

**European Union comments for the
CODEX COMMITTEE ON CONTAMINANTS IN FOOD
12th Session**

Utrecht, the Netherlands, 12-16 March 2018

Agenda Item 6

**Request for comments at step 3 on proposed draft maximum levels for
cadmium in chocolates and cocoa-derived products
(CX/CF 18/12/6)**

*European Union Competence
European Union Vote*

The European Union (EU) welcomes the work on the development maximum levels for cadmium in chocolates and cocoa-derived products by the electronic Working Group chaired by Ecuador and co-chaired by Brazil and Ghana.

The EU notes the health risks related to cadmium, especially for vulnerable consumer groups like children and the subsequent need to set the MLs for cadmium in chocolates and cocoa-derived products at sufficiently low levels.

The EU would like to re-iterate its comment that the suggested maximum levels would only have a very limited impact on the reduction of dietary exposure, due to consumption of cocoa-derived products. As the MLs are proposed at levels resulting in very low world-wide non-compliance rates, they would lead to increased testing costs without much added value for consumer protection. In order to achieve an impact on the consumer exposure, the MLs should be set at a lower level.

The EU cannot support an ML of 0.40 mg/kg **for chocolate products containing or declaring < 30% cocoa solids on a dry matter basis**. The global data set would support an ML of 0.1 mg/kg.

The EU cannot support the proposed ML of 0.50 mg/kg for **chocolate and chocolate products containing or declaring ≥ 30% to <50% cocoa solids on a dry matter basis** as the global occurrence data would support an ML of 0.3 mg/kg.

The EU can agree with the proposed ML of 0.80 mg/kg for **chocolate containing or declaring ≥ 50 to < 70% total cocoa solids on a dry matter basis**.

The EU cannot support the proposed ML of 1.0 mg/kg for **chocolate containing or declaring ≥ 70% total cocoa solids on a dry matter basis** as the global occurrence data would support an ML of 0.8 mg/kg.

The proposed ML of 1.5 mg/kg for **cocoa powder (100% total cocoa solids on dry matter basis)** cannot be supported by the EU. The EU proposes not to set a codex ML for cocoa powder in view of the lower significance of this commodity for international trade.

The proposed MLs of 0.4, 0.6 and 1.0 mg/kg for **dry mixtures of cocoa and sugars**, containing respectively < 29% total cocoa solids on a dry matter basis, ≥ 29 to < 50% total cocoa solids on a dry matter basis and $\geq 50\%$ total cocoa solids on a dry matter basis, cannot be supported by the EU, as these MLs are disproportionately high compared to the global occurrence data for chocolate with similar amounts of cocoa solids. The EU proposes not to set a codex ML for mixtures of cocoa and sugar in view of the lower significance of this commodity for international trade.