

**CODEX COMMITTEE ON METHODS OF ANALYSIS AND  
SAMPLING  
(40th Session)**

**Budapest, Hungary, 27 – 31 May 2019**

**European Union Comments on  
Agenda item 7**

***Mixed Competence  
Member State Vote***

**REVISION OF THE *GENERAL GUIDELINES ON SAMPLING*  
(CXG 50-2004)**

The European Union and its Member States (EUMS) would like to thank New Zealand for the excellent work done in leading the eWG.

The EUMS would like to make the following general remarks:

Excessively general frameworks for the design of acceptance sampling plans allowing for a large variety of choices may easily overwhelm the average user. In particular, the selection of an adequate sampling scheme under operational, contractual, and business constraints, and the specification of values for a variety of statistical parameters may be difficult for users with few statistical skills. The interpretation and suitable quantification of parameters such as AQL, LQ, AOQL, and associated risk parameters require expertise in statistical methodology. In many cases, users are better served by design frameworks that restrict attention to selected representative parameter combinations to a concise class instead of allowing for the full variety of combinations.

Sampling plans and the underlying methodology should be unambiguously defined and documented, should be legally robust, clearly understood and unconditionally recognised by all parties involved. In particular, numerical algorithms and their software implementations need to be accessible to make results reproducible and traceable.

The EUMS appreciate that the aim of these Guidelines is to be user friendly; however, information to address all sources of uncertainty within the Acceptance Sampling approach could overly complicate the end product. The Guidelines could include a statement that a pragmatic approach to measurement uncertainty has been taken, still making clear the factors that have and have not been included.

Concerning the specific questions of CL 2019/17-MAS mentioned in the key outcomes from the EWG consultation the EUMS have the following comments:

- In what context is it that Codex sampling plans are intended to be used?

Codex sampling plans have to ensure that fair and valid procedures are used when food/feed is being inspected for compliance with a particular Codex standard (or requirements provided by a Codex standard)

- What do Codex sampling plans hope to achieve?

Codex sampling plans or sampling plans developed on the basis of the Codex guidelines on sampling should ensure that the samples are representative for the sampled lot to verify compliance with Codex standards (or requirement established in Codex standards).

- How Codex sampling plans can be used by exporting and importing countries in real situations?

Prescriptive or defined Codex sampling procedures associated with Codex standards (or requirements provided in the Codex standard) are recommended to be applied to check compliance of lots/consignments with Codex standards (or requirements provided in the Codex standard)

In case there is no prescriptive or defined Codex sampling procedure associated with the Codex standard (or requirements provided in the Codex standard) food surveillance authorities should elaborate/design appropriate sampling procedures based on the general guidelines for sampling provided for in CAC/GL 50-2004., also for checking compliance with national standards in the absence of Codex standards.

- Are Codex sampling plans intended for use in international trade disputes?

Codex sampling procedures or Codex guidelines for sampling could be considered for use in international trade disputes. However, in these cases it must be ensured that the balance producers' risk and consumers' risk related to the Codex sampling procedure is equivalent to the balance producers' risk and consumers' risk related to the sampling plan applied by the importing country. For the control of compliance with feed/food safety standards it is important that the consumers' risk is minimized combined with an acceptable producers' risk.

- What situations where Codex sampling plans are used, are covered or not covered?

Sampling inspection is widely used to control and regulate the interface between two distinct parties, e.g., producer and consumer, vendor and buyer, trader and regulatory authority. Currently, Codex sampling plans refer closely to ISO 2859 and ISO 3951 series. These standards have limited practicality and are not accessible via a simple app and they have further limitations as significant measurement uncertainty

and significant bias are not taken into account. Therefore, the responsible ISO working group TC 69 SC 5 is working on a revision of these standards. The EUMS strongly recommend aligning the procedures to establish Codex sampling plans with ISO standards of the 3951 and 2859 series as soon as the revised versions become available.

The scope of the CAC/GL 50-2004- General Guidelines on Sampling (section 1.4 of CAC/GL 50-2004) provides explicitly that the guidelines do not cover the control of non-homogeneous goods, situations where the measurement error is not negligible compared to sampling error, the control of qualitative characteristics in bulk material.

It is the view of the EUMS that it would be appropriate to consider if also for these situations guidelines on sampling could be elaborated. In particular, it is of major importance that in case of control of compliance with a food safety standard of a substance non-homogeneously distributed in the lot, that the sampling procedure ensures a minimisation of the consumers' risk combined with an acceptable producers' risk.

In the point 2 of the Recommendations to CCMAS 40 on page 3 of CX/MAS 19/40/7, the following question (in addition to the questions above) is put forward for consideration to guide further work:

*Is it practical to achieve a perfectly balanced producer/consumer risk, based on statistical theory will rarely ever be practically achieved, as there is not a single producer for a commodity, or a single consumer (importing country), or single testing authority who are importing and testing at the boarder all the producer product?*

The EUMS are of the opinion that in the development of sampling procedures the producers' risk and consumers' risk have to be taken into account but on a pragmatic basis and not to ensure a "*perfectly balanced producer/consumer risk based on a statistical theory*"

It is thereby important to underline that for the control of food safety standard, the elaborated sampling plan should ensure a minimisation of the consumers risk combined with an acceptable producers' risk.

For the control of compliance with standards, not related to food safety, the elaborated sampling plan should aim at ensuring a fair balance of the consumers' risk and producers' risk on a pragmatic basis.