

CODEX ALIMENTARIUS COMMISSION

E



Food and Agriculture
Organization of the
United Nations



World Health
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Item 18

CX/CF 20/14/16-Add.1

November 2020

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON CONTAMINANTS IN FOODS**

14th Session

Utrecht, The Netherlands, 20 – 24 April 2020

**REVIEW OF CODEX TEXTS
FOR CONTAMINANTS IN FOOD AND FEED**

**Comments in reply to CL 2020/53/OCS-CF:
Request for comments on approaches to identify the need for revision of
Codex texts developed by CCCF**

Australia, Brazil, Canada, Chile, Costa Rica, Cuba, Ecuador, European Union (EU), Iraq, Morocco,
Republic of Korea, Thailand and the United States of America (USA)

GENERAL AND SPECIFIC COMMENTS

Member / Observer	Comment
Australia	<p>General comments</p> <p>Australia supports a systematic approach to reviewing Codex standards and related texts, including the establishment of criteria to help support consistent, transparent and strategic decision-making. In addition, the approach should be agile, practical, efficient and driven by an identified need (e.g. potential safety or trade concern).</p> <p>Request for Comments</p> <p>4a Australia supports Option 2 – Tracking lists because it appears to provide the flexibility of the current needs-based system plus a more organised framework for reviewing Codex standards and related texts.</p> <ol style="list-style-type: none"> i. Trialling this option for a period of time (e.g. 3 years) is supported as this will resolve questions around the feasibility of the approach in addition to the ongoing resource requirements to maintain the tracking lists. It is suggested that objective performance metrics are developed to assist the Committee with assessing Option 2 during, and at the end of, the trial period – it may be necessary to extend the trial period or modify the approach depending on the Committee’s assessment at specific checkpoints. ii. The general approach of the trial is supported on the basis that necessary adjustments will be made during the trial as appropriate. <p>4b Australia suggests incorporating additional elements into Option 2 including the prioritization of standards using the criteria in paragraphs 27 – 41 of the discussion paper and picking up the ideas described below under 4c.</p> <p>4c The proposed criteria are appropriate and provide good coverage of the main information useful for identifying Codex standards and related texts for review. We suggest a number of additional points to assist with the use of these criteria by the proposed electronic working group, or in-session working group convened during the CCCF meeting:</p> <ul style="list-style-type: none"> - the criteria could be prioritised in order of importance and potentially weighted to generate a relative ‘score’ for each standard or text. - there should be an option to consider any other relevant information on a case-by-case basis - a decision tree could be developed to assist with the application of the criteria
Brazil	<p>Brazil agrees with the proposal presented in CL 2020/53/OCS-CF, that means to adopt option 2 proposed on paragraph 44 of CX-CF 20-14-16 and in line with the recommendation listed on paragraph 48. In this sense, after 3 years of implementing option 2, this approach could be revised. We also highlight that it seems reasonable to review documents by time of publication (15 or 25 years) only if a new toxicological evaluation is needed, if there are data on changes in diet/consumption patterns or calls for new analytical data. In the absence of these information, the review might not be needed.</p>
Canada	<p>a. Canada supports option 2, as described in paragraph 48 of CX/CF 20/14/16, that is, the establishment of tracking lists of Codex standards >15 and >25 years old and those recommended for re-evaluation by CCCF, CAC, or a Member country.</p> <p>Canada also supports the continued review of existing Codex standards on a ad hoc basis upon nomination by Member countries and/or CCCF on the basis of new and adequate data and scientific information. This approach avoids the potential challenges associated with requiring the review of standards >25 years old as per option 3, which could be challenging given the typically full agenda of the CCCF as well as place undue burden on member countries.</p> <p>a.(ii). Canada supports the possible approach for implementing option 2 as outlined in paragraph 49 of CX/CF 20/14/16.</p> <p>a.(i). Canada supports that option 2 be implemented for 3 years, as proposed in paragraph 48 of CX/CF 20/14/16, after which time its effectiveness could be reviewed and discussed in 2024 by CCCF16 (moved back a year due to the cancellation of CCCF14 in 2020).</p> <p>b. & c. Canada does not have any alternative options to propose or additional prioritization criteria to those outlined in paragraphs 31-41 of CX/CF 20/14/16 that would trigger the review of Codex standards.</p>

Chile	<p>Chile has reviewed the recommendations made in this circular letter and its comments are as follows:</p> <ul style="list-style-type: none"> - Chile supports the proposal set out in option 2, tracking lists, as described in paragraph 44 of CX/CF 20/14/16 and agrees with the proposed implementation period, in accordance with the recommendation made in paragraph 48 (3 years).
Costa Rica	<p>a) Costa Rica agrees with the selection of option 2, which gives the CCCF, Member States and the CAC sufficient flexibility to act. We believe that paragraph 43 of report CX/CF/20/14/16 of February 2020 reflects our country's opinion.</p> <p>We consider the establishing of potential review periods as stated in option 2 to be paramount, as the regulations of developing countries such as Costa Rica are dependent on Codex standards and these standards must be updated in accordance with the current realities and scientific research.</p> <p>Furthermore, our country considers the period of 3 years for implementation of this option to be acceptable, although it could prove insufficient for a true and fair assessment of the review methodology applied to Codex standards and texts.</p> <p>b) Costa Rica takes the view that the provision of other alternative approaches in addition to those already identified by the EWG can be the subject of ongoing consultation while the CCCF identifies the consensus choice from the 3 options proposed by the EWG, and we therefore have no further alternative approaches to contribute at present.</p> <p>c) Costa Rica considers the listed criteria to be sufficient, and that a priority scale could be developed for their application. However, our country does not currently wish to add any additional criteria to those mentioned in paragraphs 31 to 41 of report CX/CF/20/14/16.</p>
Cuba	<p>We consider the 3 options proposed by the EWG to be acceptable in principle, particularly option 2 recommended in the text.</p>
Ecuador	<p>Ecuador wishes to support option 2, tracking lists, i.e. establishing tracking lists of Codex standards > 15 and > 25 years old and of standards recommended for re-evaluation by CCCF, CAC, or a Member State. The review of existing Codex standards would need to continue on an ad-hoc basis.</p> <p>In addition, the establishment of a 15-year rule and 25-year rule, as outlined in the document, would not preclude ad-hoc work to review Codex standards that are deemed to be of high importance from a food chemical safety perspective. These may be required in response to, for example, adulteration, natural disasters, or other unforeseen environmental issues.</p> <p>We stress that we support the implementation of tracking lists for the purpose of re-evaluation, not revocation – all of the foregoing on the ongoing basis of scientific analysis.</p> <p>It is proposed that this option be implemented for 3 years, after which time its effectiveness could be reviewed and discussed in 2023 by CCCF17, as recommended in the discussion paper.</p>
European Union	<p>Mixed Competence European Union Vote</p> <p>(a) The European Union and its Member States (EUMS) can support the implementation of option 2 whereby tracking lists of Codex standards of more than 15 and more than 25 years old and of standards recommended for re-evaluation by CCCF, CAC or a Member country are established. The review of existing Codex standards would continue on an ad hoc basis, upon nomination by Member countries and/or CCCF on the basis of new and adequate data and scientific information. The EUMS support the implementation on a trial basis of option 2 for a period of 3 years after which time its effectiveness could be reviewed and discussed in CCCF. The EUMS can also fully support the approach for trial implementation as described in paragraph 49 of CX/CF 20/14/16.</p> <p>(b) As the EUMS can fully support option 2, no alternative approaches are proposed.</p> <p>(c) The EUMS are of the opinion that the criteria to be taken into consideration for the revision of the standards and related texts for contaminants in food and feed as described in §31 to § 41 in document CX/CF 20/14/16 are comprehensive.</p>
Iraq	<p>Agree with paragraph C.</p>
Morocco	<p>a- Morocco is in favor of option 3 tracking and prioritization lists.</p>

Republic of Korea	We support Option 2 with 3 years implementation: Option 2 allows easy identification of old standards and CoPs and evaluation of the option after 3 years implementation will help determine future work and direction. Three years would be reasonably sufficient period for trial. With Option 1, the old standards or CoPs are impossible to be considered until recommended. With Option 3, immediate increase in work load is inevitable. We agree on the approach described in paragraph 49 for trial implementation of option 2.
Thailand	<p>According to the proposed options regarding approaches to identify the need for revision of standards and related texts, Thailand has considered the 3 options proposed by the EWG, we agree to follow Option 2 on a trial basis.</p> <p>Also, we agree to the proposed period for implementation for 3 years. However, we note that the meaning of “3 years” refers to “3 annually meetings” therefore the reviewed of Option 2 will be discussed by CCCF17 in 2024.</p> <p>In addition, we have no objection to establish in-session working group to generate and summarize tracking lists of Codex standards >15 and >25 years old.</p>
USA	<p>The United States appreciates the opportunity to provide comments in response to CL 2020/53/OCS-CF.</p> <ul style="list-style-type: none"> • The United States was co-chair of the EWG and supports the proposal to implement option 2 for three years, as recommended in paragraph 48 of CX/CF 20/14/16. • The United States also supports the approach for trial implementation of option 2 as recommended in paragraph 49 of CX/CF 20/14/16: <ul style="list-style-type: none"> ○ Establishing an EWG to generate and maintain annually the following lists: <ul style="list-style-type: none"> ▪ List(s) of contaminant standards established or most recently updated > 15 and > 25 years ago. ▪ List of Codex standards that have been recommended for re-evaluation by CCCF, CAC, or a Member country within a certain period of time or at an unspecified future date. ○ These lists would then be shared with CCCF in advance of each meeting. An in-session working group at the CCCF meeting would summarize the current review status and recommend for review priorities from the tracking lists. CCCF would then consider how to balance these priorities with new Codex standard development. ○ Member countries that nominate existing Codex standards for review or new Codex standards for elaboration would take the item on as new work and present their findings in the form of a discussion paper.