codex alimentarius commission E

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

Agenda Item 5   **CX/PFV 08/24/7-Add.1**
                                                                     August 2008

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PROCESSED FRUITS AND VEGETABLES

24th Session
Arlington, VA (Washington DC metro area), U.S.A.,
15 – 20 September 2008

PROPOSED DRAFT SAMPLING PLANS INCLUDING METROLOGICAL PROVISIONS FOR CONTROLLING MINIMUM DRAINED WEIGHT OF CANNED FRUITS AND VEGETABLES IN PACKING MEDIA

Comments at Step 3 from Brazil, Cuba and OEITFL

BRASIL

In regard to CX/PFV 08/24/7, Brazil would like to share some general comments, for clarification:

As stated on Para. 8, CX/PFV 08/24/2, whilst not opposing to the elaboration of the proposed document, Brazil would like to emphasize the need of an evidence-based assessment to justify the new work as "relevant standards for processed fruits and vegetables had not created problems in international trade".

Notwithstanding this, making a link to the Draft Standard for Certain Canned Vegetables (general provisions), Brazil would like to highlight that, although microbiological criteria are not recommended for products rendered commercially sterile, sterility tests for low acid canned foods and pH tests for acidified low-acid foods are used worldwide and should be the provisions to be controlled under this proposed draft, designed to be more strict.

CUBA

During its 24th meeting the CCPFV should carefully review this proposal to decide if it should keep working or not with it, considering the following,

1. The existence of international standards like the R87 recommendations of the OIML and the WELMEC guideline can be adopted by individual countries to be applied by their national legal metrology entities and other control and inspection bodies in charge of protecting the consumer rights as well as in charge of checking fair trade practices in order to maintain a proper control and monitoring of the packing medium of canned fruits and vegetables net weight and drained weight.

2. Until now the sampling method for drained weight set by the Codex Standard of Canned Fruits and Vegetables in Packing Media has worked well and has not created any problems in the international trade affecting consumer rights or promoting conditions of unfair competition.

3. The proposed sampling method results in an increase of the sample amount to be inspected for acceptance as it is a destructive testing. This would affect the quality costs of the producers, who are already applying other sampling tests (AQL = 6.5) to evaluate the quality criteria.

Regarding the proposed draft, we submit the following comments,

1. The AQL = 2.5 is set, nevertheless it is not established an inspection level. Neither it is expressed a simple, double or multiple sampling, that we consider should be reflected in the document.

2. The Spanish version of the document should be edited to reflect the following,

   The formula statement reads,

   "Qn" (Quantity) should say "Cn" (Cantidad), nominal quantity of...

   $t_{(1-\alpha)}$: random variable of Student….   Add the subtraction symbol

OEITFL

OEITFL represents the interests of the EU's fruit and vegetables processing industries. Our members are predominantly national associations representing over 500 companies in 13 European countries producing canned vegetables, canned fruit, frozen vegetables, jams and preserves and dehydrated vegetables.

In response to CODEX request for comments at step 3 on the proposed *draft Codex Sampling Plans including Metrological Provisions for controlling minimum drained weight of canned fruits and vegetables in packing medium CX/PFV 08/24/7* to be examined at the 24th session of the Codex Committee on Processed Fruits and Vegetables, OEITFL would like to raise its concern as regards the proposal for methodology and tolerances to be based on **WELMEC Guidance 6.8.**

Our Association faces a problem with this Guidance as written, relating to tolerances for certain large unit size products e.g. whole potatoes, gherkins and peach halves. As written, the WELMEC document only allows for a 2 x TNE tolerance (based on the nominal declared Drained Weight and using the same Tolerable Negative Error table as applied to Average Net Weight control) irrespective of unit size, such that in certain circumstances involving large unit size products the tolerance is less than the weight of an individual unit.

Recognizing the inevitability that a few containers may lose an individual unit between filling of the container and application of the lid due to such as commercial restraints dictating line speeds and preventing in-line checkweighers, the following amendment wording has been proposed:

a) Where the average weight of the individual product piece is greater than 2 x TNE (but less than 3 x TNE) then a tolerance of 3 x TNE may be applied before the product is defined as non-acceptable and may not be marketed.

b) Where the average weight of the individual product piece is greater than 3 x TNE (but less than 4 x TNE) then a tolerance of 4 x TNE may be applied before the product is defined as non-acceptable and may not be marketed.

c) A situation where the average weight of the individual product piece is greater than 4 x TNE cannot be envisaged.

This proposal takes account of these exceptional circumstances without compromising the overall intentions of the Guidance, which ultimately are for fair trade practices and protection of consumer interests by accurate representation of products offered for sale.

OEITFL has informed the WELMEC Technical Committee which is trying to find a solution based on the above proposal.

At this stage, **it is critical that CODEX do not adopt the current WELMEC document 6.8 in its present form.** We need to reach a resolution to the current impasse originally highlighted by EU industry before adoption into a worldwide CODEX Standard.

Thank you in advance for taking our industry's position into account.