

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 6

CRD30

ORIGINAL LANGUAGE

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

13th Session

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Comments of International Confectionery Association

The International Confectionery Association appreciates the opportunity to comment on the draft proposal from the electronic working group to set MLs on cadmium in the further categories of chocolate products with ≥ 30 to $< 50\%$ dry cocoa solids and $< 30\%$ dry cocoa solids, and in 100% cocoa powder. We also acknowledge the risk assessment advice in the report from the 77th meeting of the Joint FAO/WHO Expert Committee on Food Additives (JECFA) in 2013, which concluded that levels of cadmium in cocoa and cocoa products contributed only low amounts to dietary exposure to cadmium. JECFA concluded on a cadmium provisional tolerable monthly intake (PTMI) 25 $\mu\text{g}/\text{kg}$ bw, with only low average contributions from cocoa, 0.001 to 0.46 $\mu\text{g}/\text{kg}$ bw per month (0.004–1.8% of the PTMI).

Based on the JECFA assessment, CCCF considered that cadmium in cocoa and cocoa products did not present a meaningful health risk to consumers, its presence largely due to natural occurrence in geographic regions with volcanic soils, and it was not necessary to pursue maximum levels. However, due to regulatory measures being taken in certain regions of the world, the Committee agreed it would be appropriate to set global MLs under Codex to ensure standards being used in regions would be globally-achievable and avoid undue complexity for trade, based on data that reflect achievability across cocoa-producing regions.

Reflecting on information exchanged through the electronic working group and by delegations to CCCF over the years of discussion on this item, we wish to ensure that any further maximum levels for defined categories of cocoa and cocoa products are based on technical knowledge and are reasonably achievable globally, following the ALARA principle and based on the relatively low risk.

A remaining category of key concern is 100% cocoa powder. As shared during previous years, cadmium is present in the cocoa powder contribution of total dried cocoa solids, but it does not accumulate in cocoa butter. In chocolate bars the % dried cocoa solids is made up of both cocoa butter and cocoa powder. Therefore, the levels tend to be proportionally lower. In 100% cocoa powder, there is need for additional flexibility and a proportional approach, based on global achievability from different geographic growing regions.

For a consistent, proportionate approach to cadmium levels in 100% cocoa powder, both for direct use or as an ingredient, clearly an ML must be higher than the 0.9mg/kg already set for chocolate products containing $\geq 70\%$ dried cocoa solids. Data collected by the electronic working group indicated average levels in cocoa powder up to 1.4mg/kg. Considering there is no cocoa butter present in 100% cocoa powder, the level of 1.4mg/kg would appear to be the lowest reasonably achievable.

Where certain countries or regions have already set stricter maximum levels for cadmium in cocoa powder, we would hope that the data shared at Codex would allow them to align with appropriate globally ALARA MLs. The technical knowledge shared under Codex on the presence in cocoa solids being different for cocoa powder vs cocoa butter and the relevance of a proportionate approach need to be taken into account.