

European Union comments for the
CODEX COMMITTEE ON CONTAMINANTS IN FOOD
13th Session

Yogyakarta, Indonesia, 29 April – 3 May 2019

Agenda Item 6

Request for comments at step 3 on proposed draft maximum levels for
cadmium in chocolates and cocoa-derived products
(CX/CF 19/13/6)

European Union Competence

European Union Vote

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

As regards the alternative options to the establishment of MLs:

- The EU opposes to the organisation of a new call for data for all chocolate categories, in order to re-evaluate all MLs. The MLs for chocolate containing $\geq 50\%$ cocoa solids were only agreed one year ago after extensive discussions and taking into account a global data set with data from different geographical origins. A new data collection, which would show significantly different occurrence data, would raise many questions, would re-open the discussions on MLs, which were only agreed one year ago, and would undermine the confidence in the Codex Standardisations.
- The EU questions the usefulness of requesting JECFA to carry out a re-evaluation of its risk-assessment for cadmium in food. This should only be considered when new toxicological data have become available.
- In view of the difficult progress of the discussions on MLs for chocolate containing less than 50% cocoa solids, the EU would not oppose to a postponement of the discussions on these MLs, pending on new data collection, specifically targeted to chocolate containing less than 50% cocoa solids, in which the cocoa solids content of the samples is reported. The EU would be in favour of postponing the new data collection and the discussions, until mitigation measures for field production and post-harvest processes have been applied. For cocoa powder (100% total cocoa solids on dry matter basis) the EU proposes not to set a Codex ML, in view of the lower significance of this commodity for international trade.

- The EU would oppose to establishing a ML for the remaining chocolate and cocoa powder categories with the current data and values presented in the conclusions, because the proposed MLs are not proportionate to those already agreed for chocolate containing $\geq 50\%$ cocoa solids, when taking into account that the cadmium content is directly proportional to the cocoa solids content.
- The EU would not oppose to requesting CCMAS to work on a standard methodology to determine cadmium in chocolate.