CODEX ALIMENTARIUS COMMISSION

Food and Agriculture Organization of the United Nations

World Health Organization

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

39th Session

FAO Headquarters, Rome, Italy, 27 June – 1 July 2016

(Comments of the African Union)

CCNFSDU: CODEX COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES

MATTERS FOR ADOPTION BY THE 39 Session of the CAC

PROPOSED DRAFT ADDITIONAL OR REVISED NUTRIENT REFERENCE VALUES FOR LABELLING PURPOSES IN THE GUIDELINES ON NUTRITION LABELLING: NRV-R FOR COPPER, IRON (DIETARY DESCRIPTION AND FOOTNOTE), MAGNESIUM, PHOSPHORUS, VITAMIN E AND VITAMIN A (DIETARY EQUIVALENTS AND CONVERSION FACTORS), AT STEP 5/8 (PARA. 52A), APPENDIX II, PART I).

Issue/background

An electronic working group chaired by Australia proposed the revision of the NRVs in 19 recommendations, according to scientific data held from **RASB (Recognized Authoritative Scientific Bodies)**

Recommendation 1: NRV-R for Vitamin A

The committee agreed to retain the NRV-R as 800 µg and based on IOM

AU position: AU supports adoption of the recommendation

Justification: The proposed level is safe to the population and that such level will complement the efforts for Vitamin A deficiency management in the region. Vitamin A is physiologically important especially in relation to body immunity and in vision. Vitamin A contributes to reduction of mortality in children under five years of age.

Recommendation 4: **NRV-R for Vitamin E**

The committee agreed to establish a NRV-R of 9 mg and based equally on Nordic Council, and average of EFSA, NHRMC/MOH, NIHN, WHO/FAO (all AIs).

AU position: AU supports adoption of the recommendation.

Rationale: Vitamin E is an important antioxidant in the body and the proposed levels are physiologically adequate for its function.

Recommendation 5: NRV-R for Iron

The electronic working group proposed the revision of NRVs for iron: 14 mg for iron from animal source (15% of absorption) and 22 mg from vegetable source (10% of absorption) according to the level of absorption

AU position: AU **s**upports adoption of the recommendation (two NRVs for iron)

Justification: Quality of absorption of iron and zinc depends on the source (Animal sources are better absorbed as compared to plant sources e.g. the heme and non-heme iron.)

Recommendation 6: **Dietary Description for Iron**

Subject to agreement to the previous recommendation, the committee agreed to the dietary descriptions adapted from WHO/FAO (2006) that correspond to the selected NRVs-R.

AU position: AU supports its adoption

Justification: Quality of absorption of iron and zinc depends on the source (Animal sources are better absorbed as compared to plant sources e.g. the heme and non heme iron.)

Recommendation 8: **NRV-R for Magnesium**

The committee agreed to revise the NRV-R from 300 mg to 310 mg and based on average of IOM, NIHN, WHO/FAO ± Nordic Council (INL98 ± RI).

AU position: AU supports the adoption of the recommendation

Justification: Magnesium is important mineral in the normal functioning of body muscles including the heart and therefore the proposed level will support this function especially with the increased cardiovascular complications.

Recommendation 9: NRV-R for Phosphorus

On the basis of eWG consideration, the committee agreed to establish a NRV-R of 700 mg and based on IOM. Further the committee adopted a higher value of 700 mg despite there no being a supporting scientific reason as is the case for 550 mg related to the absorption ratio. Three African countries, Senegal, Mali and Togo expressed their reservation on this decision of the committee.

The Committee agreed to adopt the recommendation for the NRV-R for phosphorus at 700 mg noting the reservations of Mali, Senegal and Togo as they preferred the NRV-R of 550 mg stating that more scientific evidence was necessary regarding the calcium phosphorus ratio.

AU position: AU supports adoption of the standard with the reservation expressed by African delegates

Justification: For proper absorption of phosphorus, a Ca:P ratio of 2:1 is optimal and will ensure that both Calcium and Phosphorus are well absorbed in the body. 550 mg will ensure a ratio of 1.8 which is quite within the range of optimal absorption.

Recommendation 10: **NRV-R for Copper**

The committee agreed to establish a NRV-R of 900 µg and based on IOM.

AU Position: AU supports adoption of the recommendation

Justification: Copper is important element in the body coenzymes and this level is both safe and efficacious.

Recommendation 13: **Vitamin A Dietary Equivalents and Conversion Factors**

The committee agreed to:

- inserts an entry for vitamin A in the second table to paragraph 3.4.4.1 of the Guidelines on Nutrition Labelling
- include both RAE (Retinol activity equivalent) and RE (retinol equivalent) and their conventional conversion factors as alternative dietary equivalents for Vitamin A occurring naturally in food as discussed in section 4.1
- include two principal forms of retinol that are added to food as shown in section 4.2
- delete the * currently attached to vitamin A NRV-R and related footnote relating to declaration of β-carotene.

AU Position: AU supports adoption of the recommendation

Justification: This will allow comparison of various forms of Vitamin A and same interpretation of results.

The NRV-R for Vitamin D and the dietary equivalents and conversion factor for Vitamin E (para. 52b) and Appendix II, Part III).

Recommendation 14: **Vitamin E Dietary Equivalents and Conversion Factors**

The committee agreed to:

- insert an entry for vitamin E in the second table to paragraph 3.4.4.1 of the Guidelines on Nutrition
- Labelling
- include α-tocopherol as the active form of vitamin E occurring naturally in food as shown in section 4.3
- include three common forms of vitamin E that are added to food as shown in section 4.4.

There was no consensus on this recommendation and the committee agreed to postpone decision on this aspect to the next session.

AU position: AU supports the committee recommendation

Justification: This will allow comparison of various forms of Vitamin A and same interpretation of results.

DRAFT STANDARDS AND RELATED TEXTS AT STEP 5/8 OF THE PROCEDURE: AMENDMENTS TO THE ANNEX OF THE GUIDELINES ON NUTRITION LABELLING (CAC/GL2-1985) (PARA. 52A), APPENDIX II, PART II);

AU position: AU supports their adoption

Justification: The footnote as amended will add clarity to the table and ensure consistency in the guidelines and enhances common understanding for the terminology.

AMENDMENTS TO SECTION 10, METHODS OF ANALYSIS IN STANDARD FOR INFANT FORMULA AND FORMULAS FOR SPECIAL MEDICAL PURPOSES INTENDED FOR INFANTS (CODEX STAN 72-1981) TO REFER TO RECOMMENDED METHODS OF ANALYSIS AND SAMPLING (CODEX STAN 234-1999) (PARA. 96, APPENDIX V, PART II).

In regard to the descriptions and definition, the position was to align with infant formula where practicable and ensure that only physical means are employed during the processing.

- The committee agreed with the proposed requirements for total fat, linoleic acid, Vitamins D, E, riboflavin, niacin, Vitamin B6, Vitamin B12, pantothenic acid, biotin, calcium, phosphorous, magnesium, sodium, chloride, potassium, manganese, selenium, copper and zinc with similar levels to those proposed in infant formula ;
- Retained for further discussion the proposal to reduce protein to a level of 1.65 mg/Kcal as opposed to 1.8 Kcal in infant standard;
- There was no consensus on Vitamin C and K and discussions will continue in the next session
- That the inclusion of L+ lactic acid producing cultures as optional ingredient should be further considered as the long term effects of these cultures were not yet fully understood in this age group.
- An eWG group was established to specifically:
    - Finalize Section 3 on the Essential Composition of Follow-up Formula for older infants (6-12 months);
    - Review the compositional requirements of Follow-up Formula for young children (12-36 months) based on the discussions at CCNFSDU37 and the approach outlined in CX/NFSDU 15/47/5;
    - Refine Definition 2.1.1 based on the outcomes of the review of the compositional requirements for 6-36 months with a point of differentiation at 12 months;
    - Explore issues for further consideration by CCNFSDU38 on Section 9 (Labelling) to inform the revision of the Sections of the Standard on Scope and Labelling.

AU position: AU supports the alignment of the proposed draft standard of the various nutrients in line with the provisions provided in the infant formula.

APPROVAL FOR NEW WORK - GUIDELINE FOR READY TO USE THERAPEUTIC FOOD" (RUTF) (PARAS 87-88 AND APPENDIX IV)

The committee supported the development of a guideline and thus approved the project document. The Committee thus agreed to establish an eWG, led by South Africa and co-Chaired by Senegal and Uganda and working in English and French, that, subject to the approval of new work by CAC39, would develop the proposed guideline for consideration at the next session.

AU position: AU supports the development of a Codex guideline rather than a Codex Standard.

Justification: AU recognizes the important role of RUTF in the management of SAM (Severe Acute Malnutrition), however, to ensure sustainability and acceptance, these products should be based on locally available foods mainly due to cultural preferences in foods and normal feeding patterns to as much extent possible. In addition, a guideline will assist the African governments as an advisory document to develop appropriate strategies especially in the management of SAM but also putting in place mechanism to prevent their occurrence through appropriate feeding practices. Current RUTF are costly and not affordable compared to local foods.

CCFH: CODEX COMMITTEE ON FOOD HYGIENE

Matters for Adoption by CAC39

Forwarded the following texts for adoption at Step 5/8:

PROPOSED DRAFT GUIDELINES FOR THE CONTROL OF NON-TYPHOIDAL SALMONELLA SPP. IN BEEF AND PORK MEAT (PARA. 22 AND APPENDIX II);

Issue/background

The Guidelines incorporate a "primary production-to-consumption" flow diagram that identifies the main steps in the food chain where control measures for *Salmonella* may potentially be applied in the production of beef (Annex I) and Pork (Annex II). Provides a systematic approach for identifying and evaluating potential control measures thus allowing different combinations of control measures to be developed. Recommendations of the PWG formed the basis for discussion of the revised Guidelines which included the addition of ante-mortem inspection to the lairage step; the retention of the bacteriophage treatment as a GHP measure to reduce the bacterial load present on the animal prior to slaughter; and the addition of text to highlight the importance of feed withdrawal prior to slaughter. The proposal to develop modelling tool to support the implementation of risk-based control measures for Salmonella in beef and pork discouraged. Document discussed section by section, editorial corrections and amendments for clarity done.

AU position: AU supports adoption of the proposed draft guidelines for the Control of Non-typhoidal Salmonella spp. in Beef and Pork Meat at Step 5/8 (with the omission of Step 6/7)

Justification: Document was extensively discussed at PWG with no outstanding issues; Comprehensive, user friendly and addresses key issues of food safety. Hazard-based and GHP-based control measures for non-typhoidal *Salmonella* Spp have been adequately addressed to protect public health and safety.

PROPOSED DRAFT GUIDELINES ON THE APPLICATION OF GENERAL PRINCIPLES OF FOOD HYGIENE TO THE CONTROL OF FOODBORNE PARASITES (PARA. 30 AND APPENDIX III)

Issue/background

The Guidelines are patterned according to the format of the General Principles of Food Hygiene-Section on primary production and divided into four sub-sections: Meat and Meat Products; Milk and Milk Products; Fish and Fishery Products; Fresh Fruits and Vegetables since these specific product categories required specific control measures. All comments on environmental hygiene, hygiene of production, cleaning and maintenance and control of hazards adequately addressed. Editorial corrections and amendments for clarity done.

AU position: AU supports adoption of the proposed draft guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites at Step 5/8 (with the omission of Step 6/7)

Justification: Extensive discussions and consensus reached by EWG and plenary (CCFH47). No outstanding issues. Guidelines not a standalone document and must be used in conjunction with other documents such as WHO Guidelines for drinking water. Anisakis allergenicity was well addressed providing information on consumer education for protection of public health and safety

PROPOSED DRAFT ANNEX I "EXAMPLES OF MICROBIOLOGICAL CRITERIA FOR LOW-MOISTURE FOODS WHEN DEEMED APPROPRIATE IN ACCORDANCE WITH THE PRINCIPLES AND GUIDELINES FOR THE ESTABLISHMENT AND APPLICATION OF MICROBIOLOGICAL CRITERIA RELATED TO FOODS (CAC/GL 21-1997)" AND ANNEX II "GUIDANCE FOR THE ESTABLISHMENT OF ENVIRONMENTAL MONITORING PROGRAMS FOR SALMONELLA SPP. AND OTHER ENTEROBACTERIACEAE IN LOW-MOISTURE FOOD PROCESSING AREAS" TO THE CODE OF HYGIENIC PRACTICE FOR LOW-MOISTURE (PARA. 41 AND APPENDIX IV).

Issue/background

EWG had developed six annexes (examples of microbiological criteria for low moisture foods (LMF) (Annex I), guidance for the establishment of environmental monitoring programmes, and four commodity-specific annexes (Annex II). The Committee agreed to discontinue consideration of Annexes IV, V and VI on account of the limited guidance they contained, and to continue the discussion on Annexes I, II and III. The Committee agreed to retain the Codes of Hygienic Practice for Groundnuts (Peanuts) (CAC/RCP 22-1979), Desiccated Coconut (CAC/RCP 4-1971), Dried Fruits (CAC/RCP 3-1969), Dehydrated Fruits and Vegetables including Edible Fungi (CAC/RCP 5-1971) and Tree Nuts (CAC/RCP 6-1972) and consider updating them in the future. The EWG determined that there was no need for additional scientific advice. The Committee discussed the annexes section by section and made technical and editorial changes to the documents.

AU position: AU supports adoption of the proposed draft annexes (annex 1 and II) at Step 5/8.

Justification: All comments addressed and no further outstanding issues remain.

Forwarded the following text for adoption:

PROPOSED DRAFT ANNEX III "SPICES AND DRIED AROMATIC HERBS" TO THE CODE OF HYGIENIC PRACTICE FOR LOW MOISTURE (PARA. 41 AND APPENDIX IV).

AU position: AU supports adoption of the proposed text on Annex III (Spices and dried aromatic herbs).

Justification: The document is now an Annex to the Code of Hygienic Practice for LMF.

Forwarded the following text for revocation:

CODE OF HYGIENIC PRACTICE FOR SPICES AND DRIED AROMATIC HERBS (CAC/RCP 42-1995) (PARA. 40B).

AU position: AU supports the revocation of the Code of Hygienic Practice for Spices and Dried Aromatic Herbs (CAC/RCP 42-1995) on account of its inclusion as an Annex to the Code of Hygienic Practice for Low-Moisture Foods.

Justification: The Code of Practice will be adopted in the future.

Forwarded the following project documents for approval as new work:

REVISION OF THE GENERAL PRINCIPLES OF FOOD HYGIENE (CAC/RCP 1-1969) AND ITS HACCP ANNEX (PARA. 45(c) AND APPENDIX V)

Issue/background

CCFH45 discussed the possibility of reviewing the General Principles for Food Hygiene (CAC/RCP 1-1969) (GPFH) and the annex on HACCP with the discussion paper prepared by Finland as the basis for discussion. CCFH46 agreed to establish an EWG to prepare a revised discussion paper to define the scope of work. CCFH47 agreed to submit a project document for CAC39 approval as new work on the revision and to establish an EWG to prepare the revised proposed draft general principles for circulation for comments at Step 3 and consideration at the CCFH48 (2016). EWG chaired by France and co-Chaired by Chile, Ghana, India and USA. The revision of CAC/RCP1-1969 will be implemented progressively. The first step of the revision will deal with the introduction, definitions and the global structure of the document.

AU position: AU supports the approval of this new work by CAC39

Justification: The revised document will provide comprehensive guidance to small and medium enterprises since its application will address food safety challenges, enhance international trade in food and provide consumer protection. The development of one document covering GHP and HACCP as two parts will ensure that all the relevant concepts, requirements, steps and figures are captured in one single document making it user-friendly.

REVISION OF THE CODE OF HYGIENIC PRACTICE FOR FRESH FRUITS AND VEGETABLES (CAC/RCP 53-2003) (PARA. 46(b) AND APPENDIX VI).

Issues/background

Discussion papers presented to CCFH45, 46 and 47 on the need to revise the Code of Hygienic Practice for Fresh Fruits and Vegetables to provide further technical guidance, consolidate various annexes, eliminate duplications and redundancies.

AU position: AU **s**upports the approval of this new work by CAC39

Justification: The code will be restructured with the inclusion of new definitions, specific provisions regarding hygiene in the environment and cleaning programs. The objective and the scope need to be expanded to include provision throughout the food chain from "primary production to consumer" as well as to accommodate the inclusion of specific provisions from the Annexes.

CCFA: CODEX COMMITTEE ON FOOD ADDITIVES

Matters for Adoption/Approval by the 39th Session of the CAC

Draft and proposed draft Standards and Related Texts for adoption at Steps 8 or 5/8

The Committee forwarded:

PROPOSED DRAFT SPECIFICATIONS FOR THE IDENTITY AND PURITY OF FOOD ADDITIVES (PARA. 30(I) AND APPENDIX III, PART A);

ISSUE/BACKGROUND

The conclusions of the scientific advice arising from the 80th JECFA meeting Rome, Italy, 16-25 June 2015) which were presented by JECFA. Food Additives Specifications were Designated as Full by FAO JECFA

Monographs 17, Rome, 2015 (80th JECFA Meeting). They were either revised (**R**) and/or the tentative status was removed (**N**- New specification).

a) Advantame (R) (INS 969)

b) Annatto extracts (solvent extracted bixin) (R) (INS 160b(i))

c) Annatto extracts (solvent extracted norbixin) (R) (INS 160b(ii))

d) Calcium silicate (R) (INS 552)

e) Lipase from Fusarium heterosporum expressed in Ogataea polymorpha (N) (INS 1104)

f) Magnesium stearate (N) (INS 470(iii))

g) Maltotetraohydrolase from Pseudomonas stutzeri expressed in Bacillus licheniformis (N)

h) Polyvinyl alcohol (PVA) polyethylene glycol (PEG) graft copolymer (N) (INS 1209)

AU position: AU supports the recommendations of JECFA on the above food additives.

Justification: The evaluation by JECFA was science-based. The revocation was based on the withdrawal of specifications.

DRAFT AND PROPOSED DRAFT FOOD ADDITIVE PROVISIONS OF THE GENERAL STANDARD FOR FOOD ADDITIVES (GSFA) (PARA. 98(I) AND APPENDIX VII, PARTS A-F);

ISSUE/BACKGROUND:

CCFA 48 has forwarded to CAC39, the draft and proposed draft food additive provisions of the GSFA, for adoption at Step 8 and Step 5/8 (Refer to the CCFA 38 Report Appendix VII, Part A – F).

Reservations by:

a) European Union and Norway to the adoption of the provisions for lauric arginate ethyl ester (INS 243) and nisin (INS 234) due to potential intake concerns;

b) Russian Federation to the adoption of the provisions for nisin (INS 234) as in their opinion, nisin could promote resistance of pathogenic microorganisms against antibiotics; and was not technologically justified.

(BUT JECFA's 2013 evaluation of Nisin and recent evaluation by member states concluded that antibiotic resistance was not a concern with the food additive use of Nisin), therefore NOT supporting the OPINION of Russian Federation

AU position: AU supports the proposed draft provision for use of Nisin in food category 08.3.2 as a preservative at ML of 25mg/kg and of lauric arginate ethyl esther and their use in corresponding standards CODEX STANs 89-1981 and 98-1981 and CODEX STAN 88-1981.

Justification: Nisin is a preservative used in meats, particularly in warm climates or in developing nations (Africa) where access to stable refrigeration may be limited. Nisin inhibits spoilage microorganisms including lactic acid, Pseudomonas spp., Escherichia Coli spoilage bacteria, thus helping to prolong shelf life and retain food quality. It has also been used increasingly as a primary intervention to inactivate or inhibit the outgrowth of pathogenic food microorganisms such as *Listeria monocytogenes*, *Staphylococcus aureus*, and *Salmonella enteridis* and the spore forming bacteria, *Bacillus* and *Clostridium*, thereby helping to increase food safety. Meat and meat products are microbially sensitive foods. Their high water and protein content, presence of other water-soluble constituents and other intrinsic properties provide a supportive nutrient rich medium for the growth of spoilage and pathogenic microorganisms. JECFA evaluation has established safe level of Nisin at 25 mg/kg in this food category.

PROPOSED DRAFT REVISION OF FOOD CATEGORY 01.1 "MILK AND DAIRY BASED DRINKS" (RENAMED "FLUID MILK AND MILK PRODUCTS") AND ITS SUB-CATEGORIES AND CONSEQUENTIAL CHANGES (PARA. 87 AND APPENDIX XII);

ISSUE/BACKGROUND:

Conflict between the definition of "milk" in the General Standard for the Use of Dairy Terms (CODEX STAN 206-1999) and the descriptor of food category 01.1.1.1 (Milk (plain)); Failure of the current Food Category System (FCS) and descriptors to address reconstituted plain milk and recombined plain milk and other plain (non-flavoured) milk products.

The CCFA48 agreed:

a) to revise the titles and descriptors of food categories 01.1, 01.1.1, 01.1.3, 01.1.4, to include a new food category 01.1.2 “Other fluid milks (plain)”

b) to include plain drinks based on fermented milk in food category 01.2.1 “Fermented milks (plain)” as they share the same food additive provisions according to the Standard for Fermented Milks (CODEX STAN 243-2003).

A consequential revision of food category 01.0 was agreed to allow “plain products” in the new food category 01.1.2 to contain non-dairy ingredients that do not intentionally impart flavour.

CCFA48 further noted that the revision of the food category 01.1 and its subcategories implied a number of consequential changes (of editorial nature) to the titles and descriptors of other food categories (such as 01.0, 01.2.1, 01.2.1.1, 01.4), Annex to Table three and Annex C of the GSFA.

Conclusion by CCFA48 were that the proposed draft revision of food category 01.1 (renamed fluid milk and milk products) and its sub-categories, and consequential changes are forwarded to CAC39 for ADOPTION at Step 5/8 (with omission of Steps 6/7).

AU position: AU supports this resolution since it addresses the inconsistencies identified and addresses reconstituted plain milk and other plain milk products

Justification: The proposed draft revision of food category 0.1.1 (Milk and dairy-based drinks) will clarify the concerns raised above.

PROPOSED DRAFT AMENDMENTS TO THE INTERNATIONAL NUMBERING SYSTEM FOR FOOD ADDITIVES (PARA. 110 AND APPENDIX XIII); AND - PROPOSED DRAFT REVISION OF SECTIONS 4.1.C AND 5.1.C OF THE GENERAL STANDARD FOR THE LABELLING OF FOOD ADDITIVES WHEN SOLD AS SUCH (CODEX STAN 107-1981) (PARA. 155 AND APPENDIX XV).

ISSUE/BACKGROUND:

CCFA 48 forwarded the proposed draft amendments to the INS to CAC39 for adoption at Step 5/8 (with omission of Steps 6/7)

a) New technological purposes in Section 2 of INS - *Emulsifying salt (12) and Stabilizer (25)*

b) New INS Names and Numbers

   i. Spirulina extract (INS 134) - *Colour*

   ii. Purple sweet potato colour (INS 163(vii)) - *Colour*

   iii. Red radish colour (INS 186iii)) - *Colour*

   iv. Protease from Streptomyces fradiae (INS 1101(v)) – *Flour treatment agent, flour enhancer , Stabilizer*

   v. Proteases from Bacillus subtilis (INS 1101(Vi)) - Flour treatment agent, flour enhancer , Stabilizer

c) Change to existing names and INS numbers: Protease from Aspergillus oryzae. Var.(INS1101(i)) - Flour treatment agent, flour enhancer, Stabilizer

d) Changes to functional classes and technological purposes for existing additives: Polyvinyl alcohol (PVA)-polyethylene glycol (PEG) graft co-polymer (INS1209) – Glazing agent, Stabilizer.

AU position: AU supports this resolution on the changes and/or addition to the INS list and the assignment of INS numbers for the specific proteases for which no corresponding INS had been set.

Justification: All food additives should have an INS number for ease of reference and information on technological justification for their use.

Other matters for adoption

REVISED FOOD ADDITIVE SECTIONS OF THE STANDARDS FOR COCOA BUTTER (CODEX STAN 86-1981), CHOCOLATE AND CHOCOLATE PRODUCTS (CODEX STAN 87-1981), COCOA (CACAO) MASS (COCOA/CHOCOLATE LIQUOR) AND COCOA CAKE (CODEX STAN 141-1983) AND COCOA POWDERS (COCOAS) AND DRY MIXTURES OF COCOA AND SUGARS (CODEX STAN 105-1981) (PARA. 52(I), A) AND APPENDIX V);

Issue/background

The four standards are being revised in order to update the specific food additive provisions. The committee forwarded the following revised food additive sections of the standards to CAC39 for ADOPTION:

i). Cocoa Butter (CODEX STAN 86 -1981)

ii). Chocolate and Chocolate Products (CODEX STAN 87-1981)

iii). Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake (CODEX STAN 141-1983)

iv). Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars (CODEX STAN 105-1981)

For cocoa butter, no food additives are permitted; For chocolate and chocolate products, Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake, and Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars only those food additives as provided by the GSFA are allowed (all current food additives are removed) and flavourings are to be used as per the Guidelines for use of Flavourings (CAC/GL 66-2008);

AU position: AU supports adoption of the revision being proposed

REVISED FOOD ADDITIVE PROVISIONS OF GSFA RELATED TO THE ALIGNMENT OF THE FOUR COMMODITY STANDARDS FOR CHOCOLATE AND CHOCOLATE PRODUCTS AND THE COMMODITY STANDARDS IDENTIFIED BY THE COMMITTEE ON FISH AND FISHERY PRODUCTS (CCFFP) (PARA 52(I), B) AND APPENDIX VII, PART G AND H);

ISSUE/BACKGROUND:

CCFA 48 agreed to forward the following to CAC39 for ADOPTION:

a) The revised food additive provisions of GSFA related to the alignment of the four commodity standards for chocolate and chocolate products.

b) The commodity standards on Fish and Fishery Products (CCFFP). The proposal is to amend the food additive provisions in Table 2 of the GSFA: FC 09.2 Processed fish and fish products, including mollusks, crustaceans and echinoderms; AND FC 09.2.5 Smoked, dried, fermented, and/or salted fish and fish products, including mollusks, crustaceans and echinoderms .

AU position: AU supports adoption of the revised food additive provisions

Justification:

- This is a result of the revised food additives section of the CODEX STAN 86-1981, CODEX STAN 87-1981, CODEX STAN 141-1983 and CODEX STAN 105-1981
- Tables 1, 2 and 3 of the GSFA related to the alignment of the four commodity standards were corrected. Further, Tables 1 and 2 of the GSFA were amended whereby New notes and new food additives for Cocoa mixes (powder) and Cocoa mass/cake. The Notes are with respect to the specific food additive.

Note 22: For use in smoked fish products only. For use in non-standardized smoked fish products only as defined in section 1 of the Standard for Smoked Fish, Smoked-flavoured Fish and Smoke-dried Fish (CODEX STAN 311-2013).

XS311: Excluding products conforming to the Standard for Smoked Fish, Smoked-flavoured Fish and Smoke-dried Fish (CODEX STAN 311-2013).

AMENDMENT TO THE STANDARD FOR DAIRY FAT SPREADS (CODEX STAN 253-2006) (PARAS 153).

ISSUE/BACKGROUND:

CCFA 48 agreed to forward the amendment to the Standard for Dairy Fat Spreads (CODEX STAN 253 -2006) to the CAC39 for ADOPTION.

- The amendment is to delete the term “flavour” which appeared only once in the standard (“flavours and flavourings” in the first bullet point of Section 3.2 Permitted Ingredients).
- The use of the term “flavour” without further clarification makes the standard difficult to implement.

AU position: AU supports the amendement

Justification: the amendment is necessary to facilitate user friendly of the standard

REVOCATION

- **REVOCATION OF FOOD ADDITIVE PROVISIONS IN COMMODITY STANDARDS**

ISSUE/BACKGROUND:

Specifications for withdrawal: The revocation of the food additive provisions are in regard to specifications for the identity and purity arising from the 80th JECFA Meeting and are submitted to CAC39 for APPROVAL.

a) Aluminium silicate (INS 559) in Table 1 and 2 of the GSFA (FC 05.3),

b) Calcium aluminium silicate (INS 556) in Table 1 and 2 of the GSFA (FCs 01.5.1, 01.5.2 and 05.3) and in the Standards for Milk Powders and Cream Powder (CODEX STAN 207-1999); a Blend of Skimmed Milk and Vegetable Fat in Powdered Form(CODEX STAN 251-2006); and Edible Casein Products (CODEX STAN 290-1995).

c) Glycerol ester of gum rosin (INS 445(i))

AU position: AU supports this amendement

Justification: This is as a result of the revision to the commodity standards. Once the revision is adopted the revocation is then automatic.

- **REVOCATION OF FOOD ADDITIVE PROVISIONS IN THE GSFA**

ISSUE/BACKGROUND:

CCFA48: The following provisions are submitted for REVOCATION because they were included in both the GSFA and commodity standards, or they are without specifications, or their evaluation is no longer supported by JECFA.:

i). Aluminium silicate (INS 559) in Table 1 and 2 of the GSFA (FC 05.3);

ii). Calcium aluminium silicate (INS 556) in Table 1 and 2 of the GSFA (FCs 01.5.1, 01.5.2 and 05.3) and in the Standards for Milk Powders and Cream Powder (CODEX STAN 207-1999); a Blend of Skimmed Milk and Vegetable Fat in Powdered Form (CODEX STAN 251-2006); Edible Casein Products (CODEX STAN 290-1995).

iii). Revoke potassium bisulfite (INS 228) from the listing of sulphite in Table 1 and 2 the GSFA; from the food additives section of four standards; and from the Standard for Instant Noodles (CODEX STAN 249-2006) because it was no longer be supported by the sponsor. (Appendices VI, Part B and VIII, Part B);

iv). Remove calcium hydrogen sulfite (INS 227) from the GSFA (list of sulfites in Table 1)

v). Remove potassium hydrogen sulfate (INS 515(ii)) from Table 3 of the GSFA (Appendix VIII, Part B)

NB: INS 227 and INS 515 (ii) are removed in order to be Consistent with the decisions taken by CCFA45 (ref. REP13/FA para. 16)

AU position: AU supports this amendement

Justification: the revocation is as a result of consistency with the GSFA and commodity standards.

CCFFV: CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

MATTERS FOR CONSIDERATION BY THE 39th SESSION OF THE CAC39

PROPOSED DRAFT STANDARD FOR AUBERGINES FOR ADOPTION AT STEP 5/8 (WITH OMISSION OF STEP 6/7) (PARA 51 AND APPENDIX III)

AU position: AU supports adoption the proposed draft standard at step 5/8

Justification:

- Allowances for decay, soft rot and/or internal breakdown in the three quality classes i.e. “Extra” Class, Class I and Class II are necessary for the realistic application of the standard in international trade
- Inclusion of allowances for decay, soft rot and/or internal breakdown in the three quality classes reflects current industry and trade practices for international trade of fresh fruits and vegetables
- The proposed tolerances for decay, soft rot and/or internal breakdown of 1% in “Extra” Class and 1% in Class I applies to different percentages of tolerances for the whole lot i.e. 5% of produce not satisfying the requirements of “Extra” Class and 10% of produce not satisfying the requirements of Class I respectively and therefore, there was a distinction between the allowances for decay in “Extra” Class and Class I
- Fresh fruits and vegetables are perishable produce subject to long distance transportation and storage, which may result in a certain degree of decay mainly due to enzymatic reactions in the produce that should not lead to the rejection of the lot

- Minimum tolerances for decay are a common industry and trading practice, however, the absence of such tolerances in an international standard like Codex would imply “zero” defect is the acceptable norm and this could create technical barriers to trade while the objective of Codex standards is to facilitate trade in food
- Phytosanitary and food safety rules will always overrule agricultural quality standards especially when the tolerated decay is mainly caused by inherent enzymatic reactions (and some non-pathogenic micro-organisms) and **not** pathogenic microbial reactions.

PROPOSED DRAFT STANDARDS FOR GARLIC AND KIWIFRUIT FOR ADOPTION AT STEP 5 (PARAS 70, 76 AND APPENDICES IV AND V RESPECTIVELY).

AU position: AU supports adoption of the proposed draft standards for Garlic and Kiwifruit for adoption at Step 5.

APPROVAL OF NEW WORK

THE COMMITTEE AGREED TO REQUEST THE COMMISSION APPROVAL OF NEW WORK ON A STANDARD FOR FRESH DATE (PARA 96).

AU position: AU supports approval of this new work by CAC39

CCFFP: CODEX COMMITTEE ON FISH AND FISHERY PRODUCTS

Matters for adoption by the Commission:

The Committee:

ADVANCED TO STEP 8 OR 5/8 THE SECTIONS ON PROCESSING OF: (I) FISH SAUCE (PARA. 18, APPENDIX III); (II) FRESH AND QUICK FROZEN RAW SCALLOP PRODUCTS (PARA. 24, APPENDIX IV); AND (III) STURGEON CAVIAR (PARA. 29, APPENDIX VI) FOR INCLUSION IN CODE OF PRACTICE FOR FISH AND FISHERY PRODUCTS (CAC/RCP 52-2003).

Issue/background

As all comments were taken into account, and relevant sections will be submitted to CCFH for endorsement, the Committee agreed to insert code of practice for processing of fish sauce into the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003) to ensure that all codes were housed in one source and decided to submit the document to next step, meaning that draft Code of Practice and its related definition will be forward for adoption at Step 8 by the Codex *Alimentarius* Commission.

AU position: AU supports adoption of the proposed draft standard on code of practice for fish and fishery products at step 8

Justification: Consolidating all standards in one source will help to be more user friendly. There was lack of scientific data to support our previous position that Biogenic amines and volatile amines are more representative of potential hazards than the use of histamine only.

Forwarded:

SAMPLING PLANS (PARA. 8) AND AMENDMENTS TO THE FOOD ADDITIVE PROVISIONS OF SEVERAL STANDARDS FOR FISH AND FISHERY PRODUCTS (PARA. 56, APPENDIX VI); (II) SECTION 7.4.

The Committee did not accept the sampling plans as proposed by CCMAS, noting that it was difficult to understand and use hence requested CCMAS to elaborate simpler guidelines including sampling plan.

AU position: AU supports this recommendation.

ESTIMATION OF FISH CONTENT OF THE STANDARD FOR QUICK FROZEN FISH STICKS (FISH FINGERS), FISH PORTIONS AND FISH FILLETS – BREADED OR IN BATTER (CODEX STAN 166-1989) (PARA. 63, APPENDIX VII); AND (III) SECTION 11 – PROCESSING OF SALTED AND DRIED SALTED FISH OF THE CODE OF PRACTICE FOR FISH AND FISHERY PRODUCTS (CAC/RCP 52-2003) (PARA. 66A, APPENDIX VIII).

Issue/background

The committee made the following decisions:

- To forward the amendment to Section 11: Processing of salted and dried salted fish of the Code of Practice for Fish and Fishery Products (CAC/RCP 52 – 2003) for adoption by the Codex Alimentarius Commission (Appendix VI).

- To discontinue work on Appendices 1-11 to the *Code of Practice for Fish and Fishery Products* (CAC/RCP 52 – 2003) and to inform the Codex Alimentarius Commission accordingly; all references to the Appendices would be removed from the relevant sections of the Code.
- To continue further work on proposal received on improvement for colour analysis and texture defects.
- To follow –up work on the elaboration of standards on MAP for fish products as it will require inputs of different Committees

AU position: AU supports adoption of the amendment and discontinuation of work on Appendix 1-11 to the code of practice for Fish and Fishery Products

NEW WORK

The Committee agreed to:

Start new work on specific guidance on histamine control in the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003) and sampling plans for histamine in relevant standards for fish and fishery products (para. 72).

The Committee agreed to suspend physical meetings, noting that it would continue working by correspondence/electronic working group.

AU position: AU supports this proposal for new work.

AU takes note of the committee recommendation to CAC to suspend the physical meetings.

CCRVDF: CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS

Matters for adoption by CAC39

PROPOSED DRAFT MRLS FOR RECOMBINANT BOVINE SOMATOTROPINS (RBSTS) FOR ADOPTION AT STEP 8 BY CAC39

Issue/background

The Codex Secretariat and the chair reminded the Committee that MRLs established for rbSTs were held at Step 8 at the Commission and the Committee was asked to examine the JECFA report and make recommendations on the results of the JECFA evaluation at the thirty eighth session of the CAC (REP13 / CAC para. 84). The JECFA Secretariat reminded the Committee of the detailed terms of reference provided by the thirty fifth session of the CAC. Following the request made at the thirty fifth session of the CAC regarding the re-assessment of rbSTs, JECFA conducted an extensive literature review. The details of this complex literature are available on the JECFA website. JECFA also reviewed the information submitted by a promoter and two members, in response to a public call for data. Detailed answers were given to each question in the report and monographs of JECFA. In light of the lessons learned from this study covering all information material available at its seventy eighth meeting, JECFA reaffirmed its previous decision and decided to retain the ADI and MRLs as "not specified" for somagrebove, somatribove, somavubove and somidobove.

Delegates supporting the results of the evaluation by JECFA mentioned that JECFA has responded with clarity and coherence to all the questions asked during the thirty fifth session of the CAC, through a rigorous evaluation to guarantee the safety of rbSTs to the human body. Also, these delegates spoke in favor of the adoption by the Commission of proposed MRLs. One delegate, referring to CRD11 asked (based on the results of the JECFA evaluation) to the Committee to recommend to the Commission not to maintain the MRLs for rbSTs at Step 8. It was emphasized that JECFA had evaluated rBST three times and with the assistance of eleven independent experts. It emerged from each of the assessments that rbSTs does not represent a risk to human health. These delegations also noted that concerns about antimicrobial resistance due to a possible increase in cases of mastitis and the use of antimicrobial agents have been evaluated more stringent by the JECFA.

According to the JECFA report, there would be no more cases of mastitis in cows treated with rbSTs than those untreated. It was recalled that Codex should base its decisions on sound science and that, in the case of rbSTs, all available scientific information had been properly considered by JECFA. The delegations supporting the results of the evaluation by JECFA added that the draft MRLs for rbSTs had been held at Step 8 since the twenty-third session of the CAC (1999). The lack of scientific data that refuted these findings was also highlighted.

Delegations having reservations about the re-valuation conducted by JECFA recognized the efforts made by the latter to examine issues related to antimicrobial resistance associated with the use of rbSTs through a possible increase in the use of antibiotics to treat mastitis, as mandated by JECFA at the thirty-fifth session of the CAC. Nevertheless, they expressed extremely concerned by the fact that, as JECFA pointed out, there

was not enough evidence (lack of specialized studies) to draw firm conclusions about the association between use of rbSTs and the development of antimicrobial resistance. These delegations stated that the risks associated with antimicrobial resistance could therefore not be excluded.

One delegation also expressed concern about the results of recent studies indicating an increase in cases of mastitis due to increased milk yields as a result of the use of rbSTs. In addition, it was stated that the direct correlation between antibiotic use in animals and high prevalence of antimicrobial resistance in humans had been demonstrated repeatedly. Some delegations mentioned that their concerns are particularly found to be true given the current efforts worldwide to fight against the growing threat of antimicrobial resistance, which is recognized by as many as a major risk to public health World.

Conclusion: The Committee took note of the JECFA report. The Committee agreed that JECFA had addressed all the questions, but opinions differed on JECFA answers. Since no agreement was reached, the discussion above was submitted by the Committee for consideration by the 38th Session of the CAC.

At the 38th Session of the CAC in Geneva, Switzerland, from 6th to 11th July 2015, the consensus was not reached. The debate was postponed and the commission decided to continue discussions.

It was noted that further clarification was requested from experts, discussions about risks and the interests of the use of rbSTs in Africa took place and some delegates reported that no new information since the last session of the CAC was available.

AU POSITION: Having reviewed the report based on the questions forwarded to JECFA 78 by CAC35, AU supports adoption of rbSTs at step 8.

Justification: Based on a systematic review of the literature published since the last evaluation, JECFA reaffirmed its previous decision on the ADI “not specified” for somagrebove, sometribove, somavubove and somidobove. Following are questions forwarded by the 35th CAC to JECFA on rbSTs Matters which in our opinion have been adequately addressed:

- **Update the toxicological evaluation:** No new toxicological studies were available. Owing to structural differences between bovine and human somatotrophins, species-specific receptor binding of somatotrophins and lack of bio-activity of rbSTs following oral intake, the Committee concluded that if any rbST residues are present in milk or tissues, they would pose a negligible risk to human health.
- **Update the exposure assessment based on any new occurrence data in food:** The Committee concluded that similar concentrations of total bST were present in milk and tissues of rbST-treated and untreated cows.
- **Consider new data and information related to the possibility of increased levels of IGF-I in the milk of cows treated with rbSTs:** There is a transient increase in IGF-I concentrations in milk of rbST-treated cows, which fall within the normal physiological range. IGF-I is substantially, if not completely, degraded in the gut and is unlikely to be absorbed from the gut and be bio-available at biologically relevant exposures. Therefore, the contribution of exogenous IGF-I resulting from the ingestion of milk from rbST-treated cows is extremely low in comparison with endogenous production.
- **Evaluate potential adverse health effects, including the possibility that exposure of human neonates and young children to milk from rbST-treated cows increases health risks (e.g. the development of insulin-dependent diabetes mellitus):** Exogenous IGF-I from milk makes no significant contribution to circulating levels of IGF-I in humans, and there are no significant differences in the composition of milk from rbST treated cows when compared with the milk from untreated cows. The Committee concluded that there was no additional risk for the development of type 1 diabetes due to the consumption of milk from rbST-treated cows.

  The Committee also concluded that the literature did not support a link between exposure to IGF-I in milk from rbST-treated cows and an increased risk of cancer.
- **Consider new data and information related to the potential effects of rbSTs on the expression of certain viruses in cattle:** There was no new information on the link between rbSTs use and either potential stimulation of retrovirus expression or prion protein expression in cattle. The Committee considers that the position expressed by the previous Committee remains valid.
- **Consider new data and information related to the possible increased use of antimicrobials to treat mastitis in cows and aspects of antimicrobial resistance associated with the use of rbSTs in relation to human health:** The Committee concluded that there was no evidence to suggest that the use of rbSTs would result in a higher risk to human health due to the possible increased use of antimicrobial agents to treat mastitis or the increased potential for non-compliant antimicrobial residues in milk. The Committee found no specific studies linking the use of rbSTs with the development of

antimicrobial resistance. The Committee considers that the previous position remains valid.

CCCF: CODEX COMMITTEE ON CONTAMINANTS IN FOODS

MATTERS FOR ADOPTION/CONSIDERATION BY THE 39th SESSION OF THE CAC

Proposed draft standards and related texts for adoption

MAXIMUM LEVEL FOR INORGANIC ARSENIC IN HUSKED RICE AT STEP 8 (PARA. 45, APPENDIX II);

Issue/background

In CCF9, the Africa Group agreed on an ML value of 0.4 mg/kg based on limited data from Kenya and a reasonable violation rate of 0.7%. A compromise value of 0.35 mg/kg was however agreed upon at CCCF9. The EU, Norway and Egypt had reservations about the accepted ML of 0.35 mg/kg despite being of a high violation rate of 1.9%). CCCF9 agreed to re-establish the EWG to consider new/additional data to be provided by member countries. A total of 1202 new data sets were submitted by 6 countries (Canada, India, Indonesia, Kenya, Korea and Sweden). Kenya submitted data on 22 samples of husked rice. The maximum arsenic concentration was 0.03 mg/kg. All data (original and new) were merged and reanalyzed statistically to obtain new mean concentrations and violation rates for the various MLs.

Conclusion of CCCF10: At CCCF10, despite a compromise ML of 0.35 mg/kg having been apparently agreed at CCCF9, two distinct positions were separately held. One group argued for a ML of 0.35 mg/kg (Africa countries inclusive; Violation rate, 1.8%). Another group, mainly led by the EU, its member states and consumer organizations, maintained support for 0.25 mg/kg (violation rate, 7.3%). In view of this disagreement, the chair proposed to discontinue work on a ML, but this also evoked considerable opposition. The chair finally resolved to send forward to CAC at Step 8 a resolution that the ML would be set at 0.35 mg/kg as an interim measure while a COP was finalized and implemented. Three years after this implementation, CCCF should re-examine the ML with the view to lowering it

AU position: AU agrees to continue supporting the compromise ML value of 0.35 mg/kg for inorganic arsenic in husked rice.

Justification: Rice is a major staple food in several African countries and protection of human health is of utmost importance. It should however be noted that ML established may affect availability of rice significantly. From this point of view, it is not appropriate to allow a high violation rate.

MAXIMUM LEVELS FOR LEAD IN FRUIT JUICES AND NECTARS, READY-TO-DRINK (INCLUSION OF PASSION FRUIT); CANNED FRUITS (INCLUSION OF CANNED BERRIES AND OTHER SMALL FRUITS); CANNED VEGETABLES (INCLUSION OF CANNED LEAFY VEGETABLES AND CANNED LEGUME VEGETABLES); JAMS, JELLIES AND MARMALADES (LOWER ML AND INCLUSION OF MARMALADES); PICKLED CUCUMBERS (LOWER ML); PRESERVED TOMATOES (LOWER ML AND NOTE ON THE APPLICATION OF A CONCENTRATION FACTOR); AND TABLES OLIVES (LOWER ML) AT STEPS 5/8 (PARA. 89, APPENDIX III);

Issue/background

This work followed previous work on the review of MLs started in 2012 following the outcome of JECFA73 (2010) safety evaluation of lead where the PTWI of 25 µg/kg bw had been withdrawn and a new PTWI that would be considered health protective had not been possible to establish. The study revealed that exposure to lead is associated with various neurodevelopmental effects making fetuses, infants and children most sensitive to lead poisoning. In order to protect the vulnerable groups, it was agreed at the 6th session of CCCF in 2012 that the maximum levels (MLs) for lead in fruit juices, milk and milk products, infant formula, canned fruits and vegetables, fruits, and cereal grains (except buckwheat, cañihua and quinoa) in the General Standard for Contaminants and Toxins in Food and Feed (GSCTFF) be revised.

An EWG and CCCF10 proposed MLs that will have the least adverse effect on international trade using occurrence data. The recommendations are lower MLs for: canned berries and small fruit, canned leafy vegetables, canned legume vegetables, jams and jellies and prickled cucumber to 0.1 mg/kg, passion fruits and nectars (0.4 mg/kg), preserved tomatoes (0.05 mg/kg), tomatoes concentrates (0.05 mg/kg), table olives (0.4 mg/kg).

AU position: AU supports adoption of lowering the standard of lead.

REVISED CODE OF PRACTICE FOR THE PREVENTION AND REDUCTION OF MYCOTOXIN CONTAMINATION IN CEREALS (CAC/RCP 51-2003) (GENERAL PROVISIONS) AND ITS ANNEXES ON ZEARALENONE, FUMONISINS, OCHRATOXIN A, TRICHOTHECENES AND AFLATOXINS, AT STEPS 8 AND 5/8 (SPECIFIC PROVISIONS) (PARAS. 124 AND 128, APPENDIX IV).

AU position: AU supports the adoption of a revised Code of practice

PROPOSED DRAFT ANNEXES ON ZEARALENONE, FUMONISINS, OCHRATOXIN A, TRICHOTHECENES AND AFLATOXINS (SPECIFIC PROVISIONS) AT STEP 8 AND STEP 5/8 RESPECTIVELY (PARAS. 124 AND 128, APPENDIX IV)

AU position: AU supports adoption of the proposed draft annexes on zearalenone, fumonisins, ochratoxin A, trichothecenes and aflatoxins (specific provisions).

Justification: The Annexes submitted to CCCF9 were returned for further development and comment at step 2/3, particularly for new developments related to deoxynivalenol (DON). These issues are of particular interest to the African situation and the development of Annexes should include the latest information available on mycotoxin control.

REVOCATION OF STANDARDS

The Committee agreed to recommend the revocation of maximum levels in the General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995) as follows: canned raspberries; canned strawberries; canned green beans and canned wax beans; canned green peas; jams (fruit preserves) and jellies; pickled cucumbers; preserved tomatoes; and table olives; and to delete the note on the adjustment of the ML for preserved tomatoes to take into account the concentration of the products (para. 90, Appendix III).

AU position: AU supports revocation of the MLs in the General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995) for the listed products.

CCPR: CODEX COMMITTEE ON PESTICIDE RESIDUES

MATTERS FOR ADOPTION BY THE 39TH SESSION OF THE CAC

Proposed draft standards and related texts

PROPOSED DRAFT MRLS FOR PESTICIDE AT STEP 5/8 (WITH OMISSION OF STEPS 6/7) (PARA 113. APPENDIX II);

Issue/Background:

According to the Codex Procedural Manual, the Joint Meeting on Pesticide Residues (JMPR) evaluates residue studies for the establishment of Codex MRLs. Every year, countries indicate new active ingredients that should be a priority for JMPR evaluation and the old ingredients that should be re-evaluated. The pesticides listed for in the schedule of priority for 2015 were as follows:

AU position: AU supports the adoption of the draft MRLs for the following pesticides at Step 5/8 with the omission of steps 6 and 7 as recommended by the Codex Committee on Pesticide Residues. Specific commodities are listed in Appendix II of Draft REP16/PR.

- Lindane (11 commodities)
- Chlorothalonil (13 commodities)
- Ethephon (26 commodities)
- Phorate (3 commodities)
- Cypermethrins (including alpha- and zeta- cypermethrin commodities) (1 commodity)
- Triazophos (4 commodities)
- Cyhalothrin (includes lambda-cyhalothrin commodities) (5 commodities)
- Propiconazole (5 commodities)
- Profenofos (5 commodities)
- Abamectin (40 commodities)
- Bifenthrin (4 commodities)
- Tebuconazole (10 commodities)
- Imidacloprid (11 commodities)
- Cyprodinil (1 commodity)
- Trifloxystrobin (4 commodities)
- Difenoconazole (4 commodities)

- Pyrimethanil (4 commodities)
- Spirotetramat (3 commodities)
- Fluopyram (13 commodities)
- Acetamiprid (11 commodities)
- Flutriafol (28 commodities)
- Fluxapyroxad (29 commodities)
- Cyantraniliprole (27 commodities)
- Imazapic (1 commodity)
- Imazapyr (3 commodities)
- Acetochlor (31 commodities)
- Cyazofamid (13 commodities)
- Flonicamid (17 commodities)
- Flumioxazin (39 commodities)
- Lufenuron (15 commodities)
- Quinclorac (2 commodities)

PROPOSED DRAFT REVISION OF THE CLASSIFICATION OF FOOD AND FEED: SELECTED COMMODITY GROUPS - GROUP 020 GRASSES OF CEREAL GRAINS AT STEP 5 (PARA 141, APPENDIX X);

Issue/background

The EWG had prepared two compromise proposals as described in CX/PR 16/48/9. Both proposals addressed five subgroups and separated wheat and barley into two subgroups but mainly differed on the attribution of pseudo-cereals to specific subgroups, namely: Proposal 1 (Canada), which combined pseudo-cereals in the subgroup of wheat (020A); and Proposal 2 (Japan), which separated pseudo-cereals into the two subgroups of 020A (wheat) and 020B (barley) on the basis of whether or not the kernels were protected by husks during the growing season and whether or not the kernels were traded with husks and the impact of husks on residue levels (higher or lower residue levels depending on the presence or absence of the husk) and clarified the portion of the commodity to which the MRL applied and was analysed.

The Committee agreed to forward the proposed draft revision of Group 020 to the Commission for adoption at Step 5

AU position: AU supports adoption at step 5 of the proposed draft documents

PROPOSED DRAFT GUIDELINES FOR PERFORMANCE CRITERIA FOR METHODS OF ANALYSIS FOR THE DETERMINATION OF PESTICIDE RESIDUES IN FOOD AT STEP 5 (PARA 163, APPENDIX XI). OTHER MATTERS FOR ADOPTION / APPROVAL

Issue/background

During the 44th Session of the CCPR, it was decided to recommend the revocation of Analysis of Pesticide Methods: Recommended Methods (CODEX STAN 229-1993) and to establish an EWG to prepare a discussion paper on the development of performance criteria for suitability assessment of methods of analysis with consideration given to the relevant documents developed or under development in the Committee on Residues of Veterinary Drugs in Foods as Well as other Codex texts.

During the 48th Session of the CCPR the Committee considered the Guidelines and made a number of editorial changes to improve the accuracy and clarity of the document and there was general agreement on the guideline.

AU position: AU supports the adoption of the guideline at Step 5 (as indicated in Appendix XI of Draft REP16/PR) after making a number of editorial changes to improve the accuracy and clarity of the document as well as to remove references to documents other those adopted by the Codex Alimentarius Commission or developed by international organisations; with the agreement that they would be included as footnotes.

MAXIMUM RESIDUE LIMITS FOR PESTICIDES RECOMMENDED FOR REVOCATION (PARA 113, APPENDIX III);

AU position: AU notes and supports revocation of the MRLs for pesticides

CODEX SCHEDULES AND PRIORITY LIST OF PESTICIDES FOR EVALUATION BY JMPR (PARA 182, APPENDIX XII).

AU position: AU notes and supports the priority list of pesticides for evaluation

CCSCH: CODEX COMMITTEE ON SPICES AND CULINARY HERBS

Matters for Adoption by CAC39

The Committee agreed to forward the following draft Standards for adoption at Step 5:

PROPOSED DRAFT STANDARD FOR CUMIN (PARA. 25 AND APPENDIX III);

Issue/background

The Delegation of European Union, as Chair of the eWG, introduced the item and explained that the principles and approaches used in defining the layout, quality provisions and other requirements for cumin were similar to those of thyme. The Delegation highlighted some issues that the eWG could not resolve including grading and some physico-chemical requirements.

Conclusion

The Committee noted that:

a) Substantial progress had been made on the standard but that some issues needed to be further discussed, i.e. definition of further processing and sampling plan and, therefore, the document was ready to progress in the Step Procedure;

b) Provisions for food additives, labelling and methods of analysis would be submitted to CCFA, CCFL and CCMAS, respectively, for endorsement.

The Committee agreed to forward the proposed draft Standard to the Commission for adoption at Step 5. However delegates expressed reservation on the definition and better understanding of the words “further of processing”.

AU position: AU supports adoption of proposed draft standard on Cumin for adoption at step 5.

PROPOSED DRAFT STANDARD FOR THYME (PARA. 37 AND APPENDIX IV).

Issue/background

The Delegation of the European Union, as Chair of the eWG on the standard for thyme, introduced the item and summarised the outcomes of the eWG work. The Delegation noted that the structure of the proposed draft standard was based on the “Format of Commodity Standards” in the Procedural Manual and the Codex standards for processed fruits and vegetables and the quality provisions were based on the corresponding ISO standard. The Delegation pointed out that food additives were not permitted except for certain anti-caking agents for use only in ground and powdered products; and that a number of provisions where the eWG could not reach consensus were left in square brackets for further discussion.

Conclusion

The Committee noted that:

Substantial progress had been made on the standard but some issues needed to be further discussed: i.e. definition of further processing and sampling plan and, therefore, the document was ready to progress in the Step Procedure;

Provisions for food additives, labelling and methods of analysis would be submitted to CCFA, CCFL and CCMAS, respectively for endorsement.

The Committee agreed to:

- Establish an eWG, led by Brazil, open to all members and observers and working in English only, to prepare sampling plans for the inclusion in the standards for thyme and cumin, taking into account the recommendations of the Committee on Methods of Analysis and Sampling (CCMAS)11, for consideration at its next session;
- Request the Committee on Contaminants in Foods (CCCF) to consider whether existing maximum levels of contaminants for leafy vegetables could apply to spices and culinary herbs or whether specific maximum levels should be drafted.

- The Committee agreed to forward the proposed draft Standard to the Commission for adoption at Step 5. However delegates expressed reservation on the definition and better understanding of the words "further of processing".

AU position: AU supports adoption of proposed draft standard on Thyme for adoption at step 5.

CCGP: CODEX COMMITTEE ON GENERAL PRINCIPLES

CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE (REP 16/GP APP.II, CX/CAC 16/39/10)

Issue/background

We welcome the opportunity to comment on the revised draft Terms of Reference (ToR) for the review of Codex work management and functioning of the Executive Committee as elaborated in Appendix II of the report of CCGP30. CCGP30 had extensive discussion on the proposed ToR and agreed that the review would focus on operational elements related to the Commission and CCEXEC and that governance issues could form the basis of future external review. We believe this is the approach the Commission should take as this is necessary to ensure a focused review.

Whilst we do not object to the conduct of a review we want to reiterate that the review must be focused in order to achieve the intended purpose.

The following are specific comments on the outstanding issues in the ToR:

SECTION 2 - Review Framework

AU position

With regards to the purpose of the review, AU supports the option in bullet 2 i.e.

"Assess the efficiency and effectiveness of Codex work management practices according to SG4 of the Codex Strategic Plan (2014-2019)"

Justification

Within the Codex Strategic Plan 2014-2019, there are adequate inbuilt continuous progress monitoring mechanism to ensure that Codex processes run smoothly and efficiently. In fact, Strategic Goal 4 (SG4) which reads *"Implement effective and efficient work management systems and practices"* provides the means for evaluating the efficiencies or inefficiencies in Codex work management practices. SG4 therefore captures exactly the intent of the Codex Secretariat led-internal review. Conducting the review according to SG4 will ensure that the CAC focuses on the significant issues relevant to the improvement in the effectiveness and efficiency of Codex work. Consequently we support the inclusion of the first bullet under section 2.2 i.e. scope.

SECTION 3 - REVIEW METHODOLOGY

AU Position

AU supports the inclusion of the bracketed word "*validate*" as indicated in the text below:

Before beginning its work the Secretariat will provide Members with an opportunity to review **[**and validate**]** the materials to be used.

Justification

- Validation of the review materials is necessary to ensure that Codex members have a common understanding of issues which will be raised in the review material, hence lead to the provision of appropriate responses.
- As a major proponent of inclusiveness in standard-setting process, the Commission has an obligation to ensure that all Codex members are involved in the review process from the onset. Providing members with an opportunity to validate the review materials clearly will contribute to ensuring that Codex members own the review process.

CONSISTENCY OF THE RISK ANALYSIS TEXTS ACROSS THE RELEVANT COMMITTEES

AU Position

AU supports the recommendations to the Commission that with regard to the Consistency of the Risk Analysis Texts across the Relevant Committees:

i. CCNFSDU should revise the text on nutritional risk analysis and consider how to include JEMNU as a primary source of scientific advice; and

ii. The Secretariat should address minor numbering issues in the texts for CCCF, CCRVDF and CCPR with the relevant Committees.

Justification: This is necessary to ensure consistency in all risk analysis text used by relevant Codex Committees.

FUTURE WORK OF CODEX ON ANTIMICROBIAL RESISTANCE (CX/CAC 16/39/12)

Issue/background

AU noted the important decisions taken by the Governing bodies of FAO and WHO namely:

i. The WHO Global Action Plan on Antimicrobial Resistance

ii. FAO Resolution of Antimicrobial Resistance

Considering the serious challenges which AMR presents to humans, animals and the environment it is important to have coordinated efforts at the national and international level to address issues related to AMR. Through the support of FAO, WHO and OIE several strategies are being established in the African region to address AMR threat. One key area is the development of national Action Plans on AMR. The decisive steps taken by FAO and WHO would contribute immensely in providing focused guidance to countries on preventing or reducing AMR.

Concerning the recommendations as set out in Section 5, para 49 – Recommendations, the following are our comments:

i. Start new work on:

a. The revision of the *Code of Practice to Minimise and Contain Antimicrobial Resistance* (CAC/RCP 61-2005) and

b. The development of Guidance on Integrated Surveillance of Antimicrobial Resistance;

AU position: AU supports the start of new work on the revision of CoP and Guidance on Integrated Surveillance of AMR

Justification: There has been new developments in the area of AMR since the standard (CoP) was developed in 2005 hence a revision would help address gaps and incorporate these new developments to make the standard relevant in a field where new issues are emerging rapidly.

ii. Establish a dedicated Task Force on AMR and identify a host country(ies)

AU position: AU supports this recommendation and look forward to discussing the Terms of Reference for a Task Force on AMR.

Justification: AU believes that given the global nature of the problem of AMR and that fact that various international organizations are involved in tackling the threat to AMR, it is prudent to ensure wider consultation on the ToR for the Task Force to be established. This is necessary to avoid duplication of work and ensure that global efforts to address AMR are complementary.

iii. Request FAO/WHO to provide scientific advice on AMR, in collaboration with OIE

AU position: AU supports the request to FAO/WHO to provide scientific advice on AMR in collaboration with OIE.

Justification: Codex standards must be based on sound science reflecting current developments. AU considers the following key questions (Appendix III of CX/CAC 16/39/12) for which scientific advice would be sort as critical to the revision of existing text on AMR and development of guidance on integrated surveillance of AMR.

- Undertake a review of new data relevant to the development and transmission of antimicrobial resistance through the food chain
- With particular reference to the WHO and OIE lists of Critically Important Antimicrobials, existing Codex MRLs and the most recent scientific information on resistance and its occurrence in the food chain
- Provide advice on alternatives to antimicrobials, in particular value chains, which would support behaviour change and encourage the implementation of practices aimed at addressing AMR, considering the challenge faced by the food and agriculture sector to change practices as well as meet the global food needs.

iv. Request FAO and WHO to develop a capacity development programme to respond to the need identified.

AU position: AU supports the recommendation on the need for FAO/WHO to develop capacity building programmes. Specific areas of concern which should be addressed include but not limited to the following:

- Inadequate knowledge and expertise for conducting risk analysis of foodborne AMR
- Weak or non-existing regulatory framework on AMR
- Absent or ineffective national monitoring and control programmes on the use of antimicrobials

OTHER MATTERS OF INTEREST

I. CODEX TRUST FUND

Delegates were informed on the Trust Fund for enhanced participation in Codex (status report of the successor initiative started in January 2016).

The Codex Trust Fund 1 (CTF1) was initiated in 2003 and for 12 years it contributed immensely to widening and strengthening participation of developing and transition countries in the work of Codex and helped improve awareness of Codex in most beneficiary countries. Based on the successes of CTF1 there was strong support for the need to establish a successor initiative to Codex Trust Fund which will build on the achievements of CTF1. We commend the CAC, FAO and WHO for establishing CTF2. The Codex Trust Fund Secretariat has issued a report on the progress of the CTF2 for five months from January to May, 2016. According to the criteria set, 103 member countries were eligible for applying to benefit from CTF2 as at October, 2016.

Governance of CTF2

Governance of the CTF is composed of four bodies; the steering committee as decision making body, the Technical Review Group which assesses applications, the Advisory Group that operates at a strategic level to ensure that the view of key stakeholders can be taken into consideration during operations of the Fund and the CTF Secretariat responsible for the day to day management and administrative functions.

Application materials

Application materials were developed by FAO/WHO and the CTF Secretariat in late 2015 and early 2016. These application materials consisted of an application form for individual country application, an application form for group application and the guidelines on the application process. These materials were available in the CTF website.

Communication activities

Communication about CTF2 by the CTF Secretariat started last quarter of 2015 and in October 2015, all members were notified of the CTF. Announcement calling for countries to prepare for applications was sent out in January, 2016 while the pre-announcement was sent out to eligible countries in 1st March, 2016.

First round of applications to new CTF2- Process and results

CTF2 Secretariat received 41 applications through the on-line system by deadline of 3rd May, 2016. 38 out of 41 applications were accepted after meeting pre-screening criteria. Therefore, 38 applications were sent to FAO/WHO Regional Food Safety Advisors for comments thereafter they were submitted to the Technical Review Group for assessment. The following is the breakdown of completed applications:

Codex regions	**Number per region**
Codex Africa Region	24
Codex Asia Region	4
Codex Europe Region	2
Codex Latin America and Carribean Region	2
Codex Near East Region	3
Codex South West Pacific Region	3
TOTAL	38

Successful applications will be announced at the 39th Session of CAC.

General comments

The diagnostic tool used in the application process for CTF2 is welcomed as it enables countries to perform a scientific assessment on the status of national Codex programme. The tool has contributed to helping countries to assess what is working well and identify areas in need of improvement.

AU noted that some countries had difficulties with the application process. AU recommended that a forum is created to enable successful CTF2 countries share their experience on the application process with countries which are yet to apply. AU also recommended that countries that were not successful in the first round of application should continue carrying out an assessment of the Codex activities using the Diagnostic Tool as preparation for the second round of application.

Delegates also look forward to having further discussions on possible funding mechanisms to sustain CTF2 to ensure that it delivers its intended purpose of strengthening national Codex capacities to enable countries contribute more to the Codex standard setting process.

II. VISAS ISSUES FOR ATTENDANCE AT CODEX MEETINGS

Delegates were informed of the VISA issues for attendance at Codex meetings. This subject was proposed by Cameroon and flagged under “Other Business (Agenda Item 13)” during CAC38, but it was not discussed due to time constraints. In preparation of the 39th Session of the Codex Alimentarius Commission, the Codex Secretariat requested information on visa issuance problems that Members might have encountered while attending Codex Meetings. In response to the letter sent by the Codex Secretariat, ten (10) replies were received from CCPs, including five (5) from host countries and five (5) from participating countries. It was noted further that the number of replies received was too low to draw conclusions on the magnitude of the issue.

The Commission was being invited to take note of this matter and consider the possibility to **appeal to host countries to grant visas on arrival at the airport to delegates from countries where there was no diplomatic representation of the meeting host country**. It is also important that appropriate host government departments upon request promptly provide delegates with visa facilitation letters to assist them in the visa application process.

AU position: AU supports issuing entry visa to the delegates upon arrival by the host countries. The neighboring countries to the host country should also facilitate and wave for transit visa where necessary.

AU also suggests to FAO and WHO to consult OIE on their system in place that allows French Embassies abroad to facilitate granting entry visa to OIE Delegates attending the general sessions of OIE in Paris. This could be a good practice to follow.