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**European Union comments for the  
CODEX COMMITTEE ON CONTAMINANTS IN FOOD  
9th Session**

**New Delhi, India, 16 – 20 March 2015**

**Agenda Item 10**

**Proposed draft Maximum level for Total Aflatoxins in Ready-to-Eat  
peanuts and associated sampling plan**

**(CX/CF 15/9/9)**

***European Union Competence  
European Union Vote***

The European Union (EU) welcomes and appreciates the work done by the Electronic Working Group (EWG) led by India.

**The EU wishes to make following comments:**

**As regards the table 4 on page 8:**

- peanuts are not nuts but oilseeds and therefore it is not correct to include them in nuts (total) for consumption.
- almonds, Brazil nuts, hazelnuts, pistachios and walnuts are tree nuts and it has to be therefore verified if the consumption of 5.5 g/day per capita consumption relates to tree nuts other than almonds, Brazil nuts, hazelnuts, pistachios and walnuts or to tree nuts including almonds, Brazil nuts, hazelnuts, pistachios and walnuts. In the latter case the sum for nuts (total) has to be further changed (besides the exclusion of peanuts).

**As regards the sentence “Thus there are lot of inconsistencies in fixing MLs of aflatoxin in various foodstuffs by different countries which is considered to be neither logical nor scientific.”:**

This statement is not correct. The establishment of MLs in the EU is done in a transparent way and based on the outcome of a risk assessment, performed independently and taking into account all scientific evidence available. The establishment of a level takes also into account other legitimate factors in particular the achievability of a certain level by applying good practices and this in accordance with the “as low as reasonably achievable (ALARA) ” principle;

### **As regards the Recommendations of the EWG**

The EU supports the recommendations to request JECFA to perform an exposure assessment for health impact based on the proposed maximum level (ML) of 10 µg/kg for total AFs in ready-to-eat (RTE) peanuts and this compared to a hypothetical ML of 4 µg/kg currently in application in certain countries/regions.

Furthermore the EU agrees with the recommendation that it is appropriate to review the current sampling plan for total aflatoxins in peanuts intended for further processing to ensure that the sampling plan provides sampling procedures for the packaging forms RTE peanuts are traded.

Awaiting the availability of the JECFA assessment and the associated sampling plan, the EU is of the opinion that it is appropriate to keep the proposed maximum level of 10 µg/kg for total aflatoxins in RTE peanuts at Step 3.