CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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Agenda Item 7(b) **CX/PR 17/49/07**

April 2017

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON PESTICIDE RESIDUES

49th Session

Beijing, P. R. China, 24-29 April 2017

COMMENTS at Step 6 on Draft revision of the Classification of Food and Feed at Step 7: Selected commodity groups (Group 020 – Grasses of cereal grains), submitted by Australia, Canada, Ecuador, European Union, Kenya, Peru, United States of America, African Union

Australia

Australia considers commodities within a crop group or sub-group should exhibit “similar” residue potential.

Appendix I to CL 2017/19-PR reminds the Committee that the characteristics for crop grouping are:

1. Commodity’s similar potential for pesticide residues;

2. Similar morphology;

3. Similar production practices, growth habits, etc;

4. Edible portion;

5. Similar GAP for pesticide uses;

6. Similar residue behavior;

7. To provide flexibility for setting (sub) group tolerances.

As reported in CL 2017/19-PR (March 2017), the residue potential of the members of the crop sub-group 020D Maize, Grain Sorghum and Millet has been evaluated by Australian experts using data published in JMPR Evaluation monographs for the period 2000 to 2015 (Table 1 in CL 2017/19-PR).

In general, the husk of maize provides the greatest protection of the cereal grains from residues and maize, and sweet corn, residues are generally less than the LOQ.

Sorghum and millet have exposed grain and as a result residues are much higher in sorghum (and millet) grain.

The importance of similar potential for residues is reflected in decisions by the CCPR on whether or not it is acceptable to establish group MRLs. In recent times the JMPR has accepted a factor of 5 for the difference in median residues between members of a group when deciding whether a group MRL is possible.

The difference between sorghum (and millet) and maize is much greater than 5x (average mean ratio >61×, average median ration >49×). The observation that the residues in maize and sorghum differ greatly is supported by an analysis of tolerances for these commodities in the US (Table 2 in CL 2017/19-PR).

Taking into account Japan’s comments in response to Australia’s initial proposal to combine maize with sweet corn, Australia now proposes that:

1) maize be separated from sorghum and millet

2) a separate sub-group be established for maize

3) Sweet Corn Cereals remain a separate sub-group

The resulting sub-groups would be:

Subgroup 020A Wheat, similar grains, and pseudocereals without husks

Subgroup 020B Barley, similar grains, and pseudocereals with husks

Subgroup 020C Rice Cereals

Subgroup 020D Grain Sorghum and Millet

Subgroup 020E Maize Cereals

Subgroup 020F Sweet Corn Cereals

This proposal keeps sweetcorn as a separate sub-group as previously agreed by the Committee.

The resulting sub-groups for 020D, 020E and 020F proposed by Australia are listed below:

Australian proposal Subgroup 020D Grain Sorghum and Millet

Code No.	Commodity	
GC 2089	**Grain Sorghum and Millet** (includes all commodities in subgroup 020D)	
-	**Acha,** see Hungry Rice, GC 0643	
-	**Adlay,** see Job's Tears, GC 0644	
-	**African millet**, see Millet, GC 0646	
-	**Brown-corn millet**, see Millet, GC 0646	
-	**Bulrush millet**, see Millet, GC 0646	
GC 3083	**Canarygrass, annual**	*Phalaris canariensis* L.
-	**Cat-tail millet**, see Millet, GC 0646	
-	**Chicken corn**, see Sorghum, GC 0651	*Sorghum drummondii* (Steud.) Millsp. & Chase
-	**Dari seed**, see Sorghum, GC 0651	
-	**Durra**, see Sorghum, GC 0651	syn: *Sorghum durra* (Forsk.) Stapf.
-	**Feterita**, see Sorghum, GC 0651	syn: *Sorghum caudatum* Stapf.
-	**Finger millet,** see Millet, GC 0646	
-	**Fonio**, see Hungry Rice, GC 0643	
-	**Fonio, black**, see Hungry Rice, GC 0643	*Digitaria iburua* Stapf
	Fonio, white, see Hungry Rice, GC 0643	*Digitaria exilis* (Kippist) Stapf
-	**Foxtail millet**, see Millet, GC 0646	
-	**Fundi,** see Hungry Rice, GC 0643	
-	**Guinea corn**, see Sorghum, GC 0651	syn: *Sorghum guineense* Stapf.
-	**Hog millet**, see Millet, GC 0646	
GC 0643	**Hungry rice**	*Digitaria exilis* Stapf.; *D. iburua* Stapf.
GC 0644	**Job's tears**	*Coix lacryma-jobi* L.
-	**Kaffir corn,** see Sorghum, GC 0651	syn: *Sorghum caffrorum* P. Beauv.
-	**Kaoliang,** see Sorghum, GC 0651	syn: *Sorghum nervosum* Bess. ex Schult. & Schult. f.
GC 0646	**Millet** Including Barnyard Millet, Bulrush Millet, Common Millet, Finger Millet, Foxtail Millet, Little Millet; (see for scientific names, specific commodities listed as Millet, followed by a specific denomination)	
-	**Millet, Barnyard**, see Millet, GC 0646	*Echinochloa crus-galli* (L.) Beauv.; syn: *Panicum crus-galli* L.; *E. frumentacea* (Roxb.) Link; syn: *Panicum frumentaceum* Roxb.

Code No.	Commodity	
-	**Millet, Bulrush**, see Millet, GC 0646	*Pennisetum glaucum* (L.) R. Br. syn: *P. typhoides* (Burm. f.) Stapf. & Hubbard; *P. americanum* (L.) K. Schum.; *P. spicatum* (L.) Koern.
-	**Millet**, Common, see Millet, GC 0646	*Panicum miliaceum* L.
-	**Millet, Finger**, see Millet, GC 0646	*Eleusine coracana* (L.) Gaertn.
-	**Millet, Foxtail**, see Millet, GC 0646	*Setaria italica* (L.) Beauv.; syn: *Panicum italicum* L.; *Chaetochloa italica* (L.) Scribn.
-	**Millet, Kodo**, see Millet, GC 0646	*Paspalum scrobiculatum* L.
-	**Millet, Little**, see Millet, GC 0646	*Panicum sumatrense* Roth
-	**Millet, Pearl**, see Millet, GC 0646	
-	**Milo,** see Sorghum, GC 0651	syn: *Sorghum subglabrescens* (Steud.) Schweinf. & Asch.
-	**Pearl millet**, see Millet, GC 0646	
-	**Proso millet**, see Millet, GC 0646	
-	**Russian millet**, see Millet, GC 0646	
-	**Shallu**, see Sorghum, GC 0651	syn: *Sorghum roxburghii* Stapf.
-	**Sorgo**, see Sorghum, GC 0651	
GC 0651	**Sorghum**	*Sorghum bicolor* (L.) Moench; several Sorghum ssp. and cultivars
-	**Spiked millet**, see Millet, GC 0646	
GC 0652	**Teff or Tef**	*Eragrostis tef* (Zucc.) Trotter; syn: *E. abyssinica* (Jacq.) Link

Australian proposed Subgroup 020E Maize Cereals

Code No.	Commodity	
GC 2090	**Maize Cereals** (includes corn, Indian corn, Maize, Popcorn, Teosinite)	
-	**Corn**, see Maize, GC 0645	
	Indian corn, see Maize, GC 0645	syn: *Zea indurata* Sturtev.
GC 0645	**Maize**	*Zea mays* L., several cultivars, not including Sweet corn
GC 0656	**Popcorn**	*Zea mays* L., var. everta Sturt.; syn: *Zea mays* L., var. praecox
GC 0657	**Teosinte**	*Zea mays* ssp. *mexicana* (Schrader) Iltis; syn: *Zea mexicana* (Schrader) Kunze; *Euchlaena mexicana* Schrader.

Australian proposed Subgroup 020F Sweet Corn Cereals

Code No.	Commodity	
GC 2091	**Sweet Corn Cereals** Baby corn, Corn-on-the-cob (kernels plus cob with husk removed) and Sweet corn (whole kernel without cob or husk)	
GC 3081	**Baby corn, (immature corn)**	*Zea mays* L., several cultivars
GC 4615	**Corn-on-the-cob (kernels plus cob with husk removed)**	*Zea mays* L., several cultivars, not including popcorn
GC 0447	**Sweet corn (whole kernel without cob or husk)**	*Zea mays* L., several cultivars, not including popcorn

Canada

Background:

The 48th Session of CCPR(April 2016) agreed on the grouping of Group 020. In order to finalize this group the EWG was requested to continue to work on the commodities to be included in the different subgroups and to determine if separate codes were needed for sweet corn (kernels), sweet corn (corn-on-the-cob) and baby corn.

Current Status:

The EWG has submitted a document (CL 2017/19-PR) which outlines the current status of the proposed revisions to Group 020. In summary, the EWG:

- Supports the grouping of Group 020 – Grasses of Cereal Grain as follows:

SUBGROUPS	
020A	Wheat, similar grains, and pseudo-cereals without husks
020B	Barley, similar grains, and pseudo-cereals with husks
020C	Rice cereals (rice as representative commodity)
020D	Maize, Grain Sorghum and Millet
020E	Sweet Corn cereals

- Supports that chia should be a member of Group 020 rather than as previously proposed in Herbs and Spices (Group 028A Seeds HS 3283 at Step 7).
- Supports that separate codes are needed for commodities in Subgroup 020E Sweet Corns.

The location of Canarygrass and Maize in Group 020 remains to be determined.

- Canada proposed relocating canarygrass from Subgroup 020D Maize, Grain Sorghum and Millet to Subgroup 020B Barley. Canada's rationale was based on canarygrass being a cool season grass similar to wheat and barley (as opposed to a warm season grasses such as millet and sorghum) and because the husk remains attached to the kernels (similar to barley) when used for bird seed.
- The EU would like to keep canarygrass in Subgroup 020D Maize, Grain Sorghum, and Millet as it noted similar morphology between canarygrass and different kinds of millet and that millet grains have similar size to canarygrass seed.
- Australia proposed grouping maize with sweet corn because of the higher residues in grain sorghum compared to maize. This was supported by a comparison of US grain sorghum, versus field corn (maize) tolerances.

Request to CCPR:

Codex members and observers have been asked to provide comments on the draft Group 020 Cereals Grass taking into account the agreement reached at CCPR 48 on the subgrouping of this group. Therefore comments are only requested regarding additional commodities to be added to or transferred within the subgroups. In particular, comments are requested on two commodities (canarygrass and maize).

Canada's Position on the Revised Grasses of Cereal Grains (Group 020)

As a member of the Electronic Working Group on the Revision of the Classification, Canada provided comments through this working group on the revised grasses of cereal grains. Canada is in agreement with the draft Group 020 Cereal Grass as described in Appendix III of CL 2017/19-PR, with the following comments:

- Canada continues to support the location of canarygrass in Subgroup 020B Barley given that:
    - Canarygrass is a cool season grass. Cool season grasses are made up of relatively small statured species that utilise the C3 carbon fixation. These typically grow best under moderate sunlight, moderate temperatures and adequate moisture. Both wheat and barley are cool season grasses. In contrast, warm season grasses, such as millet and sorghum are made up of relatively large-statured species that can also utilise the C4 carbon fixation. Due to this plant metabolism, these can also grow well under high sunlight, high temperatures and reduced moisture. [Meets Criteria #3 for crop grouping: Similar growth habits].
    - Although both millet and canarygrass have inflorescences called panicles, annual canarygrass are more spike-like and resemble club wheat. Annual cannarygrass grows to 60 – 100 cm tall (~2 – 3 feet tall), and readily tillers with it heading in 65 days and maturing in 104 to 107 days which is similar to spring wheat. In contrast, millet can grow from 3 – 10 feet tall with seeding to harvest intervals of 50 – 85 days. Annual canarygrass are adapted to the same climatic areas as spring wheat. [Meets Criteria #2 for crop grouping: similar morphology and Criteria #3 for crop grouping: Similar growth habits]
    - Canarygrass has small elliptical grains with hulls covered in fine siliceous hairs or trichomes. For use as a bird seed, it is desirable to maintain the hulls while harvesting. In this respect, it would be more similar to barley (husk remains attached to the kernels) than to wheat (husks are separated from the kernels during threshing). [Criteria #4 for crop grouping: Edible portion]
- Canada is in agreement with Australia's proposal to group maize with sweet corn for the following reasons:
    - Maize and sweet corn have greater potential for similar pesticide residues than Maize and Sorghum (based on the analysis of US Tolerances for these commodities and residue data assessed by JMPR). [Meets Criteria #1 for crop grouping]
    - Maize and sweet corn have more similar morphology. [Meets Criteria #2 for crop grouping]
    - Maize and sweet corn have similar production practices and growth habits. [Meets Criteria #3 for crop grouping]

Ecuador

Ecuador thanks to United States of America and the Netherlands for the work done by electronic means on the proposed draft revision of the Classification of Foods and Animal Feeds at Step 7: Selected commodity groups. (Group 020 – Grasses of Cereal Grains)

After analysing the document (CL 2017/19-PR), Ecuador supports to keep canarygrass in Subgroup 020D: Maize, Grain Sorghum and Millet; and in the case of the relocation of maize, Ecuador indicates that maize and baby corn should be kept in separate subgroups, because of the difference in production practices that have these crops.

European Union

European Union Competence

European Union Vote

The European Union (EU) would like to thank the Electronic Working Group on the revision of the Classification of food and feed chaired by the United States of America and co-chaired by the Netherlands for the preparation of the draft revision of the Classification of Foods and Animal Feeds, in particular for the crop group 020 – Grasses of cereals grains.

The European Union (EU) in principle agrees with the revision of the group 020 Cereals as proposed in the document CL 2017/19-PR. For the two pending issues mentioned in the paragraphs 6-8 of the document (location of the commodities canarygrass and maize) the EU would like to submit the following comments:

As for the commodity GC 3083 canarygrass, annual (*Phalaris canariensis* L.), taking into consideration the data presented by the Canadian delegation, the EU agrees to move the commodity from the subgroup 020D to the subgroup 020B (Barley, similar grains and pseudo cereals with husks).

As for the commodity GC 0645 Maize (*Zea mays* L., several cultivars, not including Sweet corn), the EU agrees with the Australian proposal to move this commodity from the subgroup 020D into the subgroup 020E Sweet corns.

In case the move of Maize will be agreed, the EU would like to underline that also the commodities GC 0656 Popcorn (*Zea mays* L., var. *everta* Sturt.; syn: *Zea mays* L., var. *praecox*) and GC 0657 Teosinte (*Zea mays* L.ssp. Mexicana (Schrader) Iltis; syn: *Zea Mexicana* (Schrader) Kunze; *Euchlaena Mexicana* (Schrader)) should also move to the subgroup 020E, all being varieties of the same botanical species.

As regards the two compromises proposed by Japan, a typo has been spotted in the fourth line of paragraph 8 of document CL 2017/19-PR. The following comments have been drafted assuming that "020E" should be read as "020D". The EU does not support the proposal 1) because there has always been a general agreement to keep the commodity sweet corn in a different subgroup. The EU supports the proposal 2) to choose Sorghum, grain as representative commodity of the subgroup 020D.

In case the two proposed changes of positions of canarygrass and maize will be agreed, there will be several consequences affecting the Table 3 on the "Examples of the selection of Representative Commodities – Grass". They are explained in details in the EU comments to the point 7(e).

Kenya

Issue:

The 48th Session of CCPR (CCPR48) (April 2016) came to an agreement on the grouping of Group 020– Grasses of Cereal Grain as follows: subgroups 020A Wheat; 020B Barley; 020C Rice; 020D Maize, Grain Sorghum and Millet and 020E Sweet Corn, with pseudo-cereals separated into either subgroup 020A Wheat or subgroup 020B Barley). Based on this agreement, the Committee agreed to send the Group 020 to the 39th Session of the Codex Alimentarius Commission (CAC39) (July 2016) for adoption at Step 5.

In order to assist with the finalization of this Group, the Committee agreed that the Electronic Working Group on the revision of the Classification would continue working on the commodities to be included in the different subgroups, with the understanding that the crop subgrouping for Group 020 would not be subject to any further discussion. In addition, the EWG would consider the need for separate codes for sweet corn (kernels), sweet corn (corn-on-the cob) and baby corn.

Position:

Kenya thanks the EWG led by the United States of America and co-chaired by Netherlands for the work done to refine the classification as proposed in Group 020 Grasses of Cereal Grain. The improvement in having a specific Sub-group to include the inclusion of Sweet corn (dry, mature) and sweet corn (corn-on-the-cob) Zea mays L. together with Maize, *Zea mays* L. several cultivars; and separate commodity code for Baby corn (immature corn) *Zea mays* L, several cultivars Group 020E.

Kenya notes that concern during the CCPR48 has now been incorporated in the current proposal; specifically to have a separate commodity code for Baby corn (immature corn) *Zea mays L*, which has been incorporated in Sweet Corns, subgroup 020E. Also noted is the inclusion of the Sweet corn (Corn-on-the-cob) GC 0447 in the same subgroup.

We seek clarification that the commodities referred to in the subgroup are succulent, since this would have direct relevance to the residues found in these commodities – this could be included as a description of the subgroup.

Peru

GENERAL COMMENTS:

Peru recognizes and commends the work done by the Electronic Working Group (EWG) chaired by the USA and co-chaired by the Netherlands, for the effort it makes in the integration of ideas and for giving us the opportunity to submit comments on the proposed revision of the Codex Classification of Foods and Animal Feeds.

At the CCPR48 held in China, the Delegation of Peru had the opportunity to meet the experts of the USA, the EU and other Latin American countries to address the arguments that support the most suitable approach for quinoa, kiwicha (Amaranth) and canihua; namely that Group 020 Cereal grains be divided into 20A Wheat, similar grains, and pseudocereals without husks, 20B Barley, similar grains, and pseudocereals with husks, 20C Rice Cereals, 20D Maize, Grain Sorghum and Millet and 20E Sweet Corns, and that in this context, "pseudocereals without husks" remain in Group 20A, together with wheat.

In this regard, Peru expresses again its support for the proposal, that considers not to separate the subgroup of pseudocereals from the other small grains, due to the same pattern of use; the growing practices in the field are similar to the growing practices in the field of the other members of the Group of cereal grains, especially wheat. Also, the requirement of a separate subgroup for pseudocereals will probably result in the absence of tools for producers of these crops, because for registrants the cost of carrying out field trials is not justified and the necessary funds to carry out these studies are not invested.

In this regard, it is recommended to support the completion of the work, due to the good progress made by EWG in all documents; whose aim is to maintain the classification in similar groups, with a uniform nomenclature to set MRLs for products with similar characteristics and similar potential for residues.

SPECIFIC COMMENTS:

According to the established by the electronic working group, specific comments are made on the worked e-mails:

- **E-mail C**: The purpose was to continue the work of Group 024 Seeds for beverages and sweets and determine if this group can be expanded to other plants (term of reference of the 48th session of the CCPR).

  The general consensus, which we agree with, is maintaining Group 024 as it is currently set and that Chia seeds belong to Group 020 Cereal grains.
- **E-mail E**: The purpose is to continue working on Table 3, Type 03 Grasses.

  We agree to include Chia seed in Group 020 Cereal grains instead of in Group 024 Seeds for beverages and sweets.
- **E-mail G**: The purpose was to consider the need to establish separate codes for baby corn, corn on the cob and sweet corn (whole grains). Peru agrees that for these products separate codes are needed. We also agree with the proposal of Japan, which included two codes that have been made in the following manner:

  Subgroup 020E Sweet corns

Code No.	Commodity
GC 2090	Sweet corns
	(includes all commodities in subgroup 020E)
GC 3081	Baby corn, (immature corn)
	Zea mays L., several cultivars
GC 0447	Corn-on-the-cob (kernels plus cob with husk removed)
	Zea mays L., several cultivars, not including popcorn
GC 1275	Sweet corn (whole kernel without cob or husk)
	Zea mays L., several cultivars, not including popcorn

United States of America

General Comments

The United States generally supports the revision of the Classification of Food and Feed and has chaired the electronic Working Group working on this effort with the help of The Netherlands for a number of years. Below you will find comments specific to each of the Circular Letters related to this work.

Specific Comments

CL 2017/19-PR Rev: Request for Comments at Step 6 on the Draft Revision of the Classification of Food and Feed: Group 020 – Grasses of Cereal Grains (Agenda Item 7(b))

The 48th Session of CCPR (2016) came to an agreement on the grouping of Group 020 – Grasses of Cereal Grains. The United States supported this decision and is pleased with the consensus reached in the electronic Working Group (EWG) that a commodity should only be included in one group or subgroup to avoid any possible confusion of having two different CXLs for the same commodity. The United States also agrees with the inclusion of separate commodity codes provided by the EWG for sweet corn commodities. In regards to the question of the location of maize, the United States supports the compromise solution proposed by Japan to add grain sorghum as an example of an alternative representative commodity for subgroup 020D (Agenda item 7(e)). This option aligns with the agreement that sweet corn would be included in a separate subgroup (CCPR47, REP15/PR, para.132).

African Union

Issue:

The 48th Session of CCPR (CCPR48) (April 2016) agreed on the grouping of Group 020–Grasses of Cereal Grain as follows: subgroups 020A Wheat; 020B Barley; 020C Rice; 020D Maize, Grain Sorghum and Millet and 020E Sweet Corn, with pseudo-cereals separated into either subgroup 020A Wheat or subgroup 020B Barley). Based on this agreement, the Committee agreed to send the Group 020 to the 39th Session of the Codex Alimentarius Commission (CAC39) (July 2016) for adoption at Step 5. In order to assist with the finalization of this Group, the Committee agreed that the Electronic Working Group on the revision of the Classification would continue working on the commodities to be included in the different subgroups, with the understanding that the crop subgrouping for Group 020 would not be subject to any further discussion. In addition, the EWG would consider the need for separate codes for sweet corn (kernels), sweet corn (corn-on-the cob) and baby corn.

Position:

AU commends the EWG led by USA and co-chaired by Netherlands for the work done to refine the classification as proposed in Group 020 Grasses of Cereal Grain. **AU** notes the significant improvement made to have specific Sub-groups. At the 48th CCPR, AU proposed the inclusion of Sweet corn (dry, mature) Zea mays L. together with Maize, *Zea mays* L. several cultivars and 020D; and to have a separate commodity code for Baby corn (immature corn) *Zea mays* L, several cultivars Group 020E.

AU notes that concerns raised during the CCPR48 have now been incorporated in the current proposal; specifically to have a separate commodity code for Baby corn (immature corn) *Zea mays L*, which has been incorporated into the Sweet Corns, subgroup 020E. **AU** further notes the inclusion of the Sweet corn (Corn-on-the-cob) GC 0447 in the same subgroup.

The subgroup should however have the confirmation that the commodities referred to in the subgroup are succulent, since this would have direct relevance on the residues found in these commodities – this could be included as a description of the subgroup.

Rationale:

The new proposal has taken into consideration the requested crops by the African group, for inclusion in subgroup 20E. This will assist in the establishment of MRLs for minor crops in the commodity groups.