CODEX ALIMENTARIUS COMMISSION E

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World Health Organization

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Agenda Item 8 **CX/FFV 12/17/12-Add.1**

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

17th Session
Mexico City, Mexico, 3 – 7 September 2012

PROPOSED LAYOUT FOR CODEX STANDARDS FOR FRESH FRUITS AND VEGETABLES – CX/FFV 12/17/12

Comments from Ghana and United States of America

GHANA

Ghana appreciates the opportunity to submit comments on the following agenda item No.8 CX/FFV 12/17/12 **Proposed layout for Codex standards for Fresh Fruits and Vegetables**

SPECIFIC COMMENTS

Comment: Scope

With respect to the proposal in Annex II, Ghana supports the merging of scope and description into a single section "**definition of produce**".

Comment: Section 2.1 Minimum requirements

Ghana proposes the use of the term **whole** in preference to intact.

Rationale: The term 'whole' connotes more to a complete fresh fruit or vegetable. It embraces the physical characteristics of a fresh fruit and vegetable.

Comment: 2.1 Bullet 5

Ghana prefers the UNECE format over the Codex format.

- **practically free from pests**

- **free from damage caused by pest affecting the flesh**

- **practically free from damage caused by pests**

Rationale: The Codex format "practically free from pest and damage caused by them" would be limited to fruit flesh that are susceptible to pest attack. This provision clearly differentiates between the presence of pests and the damage caused by pests. This thereby provides clarity and facilitates easy application of the standard. If the Codex format is used for inspection, the produce would score 1 point/quality attribute whilst using the UNECE format would score for 3 points/ quality attributes.

Comments: Section 2.1.1

Ghana suggests that the proposed text be maintained.

"The produce must be sufficiently developed, and display satisfactory ripeness, depending on the nature of the produce."

Rationale: The appropriate level of maturity of the fruit for consumption is necessary. For the produce to be edible, it has to be physiologically matured for consumption or trade. 5

Comment: Section 4 Provisions concerning tolerances

Ghana supports the Codex text over the UNECE text.

Comment: Section 4.1 Quality tolerances

We agree with the proposed UNECE texts as indicated in Sections 4.1.1, 4.1.2 and 4.1.3 be retained.

Rationale: The UNECE 'Total tolerance' applies to the "lot" as opposed to the "package". This implies that inspection has been carried out on the lot and not on individual packages.

Comment: 6.2.1 Identification

Ghana prefers the use of the supports the provision concerning identification as presented in the text:

"Packer and/or dispatcher/shipper:

Name and physical address (e.g. street/city/region/postal code and, if different from the country of origin, the country) or a code mark officially recognized by the national authority"

Rationale: Detailed information of the packer or dispatcher is very crucial for traceability.

UNITED STATES OF AMERICA

The United States is pleased to submit the following comments on agenda item 8 for the upcoming session of the Codex Committee on Fresh Fruits and Vegetables (CCFFV).

Introduction: This discussion on the Proposed Layout for Codex standards for fresh fruits and vegetables provides an opportunity to realign the standards to trading practices. Therefore, the United States proposes to amend Section 4. "Provisions Concerning Tolerances" of the CCFFV standard Layout to include tolerances for decay, soft rot and/or internal breakdown, so that the standards reflect trading practices.

Comments: Fair practices in the food trade as guided by the Statutes of Codex Alimentarius beckons for the common understanding among Codex members of each other's trading practices, as well as transparency on all issues that affect the food trade, and even more so within the fresh fruits and vegetables trade. The absence of set tolerances for decay, soft rot or internal breakdown in CCFFV standards is a limiting factor in the uniform international application of these standards. Additionally, this absence creates an environment for countries to use this lack of tolerance as a trade barrier--such as applying an unrealistic low to zero tolerance when domestic production is high or no application when domestic production is unavailable.

The need for decay, soft rot and internal breakdown tolerances in CCFFV standards are driven by the following:

1. Nature and physiology of Fresh Fruits and Vegetables

Fresh fruits and vegetables (FFV) are perishable by nature, with the process of deterioration (senescence) either commencing and/or quickening immediately after harvest. In FFV, senescence can only be temporarily slowed down by post-harvest practices, it cannot be halted. Moreover, irrespective of the modern technological methods used at the packing and export control stage, or the most stringent compliance with the Codex Code of Practice for Packaging and Transport of Fresh Fruits and Vegetables (CAC/RCP 44-1995), and the Codex Code of Hygienic Practice for Fresh Fruits and Vegetables (CAC/RCP 53-200), it is impossible for an exporter/shipper to guarantee that every unit (piece or weight) of FFV being packed for export will arrive at the initial destination market in marketable condition.

Due to differences in the rate of senescence and physiology, FFV have various rates of deterioration. These differences also affect the length of time each FFV can be stored under the utmost ambient conditions and whether they can be stored or transported in the same room or in close proximity with others. If these differences in physiology and rate of senescence are not factored in during post-harvest and transportation, decay, soft rot or internal breakdown can be an undesirable result.

2. The impact of changes in consumer demands on changes in production and post-harvest practices

Consumer demand currently progressively trends toward wholesome, chemical free and more physiologically developed FFV. This results in reduced application of agro-chemicals at the production, post-harvest and marketing stages along with FFV that are more physiologically developed/mature to maximize organoleptic performance. A result of reduced agrochemical use and trade in more physiologically developed FFV is the increased rate of decay, soft rot or internal breakdown at destination irrespective of the mode of transportation used, or the proximity of production to the marketplace.

3. Existing private sector trade practices

Private trading parties make allowances in their contracts for FFV affected by decay, soft rot or internal breakdown. These contractual allowances set maximum limits (percentages) of decay, soft rot or internal breakdown that must be present to enable the buyer/importer to reject an FFV lot or to seek a price adjustment. In this manner, the established tolerances protect both parties and promote transparency in the trade. Either party can request verification of the level of decay, soft rot or internal breakdown to protect their interest.

While no buyer/importer wants to trade in FFV with a high level of decay, soft rot or internal breakdown, neither do sellers/exporters/shippers, since they usually pre-pay all the related costs of getting the FFV from farm gate to market.

4. At destination, "Zero" Tolerance is impractical

The proponents of a "Zero" Tolerance ignore the current and common practices of global trade of FFV, the basics of horticultural science, and implications of this position. "Zero" tolerance literally means that if one unit (piece or weight) of FFV is affected by decay, soft rot or internal breakdown, the entire lot is rejected. For instance, if one mango in a lot consisting of 1,500 cartons, each containing 8 mangoes, is decayed (i.e., [(1÷ 12,000) = 0.000083%]), while the rest of the mangoes are perfect, the entire lot is rejected. Hence, the application of a "zero" tolerance in this case will result in the rejection of the lot of mangoes.

5. In this era of trade globalization where geographic seasonality is no longer a limiting factor in supply of FFV, the agricultural trade sector cannot survive in a system where regulators in importing countries apply a "Zero" tolerance for decay, soft rot or internal breakdown. Due to market demand, FFV may undergo lengthy sea voyages of 8 weeks or more to economically viable market places. During such lengthy periods of transportation, a fractional percentage of FFV gets affected by decay, soft rot or internal breakdown for physiological or physical reasons. Therefore a "Zero" tolerance, if applied, would severely restrict access and/or even deny access to distant markets. Consequence of the absence of the tolerance

The absence of tolerances for decay, soft rot or internal break down in CCFFV Standards can be interpreted as follows: (i) no amount of decay or internal breakdown is allowed; (ii) member countries are free to apply a tolerance when it fits the national need; or (iii) tolerances remain the sovereign domain of national regulatory agencies and as such they are free to set tolerances at their discretion. Each of these interpretations leads to the continuous uncertainty for FFV exporters as to whether the FFV exports will be accepted at destination, and continued fraudulent claims by some dishonest FFV importers that negatively affect the livelihood of exporters and producers.

6. Minimum Requirements versus the Tolerance

The Minimum Requirement in all CCFFV standards: *"sound, produce affected by rotting or deterioration such as to make it unfit for consumption is excluded;"* is applied on an individual unit of fruit and/or vegetable level. The application of this requirement means that the retailer is responsible for not intentionally offering rotted or deteriorated FFV for sale. Tolerances for decay and internal breakdown set a maximum limit allowed at lot level with accompanying remedial procedures such as reconditioning or dumping when the limit is exceeded.

7. Tolerances for Decay, Soft Rot or Internal Breakdown and the Codex Code of Practice for Packaging and Transport of Fresh Fruits and Vegetables (CAC/RCP 44-1995)

Tolerances for decay, soft rot or internal breakdown are not addressed in the *Codex Code of Practice for Packaging and Transport of Fresh Fruits and Vegetables* (CAC/RCP 44-1995). This Code of Practice is merely a guideline for proper packaging and transportation practices of FFV to maintain produce quality between harvest and retail. If applied successfully it should only reduce, but not eliminate, the process or occurrence of decay, soft rot, or internal break down.

8. Tolerances for Decay and Internal Breakdown in CCFFV

The issue of tolerances for decay, soft rot or internal breakdown is not new to the CCFFV. This issue was discussed during the elaboration of the *Codex Standard for Apples* (CODEX STAN 299-2010). There was consensus at the 15th CCFFV Session on the inclusion of these tolerances in the Standard. Some of the main reasons cited during the discussion were the long storage periods that apples undergo, distances between producing regions and key international markets, and the inability of producers, packers and/or exporters to guarantee that every apple exported is entirely free from pests or the effects of pests and diseases.

The justification given for apples is just as relevant to other FFV. For most tropical FFV, it is more important because they usually have shorter shelf lives, are more susceptible to minor fluctuations in ambient storage temperatures, and cannot be stored with other types of FFV.

During subsequent CCFFV discussions on this matter, the most common opposing view on the inclusion of tolerances for decay, soft rot or internal breakdown in the Codex standard, was that "such a tolerance endangers consumer health and safety for it allows trade of poor/low quality fruit." However, it must be noted that such tolerances are included in standards and applied in the major FFV importing markets of Europe and North America without any negative impact on consumer health and safety. Without such tolerances being applied on imported FFV in these major markets, the FFV trade that so many international producers, traders and governments depend on would immediately cease.

Proposal: It is proposed to use the tolerances in the Codex Standard for Apples as a base, inserting the percentages within the relevant section of the CCFFV standard layout as follows. Nevertheless, the CCFFV also retains the right to amend these tolerances, having them reflect the physiological characteristics of each FFV being standardized.

Section 4 – Provisions concerning Tolerances

Proposal: Include text (in bold) on tolerances for decay, soft rot or internal breakdown.

4.1.1 **"Extra" Class**

Five percent, by number or weight, of {name of produce} not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class. **but not more than 1.0% for (name of FFV) affected by decay, soft rot or internal breakdown.**

4.1.2 **Class I**

Ten percent, by number or weight, of {name of produce} not satisfying the requirements of the class, but meeting those of Class I or, exceptionally, coming within the tolerances of that class. **but not more than 1% for (name of FFV) affected by decay, soft rot or internal breakdown.**

4.1.3 **Class II**

Ten percent, by number or weight, of {name of produce} satisfying 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. **but not more than 2 % for (name of FFV) affected by decay, soft rot or internal breakdown.**

The United States appreciates the opportunity to provide these comments.