

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of
the United Nations



World Health
Organization

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Agenda Item 10

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

18th Session

Phuket, Thailand, 24 – 28 February 2014

PROPOSED LAYOUT FOR CODEX STANDARDS FOR FRESH FRUITS AND VEGETABLES

Comments in reply to CL 2012/29-FFV

(Submitted by Australia, Colombia, Kenya and United States of America)

AUSTRALIA

Australia would like to thank the Codex Committee on Fresh Fruits and Vegetables for the opportunity to provide comments on CL 2012/29 FFV, Part B, Point 7.

Codex commodity standards must be globally representative, provide maximum flexibility, be based on criteria of essentiality and should not constitute or potentially be interpreted as a barrier to trade. Therefore provisions on quality should be as least restrictive as possible and be inclusive of quality variations in global trade.

Australia suggests that the proposed layout for Codex Standards for Fresh Fruits and Vegetables should only be concerned with ensuring that the product is clean, safe and fit to eat and should not relate to issues that are more appropriately the subject of commercial specifications, to be set by the market or negotiated with customers.

Australia considers that the proposed layout should be flexible to ensure that sections may be added or omitted on a case by case basis from a draft standard during its development as agreed by the Committee.

We would like to make the following specific comments:

- The proposed layout for Codex Standards for Fresh Fruits and Vegetables in Appendix VII of REP 13/FFV includes additional sections on *Provisions Concerning Sizing* (Section 3); *Provisions concerning tolerances* (Section 4); *Provisions concerning presentation* (Section 5). We consider that the sections on sizing and tolerances are not necessary as these sections relate purely to quality parameters. Unless the provisions within these sections are generic in nature and flexible they may result in disguised barriers to trade.
- The proposed layout does not include a section on *Weights and Measures*; the Committee may consider that this provision is adequately covered in Section 3 *Provisions Concerning Sizing*, Section 4.2 *Size tolerance*; and Section 5.1 *Uniformity*, which outlines contents of each package with respect to uniformity and tolerance of size. Australia does not agree that a Codex Standard should cover quality parameters such as sizing provision.
- To reduce duplication and to be more concise, we suggest absorbing Section 5.2.1 *Description of containers* into Section 5.2 *Packaging*, and for continuity, using the word package throughout. Section 5.3 *Presentation* would then read in part:

“The ~~container~~ package shall meet the quality, hygiene, ventilation and resistance characteristics to ensure suitable handling, shipping and preserving of the {name of produce}. Packages <(or lots for produce presented in bulk in the transport vehicle)> must be free of all foreign matter and smell.”

Australia supports further discussion on the proposed layout for Codex Standards for Fresh Fruits and Vegetables at the next session of the Committee in February 2014.

COLOMBIA

Colombia would like to present next comments on Proposed layout for Codex standards for fresh fruits and vegetables.

Hereafter we consider the document Annex to CL 2012/29-FFV - Appendix VII.

Title

Codex Standard for {**common** name of produce} **{keep the footer to include other common names}**

Rationale:

It is important to clarify that it is about the common name because it is often used among the population and facilitates the identification of produce in the countries.

Insert a footer to include other common names (if any) to facilitate the produce identification.

Introduction

Third bullet

- [When drafting standards, the Committee should consult this format, ~~as well as UN/ECE standards according to the Committee's Terms of Reference;~~]

Rationale:

The fact that other standards exists should not affect the structure of the layout.

SCOPE

[The purpose of the standard is to define the quality and **safety** *[comment valid for the Spanish version]* requirements for {**common** name of produce} after preparation and packaging.]

Rationale:

Term "inocuidad" is preferable instead of "seguridad" in order to use a word but in accordance with the provisions of the Codex statutes.

On the clarification, the word "common" was added in order to keep consistency with the observation that was made to the title.

1. DEFINITION OF PRODUCE

This Standard applies to {**common** name of produce} <of varieties **or** cultivars> grown from {Latin botanical reference *in italics* followed, where necessary, by the ~~author~~ **classifier** name} to be supplied fresh to the consumer, after its preparation and packaging. The {Name of common produce} for industrial processing is/are excluded.

Rationale:

The word "common" is added to keep consistency with the observation that was made to the title.

Varieties or cultivars are included into square brackets, since this means that it is an optional text according to the convention adopted in the draft, as not all produce will have varieties or cultivars.

The word "author" is replaced for "classifier" because taxonomically it is the correct way to refer this name.

2. PROVISIONS CONCERNING QUALITY

[If the Standard applied at stages following after packaging, products may show in relation to the requirements of the standard:

Rationale:

Wording in Spanish is improved replacing the term following and writing the word after.

Although it is proposed to remove this clause due to in this text is read that the product matching the given criteria should not be traded.

2.1 MINIMUM REQUIREMENTS

In all classes, subject to the special provisions for each class and the tolerances allowed, the {common name of produce} should be:

- **whole** {a deviation from the provision or additional provisions are allowed};
- **intact** {A deviation from the provision or additional provisions are allowed };

Rationale:

The word common is added to keep consistency with the observation that was made to the title.

The “whole” and “intact” terms are not equivalent so they should be separated into single requirements. Therefore, they should be clearly defined in the glossary of terms.

2. PROVISIONS CONCERNING QUALITY

[If the Standard applied at stages following after packaging, products may show in relation to the requirements of the standard:

- a slight lack of freshness and turgidity;
- <for products graded in classes other than the “Extra Class”>, a slight deterioration due to their ~~development~~ **maturity** and their tendency to perish..

The holder/seller of products may not display such products or offer them for sale, or deliver or market them in any manner other than in conformity with this standard. The holder/seller shall be responsible for observing such conformity.]

Rationale:

Replacement of term “following” by “after” is confirmed but the text is not clear and it is suggested the committee to change the wording.

Phrase “... their development and their tendency to perish” is not clear. On the other hand, it is indicated that the central idea of the standards is to apply them on the destination point, i.e., when product is already conditioned and packaged, etc., so it is not clear when it is said: “If the Standard applied at stages following packaging ...”

2.1 MINIMUM REQUIREMENTS

- clean, ~~practically~~ free of any visible foreign matter {with regard to traces of soil, a deviation from this provision is allowed, depending on the nature of the produce.};

Rationale:

It is proposed to remove the word “practically” because it is a subjective description that may have several interpretations, which makes difficult to apply the standards. It is proposed to remove the word “practically” because it is a subjective description that may have several interpretations, which makes difficult to apply the standards.

2.1 MINIMUM REQUIREMENTS

- ~~practically~~ free of pests,
- <free of damage caused by pests affecting the flesh>
- <~~practically~~ free of damage caused by pests>

It is poposed:

- free of pests, without damages caused by them, nor affecting the flesh.

Rationale:

As the previous observation, it is proposed to remove the word “practically” because the subjectivity of the term. Moreover, considering that the bullets are referred to very similar aspects, it is suggested to formulate the requirement in a single bullet.

This text is pendant of a proposal from Germany.

2.1 MINIMUM REQUIREMENTS

- [free of any foreign smell and/or taste¹].

~~¹<This provision allows for smell caused by conservation agents used in compliance with relevant Codex texts>~~

Rationale:

The footer 1 should be removed, as in the case of fresh produce, Codex allows the use of waxes and these do not transmit smells.

2.1.1 The {**common** name of produce} must have reached an appropriate degree of development and ripeness in accordance with criteria **proper** [*comment valid for the Spanish version*] to the variety <and/or commercial type>, the time of <harvesting/picking/etc.> and to the area in which they are grown.

Rationale:

First, the word “common” is added, for consistency with the proposal changes along the text on how to designate the produce.

Second, the word “peculiar” is replaced by “propio”, which is suitable and improves the wording.

2.1.1

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

It is proposed:

- free of pests, without damages caused by them, nor affecting the flesh.

Rationale:

The proposed alternate text in the box for clause 2.1.1 is not appropriate and, therefore, the above text, which is more complete and according to the Codex Standard for fresh fruits and vegetables, is preserved.

2.2 CLASSIFICATION

{**Common** name of produce} are classified in two or three classes, as defined below:

{For those ~~standards~~ **products** where it does not appear necessary to establish a classification, only the minimum requirements apply.}

Rationale:

In order to have a consistency throughout the document the word “common” is included when the name of the produce is referred. Also, the term “standards” is replaced by “products”.

2.2.1 “Extra” Class

The {**common** name of produce} in this class must be of superior quality. They must be characteristic of the variety <and/or commercial type>. They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package, **nor its internal quality.**

Rationale:

As mentioned in the observation above, the term “common” is included. Also, as a condition of the defects it is added that they cannot affect the internal quality because it is not explained, and it is a circumstance that may be present and for which a produce is rejected.

2.2.1 “Extra” Class

{Provisions, depending on the nature of the produce.}

The defects must not, in any case, affect the [flesh/pulp/etc.] of the [fruit / produce / etc.]

Rationale:

Including a text is suggested, which should be a model for the Codex standards due to the importance that this point has for trade.

2.2.2 Class I

{**Common** name of produce} in this class must be good quality. They must be characteristic of the variety <and/or commercial type>.

<They must be:

.....

.....>

{Provisions, depending on the nature of the produce.}

The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the packages, **nor its internal quality:**

Rationale:

As a condition of the defects it is suggested to add that they cannot affect the internal quality because it is not explained, and it is a circumstance that may be present and for which a produce is rejected.

2.2.2 Class I

{Add additional defects allowed, depending on the nature of the produce **and add the maximum percentage of the area affected by the surface defects.**}

Rationale:

It is important to include the percentage of the area affected by defects because it is the parameter that makes the class I different from class II.

2.2.3 Class II

This class includes {**common** name of produce} that do not qualify for inclusion in the higher classes but satisfy the minimum requirements specified in Section 2.1 above.

<The must be:

>

{Add additional defects allowed, depending on the nature of the produce.}

The following defects may be allowed, provided the {common name of produce} retain their essential characteristics as regards the **internal** quality, the keeping quality and presentation:

Rationale:

Term "internal" is included due to at least the product must keep the internal quality to be traded.

2.2.3 Class II

{Add additional defects allowed, depending on the nature of the produce **and add the maximum percentage of the area affected by the surface defects.**}

Rationale:

Including a text is suggested, which should be a model for the Codex Standards due to the importance that this point has for the trade.

3. PROVISIONS CONCERNING SIZING

~~The minimum size shall be...~~

~~<To ensure uniformity in size, the range in size between produce in the same package shall not exceed...>~~

~~<there is no sizing requirements for {name of produce, variety, commercial type or class depending on the nature of produce}.>~~

Rationale:

It is suggested to remove these paragraphs because there is a clause concerning tolerances, which covers this information.

4. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size shall be allowed in each package {or in each lot for produce presented in bulk in the transport vehicle} for produce not satisfying the requirements of the class indicated.

~~At all marketing stages, tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated.~~

Rationale:

The texts proposed in the box do not add a value to the standard because the quality and size tolerances for the produce covered by the standard are further indicated.

4.1 QUALITY TOLERANCE

4.1.1 "Extra" Class

Five percent, by number or weight, of {**common** 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.~~

~~A total tolerance of 5%, by number or weight, of {name of produce} not satisfying the requirements of the class but meeting those of Class I is allowed. Within this tolerance not more than 0.5% in total may consist of produce satisfying the requirements of Class II quality.~~

~~{Add possible tolerance for individual defects, depending on the nature of the produce.}~~

Rationale:

It is suggested removing the final sentence in the first paragraph because is confusing.

The optional paragraph in the box is not considered appropriate as it allows products that do not even meet the specifications of Class II and that may be included in an extra package, which is not commercially allowed.

The final phrase is removed because products that require special tolerances are not known.

4.1.2 Class I

Ten percent, by number or weight, of {**common** name of produce} not satisfying the requirements of the class, but meeting those of Class II or, ~~exceptionally, coming within the tolerances of that class.~~

~~A total tolerance of 10%, by number or weight, of {name of produce} not satisfying the requirements of the class but meeting those of Class II is allowed. Within this tolerance not more than 1% in total may consist of produce satisfying neither the requirements of Class II quality nor the minimum requirements, or of produce affected by decay.~~

Rationale:

It is suggested to remove the final phrase in the first paragraph because it leads to confusion.

The optional paragraph in the box is not considered appropriate as it allows produce that do not even meet the specifications of Class II and that may be included in an extra package, which is not commercially admitted.

4.1.3 Class II

Ten percent, by number or weight, of **{common 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.

~~A total tolerance of 10%, by number or weight, of {name of produce} satisfying neither the requirements of the class nor the minimum requirements is allowed. Within this tolerance not more than 2% in total may consist of produce affected by decay.~~

~~{Add possible tolerances for individual defects, depending on the nature of the produce.}~~

Rationale:

From the phytosanitary point of view, it is not appropriate to include the optional text in the box due to the implications for trading rotting products. Neither, from any point of view, the products must be rotten, if this happens is because of the improper practices of post-harvest handling.

The final phrase is removed because products that require special tolerances are not known.

5. PROVISIONS CONCERNING PRESENTATION**5.1 UNIFORMITY**

The contents of each package <(or lot for produce presented in bulk in the transport vehicle)> must be uniform and contain only **{common name of produce}** of the same origin, quality and size <(if sized)>.

Rationale:

Include the word "common" when makes reference to the name of produce in order to keep the coherency throughout the document.

5.1 UNIFORMITY

~~<However, a mixture of {name of produce} of distinctly different <species> <varieties> <commercial types> <colours> may be packaged together in a <package>, provided they are uniform in quality and, for each <species> <variety> <commercial type> <color> concerned, in origin>~~

Rationale:

It is proposed to remove this text because mixtures are not recommended considering that this can accelerate the deterioration of produce contained in the package. It is probably that this practice is done at the point of sale but not in the packages to be traded.

5.2 PACKAGING

{Common name of produce} must be packed in such a way as to protect the produce properly.

Rationale:

Include the word "common" when referring to the name of the produce in order to keep consistency with the rest of the revised document.

The same change is made for paragraph 5.2

5.2 PACKAGING

<Stickers individually affixed to the produce shall be such that, when removed, they neither leave visible traces of glue nor lead to skin defects.>

Rationale:

This paragraph is pending to be kept in the document. In this regard we consider that it is important to keep it in the Project, since it helps to protect produce from damage that may be caused by using improper adhesives..

5.2.1 Description of Containers

The container shall meet the quality, hygiene, ventilation and **mechanical and humidity** resistance characteristics to ensure suitable handling, **stowed, storage**, shipping and preserving of the {**common** name of produce }.

Rationale:

It is clarified that the referred "resistance" is a "mechanical" resistance so that the product is not damaged while is stowed and also it is referred to the resistance to "humidity" to support the storage conditions.

Furthermore, the stowed and storage are added because they are activities in which the package must respond properly.

5.3 PRESENTATION

The {**common** name of produce} may be presented under one of the following forms:

Rationale:

The word "common" is included when referring to the name of the produce in order to keep consistency with the rest of the revised document.

6.2 NON-RETAIL CONTAINERS

Each package⁴ must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked, and visible from the outside or in the documents accompanying the shipment.

<For {**common** name of produce} transported in bulk (direct loading into a transport vehicle) these particulars must appear on a document accompanying the goods, ~~and attached in a visible position inside the transport vehicle.~~

⁴ These marking provisions do not apply to sales packages presented in packages.

Rationale:

First, the word "common" is included when referring to the name of the produce in order to keep consistency with the rest of the revised document.

Second, it is important to clarify the reason for including the highlighted proposed sentence, as its objective is not clear because the boxes are marked. It is suggested removing this sentence.

6.2.1 Identification

Name and address of exporter, packer and/or dispatcher. Identification code (optional)⁵.

~~Packer and/or dispatchers/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..~~

⁵ The national legislation of a number of countries requires the explicit declaration of the name and address. However, in the case where a code mark is used, the reference "packer and/or dispatcher (or equivalent abbreviations)" has to be indicated in close connection with the code mark, and the code mark should be preceded by the ISO 3166 (alpha) country/area code of the recognizing country, if not the country of origin.

Rationale:

It is suggested not including crossed out bullets because this information is not commercially required. The standard texts indicated on the present Codex standards are required.

6.2.2 Nature of Produce

- **Common** name of produce ~~if the contents are not visible from the outside.~~ **(scientific name).**

- <Name of the variety.>

<The name of the variety can be ~~replaced~~ **complemented** by a synonyms. A trade name⁷ can only be given in addition to the variety or the synonym>

~~-<name of the variety [and/or commercial type] (optional).>~~

~~-<name of the variety. In the case of a mixture of (name of produce) of distinctly different varieties <species>, names of the different varieties <species>>~~

~~-<"Mixture of (name of produce)", or equivalent denomination, in the case of a mixture of distinctly different commercial types and/or colours of (name of produce). If the produce is not visible from the outside, the commercial types and/or colours and the quantity of each in the package must be indicated>~~

~~{Add name of the commercial type, depending on the nature of the produce.}~~

⁷ A trade name can be a trademark for which protection has been sought or obtained or any other commercial denomination.

Rationale:

In order to keep consistency with previous observations, adding the word "common" is suggested in order to specify what kind of name refers to.

The sentence "if produce is not visible from the outside", is removed considering that the package contents are not visible from the outside, the commercial practice requires identification of the produce inside. It is suggested to add the scientific name in square brackets as this allows to clarify questions arising in relation to the produce inside. It is suggested to add the scientific name in square brackets as this allows clarify questions related to the produce inside.

With regard to variety, "(if any)" is indicated in parenthesis because there may be produce in which the varieties have not been identified.

It is proposed to keep the third paragraph under discussion, but adding the possibility to include synonyms because there may be several. It is indicated that these are complementary to the name of the produce, they do not replace it, as this may cause confusion in some countries, either they do not know these synonyms or, they have them for other fresh produce.

Due to the above changes, it is not necessary to consider again, neither the name of the variety nor the following paragraphs because, as indicated, in previous observations, mixtures in a package are not allowed.

6.2.3 Origin of produce

- Country of origin⁸ and, optionally, district where grown, or national, regional or local place name.

~~- <In the case of a mixture of distinctly different varieties <species> of (name of produce) of different origins, the indication of each country of origin shall appear next to the name of the variety <species> concerned>~~

~~-<In the case of a mixture of distinctly different commercial types and/or colours of (name of produce) of different origins, the indication of each country of origin shall appear next to the name of the commercial type and/or colour concerned.>~~

⁸ The full or a commonly used name should be indicated.

Rationale:

Because of the arguments presented in paragraph 5.1, and for maintaining the consistency with that has been proposed, the highlighted paragraphs that refer to mixtures of produce in a container are removed.

7. FOOD ADDITIVES

Untreated fresh fruits and vegetables

This standard applies to fresh fruits and vegetables as identified in Food Categories 04.1.1.1 Untreated fresh fruits and 04.2.1.1 Untreated fresh vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes (including soybeans), and aloe vera), seaweeds, and nuts and seeds and therefore, no food additives are allowed in accordance with the provisions of the General Standard for Food Additives (CODEX STAN 192-1995).

Rationale:

This is an editing-type observation due to the correct reference is “aditivo alimentario” [relevant to the Spanish version].

...

INS No.	Name of the Food Additive	Maximum Level
###	Xxx	Limited by GMP or numerical level <i>(subject to endorsement by the Codex Committee on Food Additives and inclusion and the General Standard for Food Additives)</i>

Rationale:

It is suggested to remove this table because this issue is the scope of the Codex Committee on Food Additives.

10. METHODS OF ANALYSIS AND SAMPLING

Comment:

This chapter may be referred to the works done by the Codex Committee on Methods of Analysis and Samplings.

ANNEX I

Table

Comment:

It is important to include an explanation of the “synonyms” so the concept is properly applied.

KENYA

GENERAL COMMENTS

We support the adoption of the UNECE standards for fresh fruits and vegetables by CODEX however; text from the UNECE incorporated in the Proposed Layout for Codex Standards for Fruits and Vegetables needs to be aligned with Codex Alimentarius Commission procedure manual 21st Edition, following the format on provisions required.

JUSTIFICATION:

This will be in line with all codex standard draft format and will not bring confusion on the format to follow and at the same time members will be complying with CAC procedure manual.

UNITED STATES OF AMERICA

The United States is pleased to submit the following comments 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., $[(1 \div 12,000) = 0.000083\%]$), 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.