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Agenda Item 2(c)

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

Sixth Session

Maastricht, The Netherlands, 26 – 30 March 2012

REVISION OF THE CODE OF PRACTICE FOR SOURCE DIRECTED MEASURES TO REDUCE CONTAMINATION OF FOOD WITH CHEMICALS AS TO THEIR APPLICABILITY TO FEED

(Second part of the report of the electronic Working Group on the revision of the Risk Analysis Principles of the CCCF and the Code of Practice for Source Directed Measures)

Background

1. The Committee was invited by the CAC to consider, at its 5th session, the review of the *Risk Analysis Principles Applied by the Committee on Food Additives and the Codex Committee on Contaminants in Foods* as proposed in the report of the electronic working group on future work on animal feed (Annex 1 to CX/CF 11/5/2) for further consideration by CCGP and the proposed review of the *Code of Practice for Source Directed Measures to Reduce Contamination of Food with Chemicals* (Annex 2 to CX/CF 11/5/2), both as to their applicability to animal feed.

2. The Committee was also requested to consider the review of its Risk Analysis Principles as proposed by CCGP (Annex 3 to CX/CF 11/5/2). In addition, the Committee was informed by the Codex secretariat that CCFA, at its 43rd session, decided to advocate separate Risk Analysis Principles on food additives and on contaminants.

3. The Committee agreed to establish an electronic Working Group (eWG) led by The Netherlands with the following terms of reference (ToR) (REP11/CF, paras. 7-9):

A- to prepare separate Risk Analysis Principles for contaminants and natural toxins in food and feed;

B- to examine whether it was necessary to further specify the applicability to feed in the Principles as well as the Code of Practice as proposed in Annexes 1 and 2 of CX/CF 11/5/2, respectively; taking into account the proposal for the amendment of the definition of

contaminant as presented in CRD 18; and

C- to consider any other revisions that might be necessary to update the terminology in the Principles for consistency with the current risk assessment terminology.

4. The eWG was established and members included: Argentina, Australia, Austria, Brazil, Canada, Chile, Colombia, European Union, FAO, FoodDrinkEurope, Finland, France, Germany, Greece, ICBA, ICGMA, IDF, Japan, Lebanon, Spain, Thailand, United States of America and WHO (see Annex IV). Comments were received from Argentina, Australia, Austria, Canada, Colombia, FAO, France, ICBA, Japan, Lebanon, USA and WHO.

Part A of the ToR is reported in document CX/CF 12/6/3 to Agenda item 2b

Part B of the ToR is reported in the current document

Part C of the ToR has been taken into account in Parts A and B and is not reported separately

Discussion

1. The revisions to the Code of Practice as to their applicability to feed as proposed by the eWG on future work on animal feed have been retained in the document, as most responding members of the working group agreed to this. However, one member objected to the specification of feed in the Code of Practice for Source Directed Measures. The revised Code of Practice is included in Annex I as track change version, a 'clean' version is included in Annex II.

2. A proposal to amend the definition of 'contaminant' so that it also covers feed (CRD18 of CCCF5, also reproduced in Annex III to the current document) has been considered by the eWG. The majority of the responding members agreed to retain the reference to feed but questioned or objected to the proposed inclusion of the reference to residues of veterinary drugs in the original proposal. A revised proposal was included in Annex II to this document.

3. As a response to the requests for explanation of the proposal, the Member who proposed the amendment clarified that in section 1.2.2 of the General Standard for Contaminants and Toxins in Foods and Feeds (GSCTFF, CODEX STAN 193-1995), feed additives are not excluded from the indicated application of the term 'contaminant', contrary to compounds governed by other Codex Committees such as pesticide residues or residues of veterinary drugs. This would imply that feed additives would be dealt with by CCCF if necessary. However, without the amendment as proposed by the member, any substances intentionally added to feed (such as feed additives and veterinary medicine) would expressly be excluded from the definition of 'contaminant', and this would imply that CCCF would not deal with feed additives. This would leave a discrepancy in the issue of feed additives. The member emphasized the need of clarifying which Codex Committee is going to deal with residues of feed additives. Therefore this is included as a recommendation for discussion by CCCF.

4. One member suggested making the specification in the Code of Practice that for feed, there would need to be a direct relation to and scientific proof of food safety impact. The rationale for this would be that recommendations to minimize the contamination in feeds would only be linked to the aim of mitigating the contamination of animal products and byproducts intended for human consumption and not to the direct competences on feed. It is recommended by the eWG that this proposal is discussed in the plenary of CCCF.

Recommendations to CCCF:

- To forward the proposed revision of the Code of Practice for Source Directed Measures to the Codex Alimentarius Commission for endorsement;
- To discuss the issue of the Codex responsibility for feed additives;
- To discuss the issue of a specification the need for a direct relation and scientific proof of food safety impact for feed in the Code of Practice.

ANNEX I - Proposed revisions to the Code of Practice for Source Directed Measures – track change version

Reading note:

Proposed original revisions as to the applicability to feed in *italics and bold*

Proposed revisions by the eWG in track changes.

CODE OF PRACTICE FOR SOURCE DIRECTED MEASURES TO REDUCE CONTAMINATION OF FOOD ~~AND FEED~~¹ WITH CHEMICALS CAC/RCP 49-2001

1. This document deals with the major sources of environmental chemicals which may contaminate foods *or feed for food producing animals* and constitute a hazard to human health and therefore, have been considered for regulation by CCCF ~~AG~~/CAC. Apart from environmental contaminants ~~and residues of feed additives~~, foods may contain chemicals used as pesticides, veterinary drugs, food additives or processing aids. However, since such substances are dealt with elsewhere in the Codex system, they are not included here, ~~neither are mycotoxins or natural toxins~~.

2. The main objective of this document is to increase awareness of sources of chemical contamination of food and feed, and of source-directed measures to prevent such contamination. This means that measures recommended in the document may lie outside the direct responsibility of the food *or feed* control authorities and Codex.

3. National food *or feed* control authorities should inform relevant national authorities and international organizations of potential or actual food *or feed* contamination problems and encourage them to take appropriate preventive action. This should result in decreased levels of chemical contamination and, in the long term, could result in a decreasing need to establish and maintain Codex Maximum Levels for chemicals in food *or feed*.

4. Different approaches may be used to try and ensure that the levels of chemical contaminants in ~~Foodstuffs~~^{Foodstuffs} ~~and feed~~ are as low as reasonably achievable and never above the maximum levels considered ~~acceptable~~^{tolerable} from ~~a human~~^{the} health point of view.

Essentially, these approaches consist of

a. measures to eliminate or control the source of contamination,

b. processing to reduce contaminant levels, and,

c. measures to identify and separate contaminated (~~levels above ML~~) food *or feed* that may ultimately enter the human food chain from food fit for human consumption, ~~or feed fit for food producing animals~~.

The contaminated food is then rejected for food use, unless it can be ~~reconditioned~~^{treated} and made fit for human consumption.

By analogy, ~~in the case of feed, the contaminated feed exceeding MLs should also be is also then rejected for feed use unless the feed is treated to make it fit for reconditioned and made fit for animal consumption~~. In some cases, a combination of the above approaches must be used, for example, if emissions from a previously uncontrolled source have resulted in environmental pollution with a persistent substance, such as PCBs or mercury. When fishing waters or agricultural land become heavily polluted due to local emissions, it may be necessary to blacklist the areas concerned, i.e. to prohibit the sale of foods *and feeds* derived from these polluted areas and to advise against the consumption of such foods *or feeds*.

5. Control of final products can never be extensive enough to guarantee contaminant levels below established Maximum Levels. In most cases, chemical contaminants cannot be removed from foodstuffs *or feed* and there is no feasible way in which a contaminated batch can be made fit for human consumption *or a contaminated feed batch can be made fit for animal consumption*, ~~by feed producing animals~~. The advantages of eliminating or controlling food *or feed* contamination at source, i.e. the preventive approach, are that this approach is usually more effective in reducing or eliminating the risk of untoward health effects, requires smaller resources for food *or feed* control and avoids the rejection of foodstuffs *or feedstuffs*.

6. Food *and feed* production, processing and preparation operations should be analysed with a view to identifying hazards and assessing the associated risks. This should lead to a determination of critical control points and the establishment of a system to monitor production at these points (i.e. the Hazard Analysis Critical Control Point or "HACCP" approach). It is important that care is exercised throughout the whole production-processing and distribution chain, since food safety and quality in other respects cannot be "inspected into" the product at the end of the chain.

7. Pollution of air, water and arable land can result in the contamination of crops grown for food or feed, food producing animals and surface and ground waters used as sources of water for drinking and food production and processing. The relevant national authorities and international organisations should be informed about actual and potential food *or feed* contamination problems and encouraged to take measures to:

¹ The term "feed" refers to both "feed (feedingstuffs)" and "feed ingredients" as defined in the Code of Practice on Good Animal Feeding (CAC/RCP 054 2004). For the purposes of this Code of Practice, feed refers only to feed for food producing animals-is meant, and does not cover feed for pet animals.

- control emissions of pollutants from industry, e.g. the chemical, mining, metal and paper industries, and also from weapons testing.
- control emissions from energy generation (including nuclear plants) and means of transportation.
- control the disposal of solid and liquid domestic and industrial waste, including its deposition on land, disposal of sewage sludge and incineration of municipal waste.
- control the production, sale, use and disposal of certain toxic, environmentally-persistent substances, e.g. organohalogen compounds (PCBs, brominated flame retardants, etc.), lead, cadmium and mercury compounds.
- ensure that before new chemicals are introduced onto the market, and especially if they may eventually be released into the environment in significant amounts, they have undergone appropriate testing to show their acceptability from the health and environmental points of view.
- replace toxic environmentally-persistent substances by products which are more acceptable from the health and environmental points of view.

8. *This Code should be read in connection with the Code of Practice for Good Animal Feeding (CAC/RCP 54-2004).*

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OF FOOD AND FEED¹ WITH CHEMICALS
CAC/RCP 49-2001**

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2. The main objective of this document is to increase awareness of sources of chemical contamination of food and feed, and of source-directed measures to prevent such contamination. This means that measures recommended in the document may lie outside the direct responsibility of the food or feed control authorities and Codex.

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4. Different approaches may be used to try and ensure that the levels of chemical contaminants in foodstuffs and feed are as low as reasonably achievable and never above the maximum levels considered tolerable from a human health view.

Essentially, these approaches consist of

- (a) measures to eliminate or control the source of contamination,
- (b) processing to reduce contaminant levels, and
- (c) measures to identify and separate contaminated (levels above ML) food or feed that may ultimately enter the human food chain from food fit for human consumption.

The contaminated food is then rejected for food use, unless it can be treated and made fit for human consumption.

By analogy, contaminated feed exceeding MLs should also be rejected for feed use unless the feed is treated to make it fit for consumption. In some cases, a combination of the above approaches must be used, for example, if emissions from a previously uncontrolled source have resulted in environmental pollution with a persistent substance, such as PCBs or mercury. When fishing waters or agricultural land become heavily polluted due to local emissions, it may be necessary to blacklist the areas concerned, i.e. to prohibit the sale of foods and feeds derived from these polluted areas and to advise against the consumption of such foods or feeds.

5. Control of final products can never be extensive enough to guarantee contaminant levels below established Maximum Levels. In most cases, chemical contaminants cannot be removed from foodstuffs or feed and there is no feasible way in which a contaminated batch can be made fit for human consumption or a contaminated feed batch can be made fit for animal consumption. The advantages of eliminating or controlling food or feed contamination at source, i.e. the preventive approach, are that this approach is usually more effective in reducing or eliminating the risk of untoward health effects, requires smaller resources for food or feed control and avoids the rejection of foodstuffs or feedstuffs.

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7. Pollution of air, water and arable land can result in the contamination of crops grown for food or feed, food producing animals and surface and ground waters used as sources of water for drinking and food production and processing. The relevant national authorities and international organisations should be informed about actual and potential food or feed contamination problems and encouraged to take measures to:

- control emissions of pollutants from industry, e.g. the chemical, mining, metal and paper industries, and also from weapons testing.
- control emissions from energy generation (including nuclear plants) and means of transportation.
- control the disposal of solid and liquid domestic and industrial waste, including its deposition on land, disposal of sewage sludge and incineration of municipal waste.

¹ The term "feed" refers to both "feed (feedingstuffs)" and "feed ingredients" as defined in the Code of Practice on Good Animal Feeding (CAC/RCP 054 2004). For the purposes of this Code of Practice, feed refers only to food producing animals, and does not cover feed for pet animals.

- control the production, sale, use and disposal of certain toxic, environmentally-persistent substances, e.g. organohalogen compounds (PCBs, brominated flame retardants, etc.), lead, cadmium and mercury compounds.
- ensure that before new chemicals are introduced onto the market, and especially if they may eventually be released into the environment in significant amounts, they have undergone appropriate testing to show their acceptability from the health and environmental points of view.
- replace toxic environmentally-persistent substances by products which are more acceptable from the health and environmental points of view.

8. This Code should be read in connection with the *Code of Practice for Good Animal Feeding* (CAC/RCP 54-2004).

ANNEX III- Proposed amendment to the definition of 'Contaminant'

Original proposal from CRD18 (Japan, CCCF5).

"Contaminant means any substance not intentionally added to food *or feed for food producing animals*, which is present in such food *or feed* as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food *or feed*, or as a result of environmental contamination. However, veterinary medicine intentionally added to feed remained in food are regarded as contaminants. The term does not include insect fragments, rodent hairs and other extraneous matter."

Revised proposal from electronic Working Group:

"Contaminant means any substance not intentionally added to food *or feed for food producing animals*, which is present in such food *or feed* as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food *or feed*, or as a result of environmental contamination. The term does not include insect fragments, rodent hairs and other extraneous matter."

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