codex alimentarius commission

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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Agenda Item 17 (e) **CX/FAC 05/37/30-Add. 1**
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

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PROPOSED DRAFT CODE OF PRACTICE FOR SOURCE DIRECTED MEASURES TO REDUCE DIOXIN AND DIOXIN-LIKE PCB CONTAMINATION IN FOODS

COMMENTS AT STEP 3

The following comments have been received from: Australia, Brazil, Cuba, South Africa, USA and CEFS

AUSTRALIA:

Australia would like to make the point that where possible any work in this area should acknowledge, consider, and incorporate existing work in this area ie Code of Practice on Good Animal Feeding CAC/RCP 54-2004 which the CAC adopted at its 27th Session in 2004 (ALINORM 04/27/41). The following are the relevant excerpts from the report:

ALINORM 04/27/41

Draft Code of Practice for Animal Feeding (with the exclusion of the definition of feed additives and paragraphs 11, 12 and 13)

23. The Commission agreed to make a final decision regarding the draft Code when considering the text forwarded by the 5th Session of the Intergovernmental Task Force on Animal Feeding (see the paragraph below).

Draft Definition of Feed Additives and paragraphs 11 and 12 of the draft Code of Practice on Good Animal Feeding

24. The Commission adopted the entire draft Code of Practice on Good Animal Feeding, including the outstanding issues that were returned to the Task Force for finalization, with an amendment in the Spanish version of paragraph 12 to refer to "efectos adversos posibles" instead of "riesgos posibles". The Chairperson of the Intergovernmental Task Force on Animal Feeding, hosted by Denmark, expressed the view that the term "other substances" in the footnote of the definition of feed additives did not include antibiotics."

BRAZIL:

All the points discussed on this proposal correspond to the current knowledge on dioxins and PCBs similar to dioxins and they can be accepted to guarantee the alimentary safety of the population regarding these pollutants. In some industrialized countries same measures are already being practiced.

Even if the measures addressed to the industrial and environment sources are not considered on this code of practice, it is recommended to establish means of collaboration and change of information with competent institutions on these subjects. The Brazilian Ministry of the Environment already began an activity on this area as, for instance, the elaboration of a national inventory of these pollutant sources estimating the annual emissions, which is part of the Stockholm Convention obligations. The Convention was ratified by Brazil in June of 2004.

The knowledge of the different matrices of contamination (food, ration, soil etc.) is indispensable to define and to implant reduction measures or elimination of the population exhibition. Nowadays, there is only one laboratory of private funds located in Brazil, Rio de Janeiro and the Brazilian Ministry of Environment recently announced the installation of a laboratory for dioxins analysis in São Paulo probably for environmental samples analysis.

CUBA:

In our opinion the document provides very valuable information and we have no new comments concerning it.

SOUTH AFRICA:

Background

The 36th Session of the CCFAC agreed to return the proposed draft to Step 2 for revision by the drafting countries, circulation for comments at Step 3 and further consideration at the next Session. With respect to the draft at Step 3, South Africa would like to submit the following comments.

Comments

South Africa would like to commend the drafting countries for their efforts, though we believe that the document reflects positions that apply mainly to developed countries and hence certain sources and practices that are characteristic to our conditions have not been identified. After incorporation of our comments and correcting some editing errors, South Africa believes that the document would reflect a good balance.

Under GENERAL REMARKS, paragraph 3, and to some extent paragraph 9, South Africa believes that this might not be the case for developing countries and that numerous sources, both industrial and non-industrial, which produce dioxins and dioxin-like-PCBs (but have not been quantified) should be incorporated. Many industries and incinerators in developing countries are still likely to have air pollution control measures that are not close to standards of developed countries. There are also other sources, which are linked to food preparation that should be noted (the most important would be the use of coal and wood as fuel for indoor and outdoor cooking in many African countries). A variety of known potential sources have been reflected in both the African and Global Report of the Regionally Based Assessment of Persistent Toxic Substances. The lack of knowledge on sources of these compounds has been highlighted in these reports. The inherent assumption in these paragraphs that the sources are well understood and the necessary infrastructure and knowledge about practices exists to reduce or eliminate contamination may be the case for developed countries, but does not nearly reflect the conditions, practices and needs in developing countries.

South Africa therefore wishes to propose the following amendments:

Paragraph 3

Proposal

"Today emissions of dioxin-like **PCBs occur from leakages, accidental spillages, illegal waste disposal, emissions via air through thermal processes, migration** from sealants and other old matrix applications and should be minimized whenever possible. The remobilization of dioxin-like PCBs from environmental reservoirs is similar to dioxin."

Motivation

In developing countries, where cooking with wood and coal predominates, direct pollution of food and indirect exposure via soil and air is likely to contribute towards long-term human exposure, although the extent and associated risks have not been quantified.

Paragraph 9

Proposal

"Foods of animal origin are the predominant route of human exposure to dioxins and dioxin-like PCBs (ca. 80-90% of total exposure). In most countries, the bulk of the dietary intake of dioxins and dioxin-like PCBs is due to contamination of animal fats in fish, **meat and dairy products. In some countries, contamination through food preparation and cooking practices can contribute significantly to dietary exposure.** The load of dioxins and dioxin-like PCBs of the production animals, including farmed fish, is directly related to feed contamination (e.g. fish oil and fish meal), or to contamination of the local environment (free-range animals). Thus an integrated approach to reduce these contaminants in the whole chain of food production should be established."

Motivation

In developing countries where cooking, as indicated above, is widely practiced and problems with open burning of wastes and illegal and/or informal landfills exist, contamination through these means could conceivably contribute extensively to soil and vegetation dioxin levels.

Paragraph 11

Proposal

The second bullet to read as follows-

"Identification of **areas, agricultural and other, with** unacceptable dioxin/PCB contamination due to local emission or accidents or illegal disposal of contaminated materials and monitoring of food derived from these areas."

Addition of 2 new bullets to read as follows-

Identification of the extent of local sources in residential areas in developing countries that could lead to contamination of air, soil and vegetation.

Identification of food preparation practices that could lead to inadvertent contamination of food and education the communities on preventative measures.

Motivation

The nature of the fuel (coal, wood, paraffin, waste material, e.g. dried dung, etc) still needs to be investigated.

Paragraph 66

Proposal

The following bullet should be added, possibly as the first bullet, in paragraph 66

"Laboratories should be encouraged to develop capacity and implement appropriate techniques, to analyze dioxins and dioxin-like PCBs in food and feed."

Motivation

Developing countries have little or no infrastructure to measure dioxins and PCBs. The support in strengthening existing institutions, though existing international networks such as the Stockholm Convention (Articles 12 and 14) should be strongly supported. It is likely that with better emission controls, the bulk of dioxin emissions will shift towards the less developed countries, and their needs to analyze and measure these compounds would increase.

USA:

This is in response to a request for comments on the proposed Draft Code of Practice for the Prevention and Reduction of Dioxin and Dioxin-like PCB Contamination in Foods (CX/FAC 05/37/30) which will be considered at the 37th Session of the Codex Committee on Food Additives and Contaminants.

General Comments

The U.S. supports advancing to step 5 the current proposed Draft Code of Practice for the Prevention and Reduction of Dioxin and Dioxin-like PCB Contamination in Foods which provides recommended practices to governments and national authorities to reduce dioxin and dioxin-like PCB contamination of food.

Specific Comments

Paragraph 34

The U.S. believes that paragraph 34 is overly prescriptive and questions the scientific basis for contamination of straw with dioxin and dioxin-like PCBs from soil unless it is from a known contaminated area (paragraph 30). Therefore the U.S. suggests that this paragraph be deleted.

Paragraph 46

Paragraph 46 states "Smoking and grilling can be critical processing steps for increased dioxin content in foods, especially if the products show a very dark surface with particles of soot." The U.S. questions the scientific basis for formation of dioxin from smoking and grilling foods, therefore we recommend that this paragraph be deleted.

Paragraph 48

The inclusion of "colourants, preservatives, antioxidants, flavours" in the parenthetical phrase is unclear. All of these substances are considered food additives under the Codex system. Moreover, Codex has a mechanism to elaborate specifications of identity and purity for all food additives that is based on the science-based recommendations of the Joint FAO/WHO Expert Committee on Food Additives (JECFA). The U.S. suggests that

the first sentence be revised to focus more on all food ingredients and not just food additives. The U.S. suggests the first sentence be revised as follows: "All ingredients in food should have minimal levels of dioxin and dioxin-like PCBs to reduce possible contamination of food."

Paragraph 51

We believe that the intent of the last sentence in this paragraph is to minimize the use of dioxin and dioxin-like PCB containing paints on storage containers. Therefore, we recommend that the last sentence be revised to: "Storage containers of food or feed should be painted only with PCDD/PCDF- and PCB-free paint."

The U.S. appreciates the opportunity to comment on the proposed Draft Code of Practice for the Prevention and Reduction of Dioxin and Dioxin-like PCB Contamination in Foods.

CEFS:

Since several years, the European sugar producers co-ordinate their monitoring of the eventual presence of dioxins and dioxin-like PCBs in the animal feed products they produce (notably sugar beet pulp and molasses). The European sugar industry produces about 14 Mio tonnes of beet pulp (pressed and dried pulps) every year for the EU-15 Member States alone. The European sugar industry has invested heavily in improving the efficiency of the beet pulp pressing process, to save fuel needed for pulp drying, and to improve product quality. A major quantity of the pressed pulp is dried by means of direct drying processes using different fuels, although the latter are very much limited to coal, gas and oil.

So far, however, all our tests have consistently shown very low and safe levels (measured in WHO-TEQ equivalent at 12% moisture as prescribed by EC Directive 2001/102/EC of 27 November 2001) of dioxins and dioxin-like PCBs in all animal feed products (i.e. pulps, molasses, etc.). Moreover, nothing in these data suggests that any of the fuels used contributes to a higher level of dioxins and dioxin-like PCBs when compared to the other fuels used (coal, gas, oil) or even when compared with the levels found on fresh pulp before being dried.

Section 1.2.4 of the proposed draft Code of Practice for the Prevention and reduction of Dioxin and Dioxin-Like PCB Contamination suggests the phase out of a wide range of fuels for use in drying processes. CEFS, while acknowledging the reasonable phasing out of many of the fuels described, questions the scientific basis supporting such a wide prohibition, in particular as regards coal and refined oils.

Accordingly, CEFS considers that **the scientific basis of paragraph 43 of the draft text are to be clearly established and the wording and content of the text be revised so as to reflect the proven safe use of certain of these fuels**.