or similar health hazard endpoint) that is contributed by a given food/food group and the number of geographic regions (as defined by the GEMS/Food Consumption Cluster Diets) for which dietary exposures exceed that percentage*".

The prioritization approach was also based on global lead occurrence data and importance of commodity in international trade (both importation and exportation) i.e. lead concentration was classified into 3 groups based on the mean: high occurrence level (≥ 0.05 mg/kg), intermediate occurrence level (0.01 ≤ x < 0.05 mg/kg) and low occurrence level (< 0.01 mg/kg). Impact of food categories on International trade was also classified in three groups, considering the percentage contribution of each category in total quantity of international trade: high impact (>10%), intermediate impact (1 ≤ x < 10%) and low impact (< 1%) in international trade. This led to three categories of foods as presented in the table 6 below. The prioritization procedure was therefore credible and consequently the recommended list of foods.

The recommendations of EWG are;

1. Agree on the prioritization criteria and list of foods
2. Encourage member countries to submit data of lead in prioritized food categories
3. Encourage member countries to identify other foods categories that follow the prioritization requirements and not listed in the document
4. Start new work to set new MLs for lead only for categories of all categories of food identified as schedule in the project document as follows:
    a. High priority-proposed MLs to be considered at CCCF 13 and 14 and finalized in 2021
    b. Intermediate priority- proposed MLs to be considered at CCCF 15 and 16 and finalized in 2023
    c. Low intermediate priority-proposed MLs to be considered at CCCF 17 and finalized in 2024

Issue and Rationale: There are commodities that meet the criteria for adoption for establishment of MLs for lead that are not on the list. For example, cassava is a staple for more than one billion people worldwide (FAOSTAT, 2011) especially in Africa, Asia and South America. FAOSTAT estimates that 34.1% (87,059, 000 tons) of world cassava production of 2013 was used for feed production and 67130 tons of cassava valued at 39 billion USD was exported to various countries for livestock product trade in 2012. About 15.1% and 14.1% of the 277,102,564 tons of world cassava produced in 2016 was involved in import and export trade respectively. The increasing use of the tuber as both food crop and industrial raw material qualifies it for inclusion in the prioritized food categories. Cassava and other crops that could meet the prioritization criteria and are of interest to Africa should be identified and considered for establishment of ML for lead for improving public health and trade.

Position 4: African Union does not support the commencement of new work for setting of MLs for food categories not included in the GSCTFF in CCCF 13 i.e. in 2019

Issue and Rationale: This is because work on establishment of MLs for lead in the food commodities listed in the GSCTFF is not concluded yet and there are other works ongoing on the prioritized food categories that need to be completed before commencement of new work on same products. For example, establishment of MLs for lead in fruits and vegetables, cadmium in cocoa products, total aflatoxin and ochratoxin A in spices, but to mention a few are ongoing and are listed in priority list for new work on MLs for lead. We therefore advise CCCF to accept the request of the Executive Committee of the Codex Alimentarius Commission (CCEXEC73) made at her 73rd session on MLs for lead in selected processed fruits and vegetables (revision of MLs) (for adoption at Step 5) which states; "*CCEXEC73 agreed to request that CCCF provide a reasonable deadline for completion of this work and recommended that CCCF not propose further work on the development of new MLs for lead for inclusion in the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) (CXS 193-1995) until work on the revision of existing MLs in the GSCTFF had been completed*"