

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 7(c)

CX/PR 23/54/8

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

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REVISION OF THE CLASSIFICATION OF FOOD AND FEED: PORTION OF THE COMMODITY TO WHICH MAXIMUM RESIDUE LIMITS APPLY, AND WHICH IS ANALYZED FOR GROUP 006 ASSORTED TROPICAL AND SUB-TROPICAL FRUITS - INEDIBLE PEEL GROUP 023 OILSEEDS

(Prepared by the Electronic Working Group chaired by the United States of America
and co-chaired by the Netherlands)

Codex members and observers wishing to submit comments on this document
should do so as instructed in CL 2023/35-PR available on the Codex webpage¹.

BACKGROUND

1. Background on the discussion of the revision of the *Classification of Food and Feed* (CXA 4-1989) can be found in the reports of the 36th – 53rd sessions of the Codex Committee on Pesticide Residues (CCPR) including relevant sessions of the Codex Alimentarius Commission (CAC) held from 2004 to 2022.²
2. CCPR53 (2022) considered other matters related to the revision of the Classification of Food and Feed concerning the modification of the portion of commodities to which MRLs apply and which is analyzed in relation to:
 - Group 014 (Assorted fruits – inedible peel) (*Guidelines on portion of commodities to which MRLs apply and which is analyzed* (CXG 41-1993)) and Group 006 (Assorted tropical and sub-tropical fruits – inedible peel (*Classification of Food and Feed* (CXA 4-1989)))
 - Group 023 Oilseeds
3. The United States of America, as Chair of the Electronic Working Group (EWG) on the revision of the Classification, recalled that the issues raised in the proposal for the modification of the portion of commodities to which MRLs apply and which is analysed raised by Ecuador for Group 014/Group 006 (CX/PR 22/53/17) and by Australia for Group 023 Oilseeds (CRD11) had been considered by the virtual meeting of the Working Group held prior to CCPR53 and that it was proposed that they should be considered further by the EWG in order to make recommendations for consideration by CCPR54.
4. The Codex Secretariat noted that, following the requests from Australia and Ecuador to provide clarifications on provisions pertaining to the portion of the commodity to which the MRL applies and which is analyzed for both Group 014/006 (Ecuador) and Group 023 (Australia), the Secretariat would request to task the EWG on the revision of the Classification to undertake the review of CXG41 vis-à-vis the Classification on provisions for the portion of the commodity to which the MRLs apply and which is analyzed with a view to integrate CXG41 into the Classification as appropriate and subsequently recommend its revocation to avoid the coexistence of two Codex texts addressing the same provisions with the possibility to become redundant or contradictory.

¹ Codex webpage/Circular Letters:
<http://www.fao.org/fao-who-codexalimentarius/resources/circular-letters/en/>.

Codex webpage/CCCF/Circular Letters:
<https://www.fao.org/fao-who-codexalimentarius/committees/committee/related-circular-letters/tr/?committee=CCPR>

² Reports of CCPR and CAC meetings are available at:
<http://www.fao.org/fao-who-codexalimentarius/committees/committee/en/?committee=CCPR>
<http://www.fao.org/fao-who-codexalimentarius/committees/cac/meetings/en/>

5. The Codex Secretariat indicated that this was in line with the decision of CCPR that once the revision of the Classification would be completed, the Committee would decide on whether to retain CXG41 as a single text or integrate it into the Classification. She further noted that the revision of the Classification would be completed with the finalization of the revision of Class B and Class E.³
6. CCPR53 agreed to CCPR53 (2022) agreed to re-establish the EWG on the revision of the Classification, chaired by USA and co-chaired by The Netherlands to continue work on the revision of the Classification and in addition, to consider the proposals on the portion of the commodity to which MRLs apply, and which is analyzed for Group 006 Assorted tropical and sub-tropical fruits - inedible peel and Group 023 Oilseeds.⁴

DISCUSSION

Group 006 Assorted tropical and sub-tropical fruits – inedible peel

7. Ecuador proposed in the working document submitted to CCPR53 ([CX 22/53/19](#)) that the portion of commodities to which CXL apply and is analyzed should be the whole product without the peel for Group 006 Assorted Tropical and Sub-tropical fruits – inedible peel (avocado, passion fruit, banana, pineapple, kiwi, mango, papaya). AgroCare Latinoamérica and Thailand supported the proposal by Ecuador.
8. Australia did not support the proposed change because the change would not reflect the commodities in trade and could necessitate reconsideration of current CXLs. Australia and Germany also noted the need to revise the misleading wording for “banana pulp”. India, France, the European Union (EU) and Crop Life International supported Australia’s position that the whole fruit is the portion to which the MRL applies and is analyzed.

Group 023 Oilseeds

9. Australia proposed in the conference room document submitted to CCPR53 ([CRD11](#)) that the EWG reconsider the portion of the commodity to which the MRL applies as there appears to be no record of discussion or agreement at CCPR to justify the change from “after removal of shell or husk” to “with shell or husk”.
10. Germany cited EU regulations which excepts peanuts/groundnuts, cotton seed, castor bean. Thailand supported considering oilseed commodities that need removal of its shell or husk. Australia indicated that oilseeds should be considered as “Unless otherwise specified, seed or kernels after removal of shell or husk”. [note that most small oilseeds are processed either mechanically or chemically to obtain the oil].

CONCLUSIONS

11. Consensus was reached that the changes to the *Classification of Food and Feed* should be implemented:

Group 006 Assorted tropical and sub-tropical fruits - inedible peel

Portion of the commodity to which the MRL applies (and which is analysed): Whole fruit unless qualified: e.g.

- Banana after removal of crown tissue and stalks.
- Pineapple after removal of crown.
- Avocado, mangos, and similar fruit with hard seeds: Whole commodity after removal of stone but residue calculated and expressed on whole fruit.

Group 023 Oilseeds and oilfruits

Portion of the commodity to which the MRL applies (and which is analysed):

- Oilseeds: Unless otherwise specified, seed or kernels, with shell or husk.
- Peanuts: Kernels
- Castor beans: Whole product after removal of capsules
- Cotton seeds: Undelinted
- Oilfruits: Whole commodity

RECOMMENDATIONS

12. This document should be read in conjunction with CX/PR 23/54/9 (Agenda Item 7d).
13. CCPR is invited to consider the changes to *Classification of Food and Animal Feed* (CXA 4-1989) for Group 006 – Assorted tropical and sub-tropical fruits (inedible peel) and Group 023 - Oilseeds and oilfruits, as shown in paragraph 11, based on the above discussion and comments submitted by Codex members and observers in reply to the circular letter.

³ REP22/PR53, paras. 171-173

⁴ REP22/PR53 para. 178