

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
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Agenda Item 5(a)

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ORIGINAL LANGUAGE ONLY

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

Fifteenth Session

Mexico City, Mexico, 19 – 23 October 2009

PROPOSED LAYOUT FOR CODEX STANDARDS FOR FRESH FRUITS AND VEGETABLES

- Comments in response to CL 2008/13-FFV

(Mali, Philippines and United States of America)

MALI

Le Mali souhaite formuler les observations suivantes sur l'Annexe V de l'ALINORM 08/31/35 :

Prendre en compte la **définition du produit** dans le chapitre2 **description**, du Cadre pour les normes Codex pour les fruits et légumes frais.

PHILIPPINES

Although CCFFV concurred that UNECE standards should be taken into account during development of standards of similar produce when such standards are already available, the Philippines is still in view that the proposed layout should not *necessarily* adopt the UNECE model. CCFFV should carefully take this into consideration. In principle, the layout should be *encompassing and applicable globally* as there are factors which will not be taken into account by UNECE whose focus is primarily on regional and northern hemisphere factors.

3. PROVISIONS CONCERNING QUALITY

The Philippines believes that provisions for quality should be kept in minimum if not completely excluded. Numerous quality parameters have no bearing on food safety and fair trade practices. Too many quality provisions prevent industry flexibility and innovation determined by market demands. Codex standards must provide greater flexibility to prevent barriers to trade and focus should be given on food safety. The Philippines supports the retention of Minimum Requirements. However, provisions for Maturity Requirements and Classification should not be too prescriptive and therefore should be carefully examined.

8. FOOD ADDITIVES

The Philippines is in view that Codex General Standard for Food Additives (GSFA) should become the single Codex reference point for food additives and this should be restricted in commodity standards like standards for fresh fruits and vegetables. The table is no longer necessary and cross-referencing to GSFA will be sufficient.

UNITED STATES OF AMERICA

The United States submits the following comments in response to CL 2008/13-FFV on the CCFFV standard Layout.

General Comments

The United States continues to support the activities of the Codex Committee on Fresh Fruits and Vegetables and recognizes its eminent role in international consumer protection and in the trade of these commodities. For this reason, the United States welcomes the opportunity to comment on the CCFV Standard Layout.

The U.S. welcomes the clarification of the Committee that the “Committee may omit or add text from the Layout as appropriate for the produce concerned for Codex purposes.” This enhances the ability of CCFFV to develop standards based on individual fruit and vegetable attributes, accepted cultural practices and trading practices.

The CCFFV Terms of Reference (b) in the Eighteenth edition of the Codex Alimentarius Commission Procedural Manual (2008) states the following:

(b) to consult with the UNECE Working Party on Agricultural Quality Standards in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format.

Attention is drawn to the phrase “**consult with.**” The U.S. is a full member of the UNECE and participates fully in its standardization activities; however, the U.S is concerned by the attempts by some joint Codex and UNECE member countries and organizations for Codex to adopt UNECE standards. Historically, UNECE standards are developed for a specific region from a geographical, cultural and legal perspective, and therefore, may not be truly international in their current form. For this reason, the U.S. recommends that CCFFV apply the same standardization prerequisites to any request to adopt or adapt any UNECE standard.

Specific Comments

3 PROVISIONS CONCERNING QUALITY

3.1 MINIMUM REQUIREMENTS:

The introductory sentence to this section is often overlooked by the Committee, resulting in seemingly unnecessarily lengthy discussions on individual minimum requirements. The U.S. believes that these minimum requirements should reflect actual consumer protection parameters balanced with actual trading practices; therefore the CCFFV should try to define the normative language in this section. In this regard, a Table of Tolerances for defects allowed, based on the minimum requirements would be helpful.

3.1.2 Maturity Requirements

The practice of prescribing maturity requirement in CCFFV standards counters trading practices and consumer expectations. Differences in taste and preferences, geo-climatic conditions, plant breeding innovations and culture, make prescribing maturity requirements that are acceptable to all CCFFV members practically impossible.

Since fruits and vegetables intended for export are usually harvested at the “Market Maturity stage,” a stage of development that allows for transportation, handling, shelf life and targeted market consumer expectations, the U.S. believes that the following statement should be inserted in this section:

- *The product “must have reached the stage of development which will ensure a proper completion of the ripening process”*

4. Provision Concerning Sizing

The U.S. prefers the exclusion of the sizing requirement from the Codex Fresh Fruit and Vegetable standards due to the following reasons:

- i. New plant varieties developed along with husbandry practices are increasingly tailored to produce fruits and vegetables of various sizes in response to market needs. Also, the migration of fruit and vegetable production across geo-climatic zones most often results in fruit and vegetable sizes that defer from emigration zone.

- ii. Sizes of fruit for market acceptance are best handled by the trade. Buyers/importers tailor purchases according to sizes preferred by their customers.
- iii. There is no uniform international size acceptance for fresh fruits and vegetables; each market/country has its preferred size demands which are currently being addressed by the trade. Therefore, CCFV attempts to impose common sizes contradicts actual trading practices.

5. PROVISION CONCERNING TOLERANCES: - resorting and grading FFV

The U.S recommends that this section of the Standard Layout reference the Codex Committee on Food Import and Export Inspection and Certification (CCFICS) Guideline 47-2003 sections 9, 10 and 27. This guideline provides for holders of produce that fail conformity assessment to bring such into conformity. This Guideline is consistent with Article 1 (a) and (b) of the Statutes of the Codex Alimentarius Commission.

5.1 QUALITY TOLERANCES

The U.S recommends a Table of Tolerances instead of the text language, which is more complicated. This table would include the total tolerances allowed for defects in each class along with the limits of individual defects for non-progressive and progressive defects, including decay and internal breakdown.

Such a table would replace the following normative sections of Section 5.1.1 and 5.1.2,

“not satisfying the requirements of the class, but meeting those of Class I / Class II or, exceptionally, coming within the tolerances of that class;” and the following of Section 5.1.3., “neither the requirements of the class nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.”

We suggest the following table:

Defects Allowed	Tolerances Allowed Percentage of defects by count or Weight		
	Extra Class	Class I	Class II
Tolerances for <u>name of FFV</u> not satisfying the minimum requirements, Of which no more than	5%	10%	10%
Non Progressive defects			
- Dirty	2	5	5
- Foreign Matter	1	3	4
- Bruises	1	2	3
Damaged by pests	0	1	2
Progressive defects			
- Including, Decay and/or Internal Breakdown of which decay is no more than	2	3	5
	1	1	2

Tolerances for Decay and Internal Breakdown

Due to the highly perishable nature of fresh fruits and vegetables, the inability of any producer, packer and exporter to guarantee the absolute quality of every fruit and/or absence of decayed fruit after packaging and at destination, and the reduction in the use of post-harvest chemical based treatments, the U.S. recommends the inclusion of the following tolerances in the standard layout. These tolerances can be adjusted depending on the characteristics of the produce being standardized:

“Extra Class” and Class I- 1 percent; Class II- 2 percent

Tolerances for decay and internal breakdown are allowed by trading parties; however, the absence of such in CCFV Standards is often interpreted by some national regulatory agencies as “Zero Tolerance.” Most importantly, the enforcement of a “Zero Tolerance” for decay and internal breakdown applied at both the shipping point and destination would be very disruptive to the international fresh fruit and vegetable trade.

This request to include this tolerance would not necessarily result in allowing decayed fruits and vegetables to be sold to consumers. Importers would still have to sort produce to meet national food safety regulations. In addition, national inspection agencies using the CCFICS Guideline 47-2003 sections 9, 10 and 2, would request bringing such into conformity.

5.2 **SIZE TOLERANCES**

The U.S. recommends discontinuing the practice of prescribing uniformity requirements based on size codes or ranges. The current text on “Size Uniformity” within each package in the CCFFV Standard Layout, sufficiently addresses this issue. Additionally, the acceptance of Size Uniformity within a package is usually based on national and regional legislation and trading practices and consumer acceptance.

Recent discussions of “Size Uniformity” and “Size Tolerances” on tomatoes and apples at the CCFFV have delayed standard development and mired both plenary and working group discussions. In both instances, the issue was resolved by including three different methods, one of which is “based on national legislation.” Having size uniformity based on national legislation supports the discontinuation of prescriptive/detailed uniformity parameters. The current text in the standard layout should be the sole requirement in CCFFV standards. This retention would expedite the standard development process, facilitate current trading practices and trade and simplify application of the standard.