

European Union comments for the
CODEX COMMITTEE ON CONTAMINANTS IN FOOD
14th Session
TBD

CL 2020/21/OCS-CF:

Request for comments on the proposed draft maximum levels for lead in
selected commodities
(CX/CF 20/14/8)

European Union Competence
European Union Vote

The European Union (EU) welcomes and appreciates the work on the revision of the maximum levels (MLs) for lead by the electronic Working Group led by the United States of America.

In general, the EU considers that the MLs for lead should be lowered wherever possible.

As regards the proposed actions for the individual commodities, the EU would like to present the following position:

For **eggs** the EU considers that, taking into account the occurrence data for the global data set, there is margin to set an ML, which is lower than the proposed ML of 0.1 mg/kg. The EU would be in favour of an ML of 0.05 mg/kg, which is closer to a 5% rejection rate for the global data set.

For **preserved eggs** the EU does not support the establishment of an ML. It is not clear which products are included in this category. As this category does not include dried egg products, it is not clear why the occurrence data are much higher than for regular eggs and what the source of contamination is.

For **fresh culinary herbs** the EU can support the proposed ML of 0.2 mg/kg.

For **dried culinary herbs** the EU can support the proposed ML of 2.0 mg/kg.

For **fruit and berry spices** the EU can support the proposed ML of 0.6 mg/kg.

For **rhizome, bulb and root dried spices** the EU considers that, taking into account the occurrence data for the global data set, there is margin to set an ML, which is lower than the proposed ML of 2.5 mg/kg. The EU would be in favour of an ML of 1.5 mg/kg, which would lead to a 6% rejection rate for the global data set. Especially in view of the known adulteration practices of colouring turmeric with lead chromate, it is important to set an ML, which is low enough to allow enforcement action against those practices.

For **rhizome, bulb and root fresh spices** the EU can support the proposed ML of 0.8 mg/kg.

For **bark spices** the EU would like to introduce a reservation against the proposed ML of 3.0 mg/kg, as the data provided by EU stakeholders would support a lower ML of 2.0 mg/kg.

For **floral part spices** the EU can support the proposed ML of 1.0 mg/kg.

For **seed spices** the EU can support the proposed ML of 0.9 mg/kg.

The EU can agree to postpone the establishment of MLs for lead in **food for infants and young children and sugar and confectionary** until next year.

The EU would prefer the establishment of MLs for **cereal-based products for infants and young children** ‘as sold’ instead of ‘as consumed’, because this would facilitate enforcement in case no clear preparation instruction would be indicated on the product label. Furthermore, the method of preparation is not always straightforward and may be highly variable depending on the types and amounts of additional ingredients used for the final home preparation and depending on possible different options for the preparation of the ready-to-eat food. No standardized procedures for preparation of different cereal-based baby foods exist and it would also not be realistic to establish such standardized procedures. Therefore, the establishment of MLs for the product ‘as consumed’ might lead to legal uncertainties and complexities in official food laboratories as well as in law enforcement, regardless of whether or not precise information on the product preparation is available. As occurrence data are gathered for these commodities ‘as sold’, it would be logic to also set MLs on an ‘as sold’ basis.

Also for **other foods for infants and young children**, for example herbal teas, it should be taken into account that further preparation before consumption is required. Therefore, it should be specified for each category of food for infants and young children that the ML applies to the product ‘as sold’.