

# CODEX ALIMENTARIUS COMMISSION



Food and Agriculture  
Organization of the  
United Nations



World Health  
Organization

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Agenda Items 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 18

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ORIGINAL LANGUAGE

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON CONTAMINANTS IN FOODS

17th Session  
15-19 April 2024

*Comments submitted by Kenya*

## Agenda Item 5: Maximum levels for lead in certain food categories (at Step 4)

**Position:** Kenya appreciates the work done by Brazil. However, Kenya notes that according to the 73rd JECFA report, there are no safe levels for lead.

From the data submitted it was noted that there was limited geographical representation. Therefore there is a need for more data submissions by member countries from other geographical regions.

## Agenda Item 6: Sampling plans for methylmercury in fish (at Step 4)

**Position:** Kenya appreciates the work that has been done by the Electronic Working Group chaired by New Zealand and co-chaired by Canada. Kenya notes that a significant amount of work has been put in by the electronic working group. Kenya proposes that the standard be supported to move to Step 5.

**Justification:** There is insufficient information and missing data that can support progression to Step 5/8. Moving the standard to Step 5 will allow for more research to be done and for members to provide more information. It will further help in harmonizing the data that is generated during circulation at step 6 and Committee session at step 7. Kenya is of the view that progressing to Step 5 will facilitate the development of comprehensive sampling plans.

The sampling plan should be further developed in order to continue considering aspects raised in paragraphs 32, 44, and 45 (Appendix III). By developing a well-designed sampling plan for Methyl Mercury in fish, Members can effectively monitor contamination levels, assess potential risks to human health and environment, and implement appropriate mitigation measures to protect public health and ensure food safety.

## Agenda Item 7: Definition for ready-to-eat peanuts for the establishment of a maximum level for total aflatoxins in this product

**Position:** Kenya supports the revised definition, conclusions, and recommendations of the EWG. The proposed definition should be considered with a view of providing specific comments and agreed by CCCF in order to proceed with the development of ML for AFT in RTE Peanuts. Kenya further supports the issue of generation of additional data to help in the definition of Ready-to-Eat Peanuts which is important for the segregation of data.

Kenya also proposes the inclusion of 'peanut paste/gruel/sauce' in the definition as an example of RTE peanut.

**Justification:** Peanuts play an important nutritional role in many parts of Kenya. They are grown in Kenya and are important for both subsistence and commercial purposes providing nutrition and income for many farmers and homesteads across the country. Peanuts are used in various dishes and play a significant role in local economies.

Therefore, a proper definition and limits must be set to sufficiently protect the health of the consumers and be fair enough not to impede trade. Overall setting limits for aflatoxins is essential to safeguard public health, ensure food safety, facilitate trade, and protect consumers from the harmful effects of these toxins, and also for regulatory compliance.

**Agenda Item 8: Sampling plans for total aflatoxins and ochratoxin A in certain spices (at Step 4)**

**Position:** Kenya supports the work done by the Electronic Working Group in preparing this work. Kenya supports the progression of the document to Step 5 to allow members to have more time to review the document and provide additional information to refine the plan.

**Justification:** The support for the document to progress to Step 5 is to allow more members to review the document provide comments and make more observations. It should be noted that the document was received late by all members and there was not enough time given to review and provide comments. Kenya is of the view that there are issues that need clarification by the EWG before the document can progress.

**Agenda Item 9: Code of practice/guidelines for the prevention and reduction of ciguatera poisoning (at Step 4)**

**Position:** Kenya supports the adoption of the Code of Practice for the prevention or reduction of Ciguatera poisoning. Kenya also supports its advancement in the step process as per procedures.

**Justification:** Ciguatera poisoning may occur in certain coastal regions of the Indian Ocean. Ciguatera poisoning is a public health concern, members can protect the health and well-being of individuals who consume contaminated fish, mitigate economic losses, and support the livelihood of fishermen and seafood businesses. Also, ciguatera poisoning poses a risk to food safety and reducing its incidence helps maintain the integrity of the seafood industry and protect consumers from harm.

**Agenda Item 10: Discussion paper on pyrrolizidine alkaloids in food and feed**

**Position:** Kenya appreciates the EU for the development of the discussion paper and agrees with the recommendation made.

**Agenda Item 11: Discussion paper on tropane alkaloids in foods**

**Position:** Kenya appreciates the Electronic Working Group chaired by China and its co-chair Saudi Arabia. Kenya supports the progression of this work. However, Kenya notes that the following gaps need to be addressed:

1. Lack of Guidance Criteria for Seed Number and Compound Concentration; if the committee agrees to set Maximum Limits, Kenya recommends that guidance limits be established for seed number and/or compound concentration levels considering diverse operational methods of different businesses and existing testing capacity, to enable a more adaptable strategy.
2. Need for consideration of separate compounds. As per the EFSA 2018 and FAO/WHO reports cited within the draft discussion paper, significant differences exist in the average ranges of scopolamine and atropine identified across different product categories. Consequently, Kenya suggests considering separate compounds when defining guidance limits. This approach may allow for better management of deviations and facilitate a targeted response to specific challenges associated with individual compounds.

**Agenda Item 13: Request for comments on the recommendation for the establishment of maximum levels for cadmium and lead in quinoa**

**Position:** Kenya appreciates and welcomes the work done by the JECFA secretariat. Kenya proposes further investigation of the evidence for the extension of the current MLs for cadmium and lead in cereal grains to include quinoa.

**Justification:** Based on available data and consumption patterns for quinoa, there is a need to have more engagement with JECFA in order to have more information on the need to establish MLs. Kenya is of the view that the MLs of Lead and Cadmium in cereals can also be extrapolated to have MLs of quinoa.

**Agenda Item 14: Review of the Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts (CXC 55-2004)**

**Position:** Kenya appreciates the work done by the EWG chaired by Brazil and supports the progression of the discussion paper on the review of the code of practice since it has sufficient information on new mitigation measures on the revision of CXC 55-2004.

**Agenda Item 15: Review of the Code of Practice for the Reduction of Aflatoxin B1 in Raw Materials and Supplemental Feedingstuffs for Milk-Producing Animals (CXC 45-1997)**

**Position:** Kenya supports new work on the code of practice for the reduction of Aflatoxins B1 in raw materials and supplemental feeding stuff for milk-producing animals. Kenya also supports the advancement of the work in the step process.

**Justification:** Aflatoxins can significantly impact public health and there is also new scientific data to support this work. Aflatoxins can cause acute and chronic health effects, including liver damage, immune suppression, increased risk of liver cancer, and death. Children and individuals with compromised immune systems are particularly vulnerable. Aflatoxin contamination can also restrict trade, hence reducing its contamination is essential for safeguarding public health, ensuring food safety, and facilitating trade.

**Agenda Item 16: Development of a Code of practice for the prevention and reduction of cadmium contamination in foods**

**Position:** Kenya notes and welcomes the discussion paper on the development of the code of practice for the prevention and reduction of cadmium contamination in foods. Kenya appreciates the work done by the United States of America and supports the proposed recommendations and conclusions to progress the new work through the step process. Kenya also recommends that the Code of Practice assumes the shape and structure of other Codes of practice that have been developed for food. Kenya further notes that there is already an existing code of practice for cadmium in cocoa and recommends that it is maintained even as the general code of practice is being developed for cadmium in foods.

**Justification:** The development of the Code of practice for the prevention and reduction of cadmium contamination in foods will complement the already existing code of practice on the prevention and reduction of contaminants in cocoa. This work is important for it will strengthen the current measures in ensuring protection of the consumer health and facilitation of trade.

**Agenda Item 18: Review of Codex standards for contaminants**

**Position:** Kenya supports work done by the Working group and notes the importance of the review of contaminants such as aflatoxins and heavy metals which have a significant impact on public health.

**Justification:** The re-evaluation of standards is normal in the Codex standard development process. Kenya takes note that some standards have taken a long time to be reviewed.