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**European Union comments for the  
CODEX COMMITTEE ON CONTAMINANTS IN FOOD  
11th Session**

**Rio de Janeiro, Brazil, 3 – 7 April 2017**

**Agenda Item 11**

**Discussion paper on maximum levels for mycotoxins in spices**

**(CX/CF 17/11/11)**

*European Union Competence  
European Union Vote*

The European Union (EU) welcomes and appreciates the work done by the electronic Working Group chaired by India and co-chaired by the European Union on the discussion paper on the development of maximum levels for mycotoxins in spices.

The EU wishes to refer to the conclusions agreed at the 10<sup>th</sup> session of CCCF in 2016 (REP16/CF, §148) and to provide comments to which extent the discussion paper CX/CF 17/11/3 addresses the agreed terms of reference.

*"The Committee agreed that further work was needed to expand on the MLs through an EWG chaired by India and co-chaired by the EU, working in English only with the following terms of reference:*

- provide a rationale for selection of spices (chilli, paprika, ginger, nutmeg, pepper, turmeric)*
- provide rationale for selection of total aflatoxins and ochratoxin A (OTA)*
- take into account the outcome of JECFA evaluation of 2016*
- consider trade aspects of existing national standards*
- prepare a Project document for new work with proposals for MLs for spices. "*

The EU is of the opinion that the discussion document sufficiently provides for the rationale for the selection of spices.

As regards the rationale provided for the selection of total aflatoxins and OTA: the EU notes the following inconsistencies in document CX/CF 17/11/11 :

- § 9 refers to possible maximum levels (MLs) for total aflatoxins and ochratoxin A
- § 9 and Annex V to Appendix I (table 17) mention that MLs will be established for aflatoxin B1, total aflatoxins and OTA.

- Appendix II, project document, under point 3 "main aspects to be covered" mentions the establishment of MLs for aflatoxins (for aflatoxin B1, total aflatoxins) and for OTA.

The EU is of the opinion that the discussion paper does not provide convincing evidence to change the conclusion agreed at CCCF10, i.e. to consider the establishment of MLs for total aflatoxins only and OTA.

As regards the JECFA evaluation in 2016, JECFA updated the aflatoxin risk assessment at its 83<sup>rd</sup> session in 2016 but based on the available information (summary and conclusions) did not assess specifically the possible health risk related to the presence of aflatoxins in spices.

The EU is of the opinion that the discussion paper provides sufficient information as regards trade aspects of existing national standards.

The EU notes that the draft project document for new work as provided in Appendix II of the discussion paper does not provide for proposals for MLs for spices.

In addition to the abovementioned general comments, the EU wishes to make following specific comments to the discussion paper, in particular to the conclusions and recommendations in §6 to §9 and to the project document in Appendix II.

#### Conclusions and recommendations in §6 to §9:

§ 6: The EU has established MLs for identified individual spices for aflatoxins and OTA, although the same ML for aflatoxin B1 and aflatoxin total is established for the different individual spices and for OTA, only for *Capsicum spp.* a different ML from the other identified individual spices was established.

§ 8: The EU can agree on the setting of MLs for individual spices but is of the opinion that the lack of consumption data for individual spices cannot serve as the justification for that choice.

§ 9: The EU is of the opinion that the discussion paper does not provide the justification for the suggested maximum levels.

Table 17: aflatoxin B1 should be deleted from the mycotoxins for which MLs will be established (see comments made above).

Project document in Appendix II:

Point 1: aflatoxin B1 should be deleted (see comments made above).

Point 2: JECFA evaluated aflatoxins also at its 83<sup>rd</sup> meeting, so this should be included.

Point 3: aflatoxin B1 should be deleted (see comments made above).

Point 5, goal 2: 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)

Point 9: this has to be reformulated as the project document to be presented for approval of new work to the 40<sup>th</sup> meeting of Codex Alimentarius Commission in July 2017 should refer to CCCF12.