Report of the U.S. Delegate, Codex Committee on Contaminants in Food, 8th Session

The 8th Session of the Codex Committee of Contaminants in Foods (CCCF) met in the The Hague (the Netherlands), March 31 to April 4th, at the kind invitation of the Government of the Netherlands. The meeting was chaired by Dr. Wieke Tas, Department of Animal Health and Market Access, Ministry of Economic Affairs. The Session was attended by 64 Member countries, 1 Member Organization and 17 international organizations.

The U.S. Delegation was led by Dr. Nega Beru (Head of Delegation) from the Food and Drug Administration, Center for Food Safety and Applied Nutrition, and Dr. Kerry Dearfield (Alternate Delegate) from the U.S. Department of Agriculture, Food Safety and Inspection Service. The following represents the summary of issues that were raised during this latest CCCF meeting.

1. Proposed Draft Revision of the Maximum Levels for Lead in Selected Commodities in the General Standard for Contaminants and Toxins in Food and Feed

The United States chaired the electronic working group (eWG) for this work to review MLs for lead in selected fresh fruits and vegetables, and infant formula and secondary milk products.

There was wide support, including from the United States, to retain current MLs for leafy vegetables, assorted (sub) tropical fruits (edible peel), assorted (sub) tropical fruits (inedible peel), citrus fruits, pome fruits, stone fruits, bulb vegetables, root and tuber vegetables, and secondary milk products.

There was agreement to postpone discussion of the following proposed MLs until the 9th Session of CCCF: 0.1 mg/kg for berries and other small fruits; 0.1 mg/kg for brassica vegetables; 0.05 mg/kg for fruiting vegetables, cucurbit; 0.05 mg/kg for fruiting vegetables, other than curcubits; and 0,01 mg/kg for legume vegetables.

The eWG was requested to review for the next CCCF session existing MLs for fruit juices and canned fruits and canned vegetables currently at Step 5. Data is being gathered this year for discussion for the next 9th CCCF session.

CCCF agreed to revise the current ML of 0.02 mg/kg to 0.01 mg/kg for lead in infant formula, formal for special medical purpose for infants and follow-up formula (as consumed) and forwarded this ML to Step 5/8, with the European Union expressing a reservation based on concerns with dilution factors applied to dry infant formula.

2. Proposed Draft Maximum Levels for Arsenic in Rice (Raw and Polished)

CCCF agreed to forward a proposed draft ML for total inorganic arsenic in polished rice at 0.2 mg/kg for adoption at Step 5/8.

No agreement was reached on the eWG recommendation of an ML of 0.4 mg/kg for total inorganic arsenic in raw or husked rice. Several members, including the United States supported a ML of 0.4 mg/kg while other members supported an ML at 0.25 mg/kg, which though several members argued were achievable, could lead to an unacceptably high violation rate. Since consensus could not be reached, the CCCF returned the proposed draft ML for husked rice at Step 2/3 for further elaboration by the eWG and consideration by CCCF at the next session.

3. Draft Maximum Levels for Deoxnivalenol (DON) in Cereal and Cereal-Based Products and Associated Sampling Plans

MLs for raw cereal grains (wheat, maize and barley) and flour, meal, semolina and flakes derived from wheat, maize or barley

There were varying views on the commodities for which MLs should be set: support for both MLs; support only for the ML for the flour, meal, semolina and flakes derived from wheat, maize or barley; support for a different ML for flour, meal, semolina and flakes derived from wheat; or completely different MLs for all categories.

MLs for cereal-based foods for infants and young children

There was general agreement that the ML should apply to the product on a “dry matter basis”, however, agreement could not be reached on the appropriate ML.

Conclusion

The Committee noted that it was not possible to reach agreement on the MLs for raw cereal grains (wheat, maize, and barley); flour, meal, semolina and flakes derived from wheat, maize or barley, nor for cereal-based foods for infants and young children and agree to hold the MLs and associated sampling plans at Step 7 for consideration at the next session of the Committee pending the discussion paper to be developed by FAO, WHO and the Codex Secretariat. The Committee agreed that the ML for cereal-based foods should be set on a “dry matter basis”.

4. Proposed Draft Maximum Levels for Acetylated Derivatives (DON) in Cereals and Cereal-Based Products

The Committee, noting the decision take on MLs for DON and the conclusions of the electronic working group, agreed that it was premature to continue with work on the extension of the MLs for DON in cereals and cereal products to its acetylated derivatives. The Committee agreed that no further consideration would be given to acetylated derivatives of DON as a separate item; however, when further information becomes available, it could be considered as port of the discussion on the MLs for DON in cereals and cereal-based products.

5. Proposed Draft Maximum Levels for Fumonisins in Maize and Maize Products and associated Sampling Plan

Maize grain unprocessed

Noting that maize is a staple in many African diets, several African delegations could not support the proposed ML of 5000 ug/kg as it would not be health protective. These delegations noted, however, than an ML was necessary and in the spirit of compromise, could support a level of 4000 ug/kg and added that consideration be given to including a footnote to this ML to clarify that African countries could set lower MLs. There was support for the proposal of 4000 ug/kg, but it was noted that a footnote would not be necessary as countries could establish lower MLs if there was justification.

Maize flour/meal

There was wide support for the proposed ML of 2000 ug/kg in maize flour and maize meal. Several African delegations, however, proposed an ML of 1000 ug/kg for similar reasons as indicated in the discussion on the unprocessed maize grain. After further discussion by the Committee, these delegations, while having a preference for 1000 ug/kg, agree to the ML of 2000 ug/kg in the spirit of compromise noting the need for the ML.

Sampling plan

The Committee noted that the sampling plans were based on OC curves derived for MLs of 2000 and 5000 ug/kg, but noted that the sampling plan for unprocessed maize grain was not expected to change with the change in the ML for this product, and agree to the sampling plan as proposed.

Conclusion

The Committee agreed to forward the proposed draft MLs with associated sampling plans to Step 5/8 for adoption by the 37th Session of the Commission. In relation to the ML for maize flour and maize meal, the Committee agreed that these would be advanced for adoption with the understanding that exposure and impact assessment should be undertaken by JECFA within three years for reconsideration of the levels.

6. An Annex For The Prevention And Reduction Of Aflatoxins And Ochratoxin A Contamination In Sorghum (Code Of Practice For The Prevention And Reduction Of A Mycotoxin Contamination In Cereals (CAC/RCP 51-2003)

There was wide support for this proposed annex and CCCF agreed to forward it to the 37th Session of the Commission for adoption at step 5/8.

7. Draft Code Of Practice For Weed Control To Prevent And Reduce Pyrrolizidine Alkaloid Contamination In Food And Feed

There was wide support for this code of practice and CCCF agreed to forward it to the 37th Session of the Commission for adoption at Step 5/8.

8. Discussion Paper on Aflatoxins in Cereals

The Committee agreed that countries would submit data to GEMS/Food and no further work would be undertaken on the establishment of MLs for aflatoxins in cereals in the meantime.

9. Discussion Paper on the Review of the Guideline Levels for Methylmercury in Fish and Predatory Fish

The Committee agreed to re-establish the eWG, led by Japan and co-chaired by Norway, to develop a discussion paper to provide proposals for ML(s) for methylmercury, to express to which fish species these should apply, and to include a project document for a new work proposal for consideration by the next session of the Committee.

10 Discussion Paper on Halogenated Solvents

The Committee noted that there was no support for the transfer of the levels for halogenated solvents from the *Standard for Olive Oils and Pomace Oils* (CODEX STAN 33-1981) to the GSCTFF, however, it agreed to recommend CCFO maintain these levels in CODEX STAN33-1081 until more information on environmental contamination became available for CCCF to make a decision on this matter. The Delegation of EU agreed to follow-up on this issue and report back to the Committee in the future.

11. Editorial Amendments to the General Standard for Contaminants and Toxins in Food and Feed

The Committee agreed with the changes proposed by the in-session WG and to forward the editorial amendments to the GSCTFF for adoption and to request the Commission to remove the MLs for contaminants in the standard for "cooked cured chopped meat", "cooked cured ham", "cooked cured pork shoulder", "corned beef", and "luncheon meat" and to align the section on comtaminants with the standard text for contaminants as provided in the Procedural Manual.

12. Priority List of Contaminants and Naturally Occurring Toxicants Proposed for Evaluation by JECFA

The Committee endorsed the priority list of contaminants and naturally occurring toxicants for JECFA evaluation as proposed by the WG and agreed to re-convene the in-session WG at its next session. The Committee further agreed to continue solicit comments and/or information on the Priority List for consideration by the next session of the Committee.

13. New Work Proposals

a. **Discussion Paper on the Development of a Code of Practice for the Prevention and Reduction of Arsenic Contamination in Rice**

The Delegation of China, as chair of the eWG, presented the document indicating that there are risk management measures that are readily available to prevent and reduce arsenic contamination in rice and that a basis for

preliminary development of a Code of Practice (COP) could be provided. Some measures, such as use of soil amendments and fertilizers, require further data and information.

Based on the discussion paper presented by the Delegation of China as chair of the eWG, the Committee agreed to forward the proposal for new work on a COP for the prevention and reduction of arsenic contamination in rice for approval by the 37th session of the Commission.

b. **Discussion Paper on the Possible Revision of the Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals**

The Delegation of Brazil, as chair of the eWG, introduced the report and informed the Committee that in undertaking this work consideration had been given to the work on the Annex for the Prevention and Reduction of Aflatoxins and Ochratoxin A in Sorghum. The Delegation highlighted the main points identified for revision of the COP and noted the eWG had made a proposal for a revised COP with justification for changes together with a project document for consideration by the Committee.

The Committee agreed the revision of COP was timely in view of the newer technologies and practices available to prevent and reduce mycotoxin contamination in cereals and to forward the proposal for new work on the revision of the COP for approval by the 37th Session of the Commission. Pending approval by the Commission, the Committee agreed to establish an eWG led by Brazil and co-chaired by the U.S. and Nigeria to prepare a proposed draft revision of the COP, including the integration of the annex on the prevention and reduction of aflotoxin and ochratoxin A in sorghum, for comments at Step 3 and consideration byt the next session.

c. **Discussion Paper on the Establishment of Maximum Level for Total Aflatoxins in Ready-To-Eat Peanuts and Associated Sampling Plan**

The Delegation of India, as chair of the eWG, introduced the discussion paper and explained there were MLs for aflatoxins in peanut6s for further processing, but not for ready-to-eat (RTE) peanuts. It was explained that an ML for total aflatoxins in RTE peanuts would help ensure consumer protection and fair practices in food trade, especially taking into account the needs of developing countries, and that the eWG had proposed a level of 10 ug/kg (ppb) total aflatoxins with existing Codex sampling plans.

The Committee agreed to forward the proprosal for new work on a ML for total aflatoxins in RTE peanuts for approval by the 37thSession of the Commission.

d. **Proposal for Maximum Levels for Cadmium in Chocolate and Cocoa Derived Products**

The Delegation of Ecuador introduced the proposal and informed the Committee that the proposal had been discussed in the *in-session working group on priorities*, which had proposed that a project document be presented to the plenary. The Delegation noted that while the evaluation by the 77th JECFA noted that the intake of cadmium from the consumption of chocolate and cocoa-derived products is not a health concern, the lack of an ML for cadmium in cocoa and its derived products could threaten exports from some Member Countries, especially developing countries who are the major exporters of cocoa.

The Committee agreed to forward a new work proposal on MLs for cadmium in chocolate and cocoa-derived products for approval by the 37th Session of the Commission. Pending approval by the Commission, the Committee agreed to establish an eWG, led by Ecuador and co-chaired by Ghana and Brazil, to prepare proposals for MLs for comments at Step 3 and consideration at the next session of the Committee.

14. Other Agenda Items

a. **Proposal for new work on the establishment of MLs for aflatoxins in spices and in nutmeg with associated sampling plans**

The Committee agreed to establish an eWG, led by India and co-chaired by the EU and Indonesia, to prepare a discussion paper as outlined in the proposals by the Chairperson that a review of mycotoxins in spices first be conducted to allow the Committee to understand which mycotoxins to address and in which spices.

b. **Proposal for new work on a code of practice for the prevention and reduction of ochratoxin A contamination in paprika**

The Committee agreed to establish an eWG, led by Spain and co-chaired by the Netherlands, working in English and Spanish, to prepare a discussion paper on the feasibility for a code of practice for mycotoxins in spices with specific annexes for consideration at the next session.

Date and Place of Next Session

The Ninth session would be held in New Delhi, Indi. Exact location and time are to be announced.