

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Items 18

CRD06

May 2022

ORIGINAL LANGUAGE ONLY

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

15th Session

Virtual

9-13 and 24 May 2022

REPORT OF THE PRE-SESSION WORKING GROUP ON THE REVIEW OF CODEX STANDARDS FOR CONTAMINANTS

(Prepared by Chair of the WG on the Review of Codex Standards for Contaminants, Canada)

INTRODUCTION

1. CCCF14 (2021) agreed that a working group (WG) established at CCCF15 would consider comments in reply to a circular letter issued in advance of CCCF15 and make recommendations to CCCF on the need to revise Codex standards for contaminants in food.¹
2. The circular letter² issued in advance of CCCF15 requested suggestions for the prioritization of contaminants in Lists A.1³, A.2⁴ and B⁵ as well as a single, overall, list of prioritized contaminants for possible review by CCCF based on the information presented in these lists in Annex I and the prioritization criteria in Annex II of CL 2021/90-CF. Comments compiled in response to this circular letter⁶ are posted to the CCCF15 website.⁷
3. A summary and analysis of the comments received in response to the circular letter were presented in a conference room document (CRD)⁸ posted to the CCCF15 agenda website.
4. The pre-session WG was held on May 3, 2022, and chaired by Dr. Sonya Billiard (Canada). Elizabeth Elliott (Canada) and Rosalie Awad (Canada) served as rapporteurs.

OBJECTIVE OF THE WORKING GROUP

5. The objective of the pre-session WG was to consider suggestions for the prioritization of contaminant standards and make recommendations to CCCF15 on the following key points: edits to Lists A and B; the new overall highest priority list; and edits to the prioritization criteria.

WORKING GROUP DISCUSSION

6. Key points from the circular letter, and captured in CF15/CRD02, identified for further potential discussion were considered by the pre-session WG through a series of ten (10) charge questions. These charge questions are listed in the following paragraphs. The key points raised by WG participants on these charge questions are included in the summary below.

¹ REP21/CF, para. 218

² CL 2021/90-CF

³ List A.1: Codex Contaminant Standards Established or Reviewed ≥25 years ago

⁴ List A.2: Codex Contaminant Standards Established or Reviewed ≥15 and <25 years ago

⁵ List B: Codex Contaminant Standards Recommended for Re-Evaluation

⁶ CX/CF 22/15/17

⁷ <https://www.fao.org/fao-who-codexalimentarius/meetings/detail/en/?meeting=CCCF&session=15>

⁸ CF15/CRD02

7. **Question 1:** Does the WG agree to create a new, Overall Highest Priority List of standards for review, noting that an example of this list is included in Annex II, CF15/CRD02?
 - i. The WG agreed with this proposal.
8. **Question 2:** Does the WG agree to maintain, without further prioritization, Lists A.1, A.2 and B?
 - i. The WG agreed with this proposal.
9. **Question 3:** Does the WG agree that the Overall Highest Priority List should only include highest priority standards for review, entered into the list based on the prioritization criteria and/or other clear, reasonable rationale?
 - i. The WG agreed with this proposal.

Sub-question: Does the WG have any additional purposes or terms of use for this list?

 - ii. The WG did not have any comments in response to the sub-question.
10. **Question 4:** Does the WG agree that standards recommended as highest priority for review for which rationale based on the prioritization criteria or other reasonable rationale were not provided in response to CL2021/90-CF should be removed from this list if such rationale is not provided in advance of CCCF16 (2023)?
 - i. The WG agreed with this proposal.
11. **Question 5:** Does the WG agree that the WG chair would provide a verification function, where possible, of rationales provided by member countries or regions recommending standards for inclusion in the Overall Highest Priority List?
 - i. The WG agreed with this proposal.
12. **Question 6:** Does the WG agree to the edits to Lists A.1, A.2 and B in Annex I, CF15/CRD02?
 - i. The WG agreed with this proposal.

Sub-question: Does the WG have any additional edits to these lists?

 - ii. The WG did not have any comments in response to the sub-question.
13. **Question 7:** Does the WG agree to the edits to and the four (4) new proposed prioritization criteria in Annex III, CF15/CRD02?
 - i. The WG agreed with this proposal.
 - ii. Brazil noted that a number of prioritization criteria in Annex III are listed as high priority (priority 1) and asked if the prioritization criteria will be ranked. Brazil also asked, if there are too many standards with a high prioritization, how the Committee will decide which is the highest priority.
 - iii. The WG chair responded to Brazil's question (para 13ii)), noting: a) the challenges with establishing a priority ranking for Codex standards to review this year, based on the varied use of the prioritization criteria and rationale provided; b) that the numeric values of the prioritization criteria are intended to be used as a guide to help identify Codex standards to be added to the Overall Highest Priority List; c) that consideration of the overall standard prioritization could vary on a case-by-case basis depending on other reasonable rationale provided; and d) that a footnote could be added to the list of prioritization criteria indicating how the numeric priority rankings are intended to be used.

Sub-question: Does the WG have any additional edits to these criteria?

 - iv. Japan proposed the following additional prioritization criteria: "Health-based guidance value is not established." Japan indicated that this criteria would apply to genotoxic carcinogens for which there is no health-based guidance value and that a higher priority for review should be given to standards for these chemicals, using aflatoxins as an example.
 - v. The European Union asked Japan if the criteria could be rephrased to refer to genotoxic carcinogens, as Japan mentioned this category of chemicals. The WG chair therefore suggested the modified wording "health-based guidance value is not established as the chemical is a genotoxic carcinogen", proposing it would represent a 'high to medium health risk' and a 'priority 1' item. Japan agreed with this proposal.

- vi. Additional questions and comments were offered in response to Japan's proposed new prioritization criteria (para. 13 iv)) by WG participants from the European Union, Costa Rica, United States and Brazil. These participants sought to understand the proposal, its possible impacts and suggested that certain prioritization criteria already agreed to by CCCF14 (2021) (Annex III, CF15/CRD02) may already capture the intent of Japan's proposal.
 - vii. Japan indicated their position was that the new prioritization criteria they proposed is not already covered by an existing criteria.
 - viii. The WG chair asked Japan if they would agree to submit this comment and supporting rationale in writing when the next circular letter is issued. Japan agreed to this approach.
14. **Question 8:** Does the WG agree to continue with the general process by which the trial period (2022-24) is proceeding?
- i. The WG agreed with this proposal.
15. **Question 9:** Can the WG agree that no new work to review an existing Codex standard should be recommended to CCCF15?
- i. The WG agreed with this proposal.
16. **Question 10:** Does the WG agree that Canada continues to chair the WG on the review of Codex standards for contaminants?
- i. The WG agreed with this proposal.

WORKING GROUP RECOMMENDATIONS TO CCCF15

17. That CCCF15 consider the recommendations of the WG as set out in the ten (10) questions in paragraphs 7 to 16, above.