

CODEx ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Items 2, 3, 7, 8, 12, 14

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ORIGINAL LANGUAGE ONLY

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

18th Session
23-27 June 2025

COMMENTS OF KENYA

Kenya appreciates the opportunity to provide comments on the different agenda items for CCCF18 as below.

Agenda Item 2: Matters referred to the Committee by the Codex Alimentarius Commission and/or its subsidiary bodies

Comment: Kenya notes the adoption of standards and related texts at Steps 8 and 5/8 of the Codex procedure, including:

- Maximum Levels (MLs) for lead in spices (Step 5/8);
- MLs for cadmium and lead in quinoa;
- The Code of Practice for the Prevention and Reduction of Ciguatera Poisoning in Foods (Step 5/8);
- The revised sampling plan for methylmercury in fish, as endorsed by the Codex Committee on Methods of Analysis and Sampling (CCMAS);
- The discontinuation of work on MLs for lead in dried flower spices and fresh culinary herbs. Kenya also takes note of information related to the Codex Strategic Plan.

Kenya supports the inclusion of **EN 17641** as an example method in the numeric performance criteria table for the sampling plan on aflatoxins in certain cereals and cereal-based products (including foods for infants and young children) under the **General Standard for Contaminants in Food and Feed (CXS 193-1995)**, with the following footnote:

The sampling plan specifies a test portion size of 25.0 g, while EN 17641 uses 5.0 g. No alternative method currently meets the performance criteria. EN 17641 is included as the best available option, though the smaller portion size may introduce additional variation in test results.

Kenya requests that CCCF consider transferring all methods and numeric performance criteria in sampling plans under CXS 193 to **CXS 234**, following the completion of the current review.

Kenya supports the approach taken by CCMAS to recommend the inclusion of an example method that meets numeric performance criteria in sampling plans for aflatoxins under CXS 193.

Finally, Kenya notes the other matters presented for information.

Agenda Item 3: Matters of interest arising from FAO and WHO including the Joint FAO/WHO Expert Committee on Food Additives

Comment: Kenya thanks FAO and WHO and acknowledges the valuable work being carried out in food safety and Codex. Kenya supports these efforts and encourages all members to contribute data for risk assessments, actively participate in Codex committees, and implement guidelines to strengthen National Food Control Systems (NFCS). Kenya also urges regional members to access and familiarize themselves with FAO and WHO publications available online.

Rationale: The work by FAO and WHO aims to strengthen national food control systems, protect consumer health, and facilitate safe food trade. Research and scientific risk assessments, particularly those using region-specific data, will help inform science-based food safety interventions in Kenya and across the region.

Agenda Item 7: Sampling plans for total aflatoxins and ochratoxin A in certain spices (at Step 7)

General Comment:

Kenya supports the recommendations of the Electronic Working Group as outlined in document CX/CF 25/18/8, specifically:

- (i) Correct overlapping notations in tables (e.g., ">10–≤15" to ">10–<15")
- (ii) Retain the current method performance criteria for: precision at ≤44% and recovery at 60–115%.
- (iii) The adoption of a separate ML for AFB₁ (15 µg/kg) in future discussions

Rationale

- (i) The proposed notation correction removes ambiguity and aligns with standard scientific expression, improving clarity in data interpretation and regulatory use.
- (ii) The recovery is good enough for low concentration. However, raising the concentration would demand a high recovery.
- (iii) Supporting the consideration of a separate ML for AFB₁ reflects a refined and targeted approach to risk management. Given the higher toxicity of AFB₁ relative to total aflatoxins, this adjustment would enhance public health protection and align regulatory actions more closely with the toxicological profile of individual aflatoxins.

Specific Comments

Appendix I, Table 5 & 6

Comment: Kenya proposes that the minimum weight of aggregate samples to remain unchanged.

Rationale: Increase in initial weight of aggregate samples would demand increasing number/weight of incremental samples, which is disputed.

Paragraph 13

Comment: Kenya proposes to change the word “local fish” to “fish at the same location”.

Rationale: Local fish could mean something else apart from the context.

Paragraph 21

Comment: Kenya proposes that paragraph 21 to be rephrased to read, as “countries have established limits on size and/or species of fish that can be caught and sold because they are prone to causing CP”, and delete the list of the examples.

Rationale: The list of countries, which have established the limits on size is redundant.

Paragraph 30

Comment: Kenya proposes the first line to be deleted and to replace the phrase “Methods that have been reported in the literature” third line with common methods for detection of CTX are:

Rationale: For clarity and not narration.

Paragraph 32

Comment: Kenya proposes the word “fish sector operator” should be defined in the clause for terms and definitions if there is a need to do so and not defining it in the documents.

Rationale: This is common practice for standards writing.

Paragraph 33 & 34

Comment: Kenya proposes the paragraphs to be deleted.

Rationale: Their concerns have been catered for in paragraph 32 therefore, they are redundant.

Agenda Item 8: Maximum level and associated sampling plan for total aflatoxins in ready-to-eat peanuts (at Step 4)

Comment: Kenya supports the advancement of the maximum limit (ML) of 10 µg/kg for total aflatoxins in ready-to-eat peanuts to CAC48 for final adoption.

Rationale: Given that ready-to-eat peanuts are consumed without further processing, this limit is critical to reduce dietary exposure to aflatoxins—potent carcinogens with significant health risks, particularly in children and immunocompromised populations. Further this recommendation is consistent with the Codex principle of ALARA (As Low As Reasonably Achievable.)

Furthermore, this limit facilitates regional and international trade by aligning with the regulatory standards of major importing markets, minimizing the risk of border rejections and protecting producers' livelihoods. It complements the already adopted ML of 15 µg/kg for peanuts intended for further processing, offering a logical and protective framework for aflatoxin control.

Agenda Item 12: Review of the *Code of practice for the reduction of aflatoxin B1 in raw materials and supplemental feeding stuffs for milk-producing animals* (CXC 45-1997)

General Comment:

Kenya appreciates the opportunity to comment on the proposed revision of the *Code of Practice for the Reduction of Aflatoxin B1 in Raw Materials and Supplemental Feeding stuffs for Milk-Producing Animals* (CXC 45-1997). Aflatoxins are a **significant food safety and public health concern** in Kenya, especially due to the tropical climate, poor post-harvest handling, and the high consumption of maize, groundnuts, and dairy products.

Milk is a critical source of nutrition for many Kenyan households, including infants and children. However, the presence of aflatoxin M1 in milk above recommended levels—originating from aflatoxin B1 in contaminated feed above recommended levels—poses a serious health risk. Kenya therefore strongly supports initiatives that strengthen aflatoxin control in feed, particularly for milk-producing animals.

Specific Comments

(i) Project document (Appendix I): Rationale for revision

- Kenya supports the proposed **new work on the revision** of CXC 45-1997 and agrees that the existing Code requires updating to reflect **current knowledge, technologies, and practices**, particularly in relation to climate change, feed trade globalization, and surveillance data. Kenya recommends including in the rationale the **increased detection of aflatoxin M1 in milk in Africa** and the **vulnerability of small-scale farmers** who often rely on home-mixed or unregulated feeds.
- Further in Section 2 (Relevance and Timeline), Kenya proposes the inclusion of climate variability as a significant factor contributing to increased aflatoxin contamination. This addition underscores the necessity to update the Code of Practice (CoP) to address emerging challenges as proposed below:
- The last sentence in Section 2 of the project document to read: “Furthermore, JECFA concluded at its 56th meeting in 2002 that aflatoxin M1 is a genotoxic carcinogen **noting that also climate variability is a contributing factor to increased aflatoxin contamination, reinforcing the need to update the code of practice (CoP).**”

Rationale:

Climate variability, encompassing alterations in temperature, precipitation patterns, and the frequency of extreme weather events, has been identified as a key driver of mycotoxin accumulation in agricultural systems. The FAO publication *Climate Change: Unpacking the Burden on Food Safety* (FAO, 2020) highlights several pertinent findings:

- **Increased Risk of Mycotoxin Accumulation:** Elevated temperatures and fluctuating precipitation levels can enhance the growth of mycotoxin-producing fungi, such as *Aspergillus flavus*, leading to higher aflatoxin levels in crops both pre- and post-harvest.
- **Impact on Mitigation Strategies:** Traditional methods for controlling mycotoxin contamination, including crop rotation and fungicide application, are becoming less effective due to the changing climate, necessitating the development of adaptive strategies.
- **Need for Enhanced Monitoring:** The publication emphasizes the importance of improved prediction and monitoring systems to detect mycotoxin presence and guide the responsible use of fungicides, ensuring food safety in the face of climate-induced challenges.

(ii) Review of the proposed outline for the revised CoP (Appendix II)**(a) Approach to integrate related Codex CoPs**

- Kenya supports the integration or cross-referencing of related Codex Codes of Practice to promote **harmonization and reduce duplication**. However, Kenya cautions against merging texts if it results in **loss of specificity** for high-risk commodities like dairy feed.
- Kenya recommends that the revised CoP retain **focused guidance on dairy-specific feed practices** to preserve its utility for milk safety assurance systems.

(b) Proposed revisions – structure and content

- Kenya finds the proposed outline logical and supports the inclusion of new sections such as:
 - **Climate-smart aflatoxin management practices.**
 - **Feed quality control and traceability.**
 - **Integration of Hazard Analysis and Critical Control Points (HACCP)** in feed production.
- Kenya also recommends the inclusion of:
 - **Low-cost storage solutions** for smallholder farmers (e.g., hermetic bags or community silos);
 - **Aflatoxin binders and feed additives** – highlighting their regulated and evidence-based use;
 - **Public-private partnerships** for improved feed testing infrastructure.

(iii) Support for issuing a circular letter requesting additional data

- Kenya **fully supports** the issuance of a circular letter after CCCF18 to request additional **risk management practices and data** from member countries. This will help ensure that the revised CoP reflects **diverse production environments**, including those of developing countries.
- Kenya suggests that the request explicitly encourage contributions from **low- and middle-income countries (LMICs)** to enhance global applicability and inclusivity.

(iv) Support for re-establishing the Electronic Working Group (EWG)

Kenya supports the **re-establishment of the EWG** to lead the revision process, with the involvement of countries from aflatoxin-prone regions, including sub-Saharan Africa. Kenya is open to participating in the EWG and contributing technical expertise, surveillance findings, and practical experiences.

(v) Additional issues

Kenya recommends that the revised CoP also address:

- **Capacity building needs** for regulators farmers and feed manufacturers.
- **Consumer education** on the risks of aflatoxins in milk.
- Promotion of **regional harmonization** of feed quality standards across Eastern Africa.
- Sensitization on alternative uses of feeds contaminated with aflatoxins above allowable levels for different species.

Kenya supports the proposal for new work on the revision of CXC 45-1997 and commends Codex for prioritizing aflatoxin control in animal feed. A revised Code of Practice, informed by science and adaptable to local conditions, will be instrumental in safeguarding public health and enhancing the quality and safety of milk in Kenya and beyond.

Agenda Item 14: Guidance on data analysis for the development of maximum levels and for improved data collection

General Comment: Kenya supports the endorsement of the main part of the Guidance on Data Analysis for Development of Maximum Levels as provided in Appendix I. The EAC further recommends the consolidation of Annex III and Annex V into a single, integrated annex within the Guidance on Data Analysis for Development of Maximum Levels.

Rationale: This guidance will significantly enhance the quality and consistency of data collection, analysis, and interpretation processes that underpin the establishment of science-based maximum levels (MLs) for contaminants and other substances in food. The structured analytical approach outlined in the main guidance promotes transparency, scientific robustness, and harmonized practices across risk assessment and risk management activities. In this context, merging Annex III, which provides a step-by-step computational framework for estimating hypothetical MLs and Annex

V, which presents the resulting outputs into a unified annex would improve the usability and coherence of the guidance. This integration would minimize redundancy, ensure logical continuity between input and output data, and promote greater clarity in documenting and interpreting analytical processes and results.