

**European Union comments on  
Codex Circular Letter CL 2017/57-CF:**

**Request for comments on maximum levels for total aflatoxins  
in ready-to-eat peanuts**

*European Union Competence  
European Union Vote*

The European Union (EU) wishes to make the following comments as regards the proposed options for the maximum level (ML) of 10 or 15 µg/kg for aflatoxin total in ready-to-eat peanuts:

- The establishment of MLs is not only to be based on exposure assessment by JECFA but has to take into account all the criteria for the establishment of maximum levels in food and feed mentioned in point 1.3.3 and elaborated in more detail in the Annex I of the General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995).

- No justification has been given as to why the previously proposed draft ML of 10 µg/kg, held at Step 4 pending the outcome of the JECFA exposure assessment for health impact, (REP15/CF § 100) and currently proposed as one possible option could not be maintained and a level of 15 µg/kg for aflatoxin total is proposed as an alternative option.

- No information nor justification is provided for the option of a ML of 15 µg/kg being the level that is as low as reasonably achievable (one of the criteria for the establishment of MLs in food and feed referred to in CODEX STAN 193-1995). The information provided on the difference in rejection rate between a hypothetical ML of 4 µg/kg and 15 µg/kg is not a justification as to why the previously proposed ML of 10 µg/kg cannot be maintained.

- In the Codex STAN 193-1995, it is stated that additional processing/treatment has proven to reduce the presence of aflatoxins in consignments of peanuts. Processes that have proven to reduce levels of aflatoxins are shelling, blanching followed by colour sorting, and sorting by specific gravity and colour (damage). These processes are applicable to peanuts. Therefore, it is not justified to establish the same ML for ready-to-eat peanuts as the existing Codex ML for aflatoxins total in peanuts intended for further processing, as this is not in accordance with the criterion that MLs should be based on Good Manufacturing Processes (GMP) (CODEX STAN 193-1995).

**For the reasons outlined above, the EU cannot accept the option for an ML of 15 µg/kg of aflatoxin total in ready-to-eat peanuts.**

The EU could accept the option of a ML level of 10 µg/kg of aflatoxin total in ready-to-eat peanuts.

However, as this proposed ML is higher than the current EU ML level for aflatoxins in ready-to-eat peanuts, the EU will ask its risk assessment body, the European Food Safety Authority (EFSA), to assess if the increase of the current EU ML of 4 µg/kg for aflatoxin total in peanuts ready-to-eat to 10 µg/kg would not result in an unacceptable increase of the risk for public health taking into account vulnerable groups of the population and the EU consumption patterns.

The final acceptance by the EU of the ML of 10 µg/kg of aflatoxin total in ready-to-eat peanuts shall therefore depend on the outcome of the abovementioned EFSA risk assessment.