28/04/2022

CODEX COMMITTEE ON CONTAMINANTS IN FOOD
15th Session

Agenda Item 10

Maximum levels for total aflatoxins in ready-to-eat peanuts and associated sampling plan (at Step 4)

(CX/CF 22/15/10 and CL 2022/19-CF)

European Union Competence
European Union Vote

The European Union (EU) welcomes and appreciates the work done by India to prepare the document CX/CF 22/15/10 related to the proposed draft maximum level for aflatoxins in ready-to-eat peanuts and associated sampling plans.

The EU wishes to make the following comments as regards the proposed maximum level (ML) of 10 µg/kg or 12 µg/kg for aflatoxin total in ready-to-eat peanuts and associated sampling plans.

1. BACKGROUND

Aflatoxins are genotoxic and carcinogenic substances. The Joint FAO/WHO Expert Committee on Food Additives (JECFA) updated the aflatoxin risk assessment at its 83rd meeting in November 2016[1].

JECFA reaffirmed the conclusions of previous assessment that aflatoxins are among the most potent mutagenic and carcinogenic substances known and that the reduction of dietary total aflatoxin exposure is an important public health goal. Five food commodities (maize, peanuts, rice, sorghum and wheat) were identified to contribute each more than 10% to international dietary exposure estimates for more than one GEMS/Food cluster diet, for either AFT or AFB1. The Committee recommends that efforts continue to reduce aflatoxin exposure using valid intervention strategies, including the development of effective, sustainable and universally applicable pre-harvest prevention strategies. Maize and groundnuts are a traditional focus for aflatoxin management.

[1] Eighty-third meeting of the Joint FAO/WHO Expert Committee on Food Additives Rome, 8–17 November 2016. WHO Food Additives Series: 74 – Safety evaluation of certain contaminants in food. http://apps.who.int/iris/bitstream/handle/10665/276868/9789241660747-eng.pdf?ua=1

EFSA adopted on 23 January 2018 a statement on the effect on public health of a possible increase of the ML for aflatoxin total from 4 to 10 µg/kg in peanuts and processed products thereof, intended for direct human consumption or use as an ingredient in foodstuffs[2]. EFSA concluded that for consumers of peanuts and peanut butter, based on estimates of current exposure to aflatoxins, the cancer risk is higher than the excess lifetime cancer risk of 10^{-5}. A ML for aflatoxin total of 10 µg/kg in ready-to-eat peanuts would further increase the cancer risk by a factor of 1.6 to 1.8 based on a simulation of the possible dietary exposure to aflatoxins.

The European Food Safety Authority (EFSA) has recently performed a comprehensive risk assessment of aflatoxins in food[3]. The CONTAM Panel noted that the calculated Margins of Exposure MOEs are less than 10,000, which raises a health concern. The estimated cancer risks in humans following exposure to AFB1 are in-line with the conclusion drawn from the animal data. This conclusion also applies to AFM1 and AFT + AFM1

2. COMMENTS ON THE PROPOSED MAXIMUM LEVELS

The EU cannot agree on the proposed ML of 10 µg/kg or 12 µg/kg for aflatoxin total in ready-to-eat peanuts because

- the presence of aflatoxins in food is a health concern;
- the level of aflatoxins in peanuts can be minimized by the application of the Codex Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts (CAC/RCP 55-2004);
- a careful selection of peanuts destined to be marketed as ready-to-eat peanuts should ensure that peanuts ready-to-eat contain lower levels of aflatoxins.
- an application of sorting and other physical treatments shall further reduce the presence of aflatoxins in ready–to-eat peanuts.

A combination of the application of the code of practice, a careful selection of peanuts destined to be marketed as ready-to-eat peanuts and the application of sorting and other physical treatments shall result in lower levels of aflatoxins and it is therefore in the interest of public health protection to set lower levels for aflatoxin total than the current proposed 10 or 12 µg/kg.

[2] Statement available at: http://onlinelibrary.wiley.com/doi/10.2903/j.efsa.2018.5175/epdf

[3] EFSA CONTAM Panel (EFSA Panel on Contaminants in the Food Chain), Schrenk D, Bignami M, Bodin L, Chipman JK, del Mazo J, Grasl-Kraupp B, Hogstrand C, Hoogenboom LR, Leblanc J-C, Nebbia CS, Nielsen E, Ntzani E, Petersen A, Sand S, Schwerdtle T, Vleminckx C, Marko D, Oswald IP, Piersma A, Routledge M, Schlatter J, Baert K, Gergelova P and Wallace H, 2020. Scientific opinion – Risk assessment of aflatoxins in food. EFSA Journal 2020;18(3):6040, 112 pp. https://doi.org/10.2903/j.efsa.2020.6040

3. COMMENTS ON THE PROPOSED SAMPLING PLAN

It is proposed to apply the same sampling plan established for aflatoxin total in peanuts intended for further processing, as described in *General Standard for Contaminants and Toxins in Food and Feed* (CXS 193-1995), also to ready-to-eat peanuts.

A different sample preparation procedure has been established for the control of aflatoxins in treenuts destined for further processing and ready-to-eat treenuts with a different decision rule(CXS 193-1995).

The EU is of the position that it is appropriate to have for ready-to-eat peanuts instead of one laboratory sample to have two laboratory samples from the aggregate sample and with the decision rule that in case the aflatoxin test result is less than or equal to the maximum level in both test samples, then the lot is accepted. Otherwise the lot is rejected.