

**European Union comments on
Codex Circular Letter CL 2022/45-CF**

**Request for comments and/or information on sampling plans: Maximum
levels for total aflatoxins and ochratoxin A in spices.**

*European Union Competence
European Union Vote*

The European Union (EU) wishes to make the following comments on the proposed sampling plan:

The EU is indeed of the opinion that ISO 948 – Spices and Condiments – Sampling is not an appropriate sampling plan for the control of aflatoxins and ochratoxin A in spices as mentioned in §1 of CL 2022 /45 – CF, given that it does not provide for

- sampling provisions traded in bulk.
- incremental sample size and size of the bulk (aggregate) sample.
- a distinction in sampling provisions for spices with larger particle size (e.g. nutmeg) and spices with low particle size (e.g. spices in powder)
- it is not appropriate for sampling of spices with large particle size with heterogeneous contamination of total aflatoxins and ochratoxin A.

The EU has no comments and agrees to the proposed alternative sampling plan attached as Annex to CL 2022/45-CF.

Given that the heterogeneity of contamination with aflatoxins and ochratoxin A in spices with small particle size is lower than in spices with larger particle size, it is indeed appropriate to propose a lighter sampling procedure for spices with small particle size than for spices with larger particle size.

The fine grinding of spices into powder will also further homogenize the contamination by aflatoxins and ochratoxin A and therefore, in addition to the sampling procedure for spices with large particle size and the sampling procedure for spices with small particle size, the following lighter sampling procedure for powdered spices could be considered:

C. Powdered spices

In the case of large lots and on condition that the subplot can be separated physically, each lot shall be subdivided into sublots following Table 5. Taking into account that the weight of the lot is not always an exact multiple of the weight of the sublots, the weight of the subplot may exceed the mentioned weight by a maximum of 20 %.

Table 5

Subdivision of lots into sublots depending on lot weight

Commodity	Lot weight (tonnes)	Weight or number of sublots	Number of incremental samples	Aggregate sample Weight (kg)
Powdered spices	≥ 15	25 tonnes	50	2
	< 15	—	3 – 50 (*)	0,1 – 2.0

(*) Depending on the lot weight — see Table 6

- each subplot shall be sampled separately

- number of incremental samples: 50. Weight of the aggregate sample: 2 kg

(*) For lots of powdered spices less than 15 tonnes the sampling plan shall be used with 3 to 50 incremental samples, depending on the lot weight, resulting in an aggregate sample of 0,1 to 2.0 kg.

The figures in the following Table 6 can be used to determine the number of incremental samples to be taken.

Table 6

Minimum number of incremental samples to be taken depending on the weight of the lot of powdered spices

Lot weight (tonnes)	Minimum number of incremental samples	Minimum aggregate sample weight (kg)
≤ 0,1	3	0,1
> 0,1 - ≤ 0,5	10	0.4
> 0.5 - ≤ 5,0	25	1.0
> 5,0 - ≤ 10,0	35	1.4
> 10,0 - ≤ 15,0	50	2.0