



## ANALYSIS OF AGENDA ITEMS IN PREPARATION FOR THE 15<sup>th</sup> SESSION OF THE CODEX COMMITTEE ON CONTAMINANTS IN FOOD

9<sup>th</sup> – 13<sup>th</sup> and 24<sup>th</sup> MAY 2022 Virtual Meeting

### AGENDA ITEM 10

*Maximum level for total aflatoxins in ready-to-eat peanuts and associated sampling plan  
(at step 4)*

#### Objectives

This document offers a review and analysis of the agenda items planned for discussion at the 15<sup>th</sup> session of the **Codex Committee on Contaminants in Food (CCCF)**, scheduled to take place virtually May 9<sup>th</sup> – 13<sup>th</sup> and 24<sup>th</sup>, 2022. This document is intended for possible use by the Codex communities of practice, promoted by [GForSS](#) and [PARERA](#), as part of their contribution to enhancing awareness and supporting effective participation in international food standard setting meetings (Codex meetings) by representatives from members and observers.

The analysis provided in this document offers a factual review of agenda items, their background and a discussion of some considerations. This analysis is indicative in nature and does not represent an official position of the organizations mentioned above ([PARERA](#) and [GForSS](#)), their membership or their management. It provides a synthesis and analysis of the work currently under discussion by the CCCF, which may be useful for delegations from Arab countries to prepare their positions taking into account the needs and specificity of the region and the potential impact of the proposed food standards.

This analysis is prepared as part of the **Codex Initiative for the Arab Region: Arab Codex Initiative**, implemented by [PARERA](#) and [GForSS](#), hosted and coordinated by the Arab Industrial Development, Standardization and Mining Organization (AIDSMO) and funded by the US Codex Office, US Department of Agriculture.

The focus of the analysis of agenda items 9, 10 and 11 of CCCF15, relates to **total aflatoxins and ochratoxin A** in food commodities: **establishing maximum levels and associated sampling plans.**

*\*It is important to note that experts – members of the Expert Working Group (EWG) – do not represent the organizations and / or jurisdictions to which they are affiliated. The selection and participation in the EWG proceedings is based on each expert's own credentials and experience which should not be misconstrued as the country's / delegation's / organization's position to which they belong.*

## Agenda Item 10: Maximum level for total aflatoxins in ready-to-eat peanuts and associated sampling plan (at Step 4).

### Documents

#### ❖ CX/CF 22/15/10

CCCF15 is invited to consider the proposed ML for total aflatoxins in ready-to-eat peanut and to recommend the adoption of the sampling plan for AFT in peanuts intended for further processing, as described in General Standard for Contaminants and Toxins in Food and Feed (CXS 193-1995), also to RTE peanuts.

### Background

Since 2013, the Codex Committee on Contaminants in Food (CCCF) has been discussing the establishment of MLs for total aflatoxins (AFT) in ready-to-eat **(RTE) peanuts**, where **total aflatoxins (AFT)** refer to the **sum of aflatoxins B1, B2, G1 and G2**.

In the following, all discussions, comments and decisions are summarized as evoked, discussed and agreed on since the launching of this work during the CCCF07 (2013) until the CCCF14 (2021).

At the CCCF07 (2013), India presented a new work proposal for establishing a ML for AFT in RTE peanuts. An EWG was established led by India to prepare a discussion paper for consideration at CCCF08 (2014). CCCF08 (2014) considered the discussion paper and agreed to initiate a new work, re-establishing the EWG led by India to prepare a proposal for comments and considerations at CCCF09. CAC37 (2014) approved this new work.

The EWG summarized the discussion and recommended a ML of 10 µg/kg, in line with comparable Codex MLs in tree nuts ("ready-to-eat"), for consideration by CCCF09 (2015), which agreed to request from JECFA to conduct an exposure assessment to determine the health impact and to calculate potential violation rates based on hypothetical MLs of 4, 8, 10 and 15 µg/kg AFT in RTE peanuts. CCCF10 (2016) recalled the decision to request a JECFA assessment and held the work on an ML proposal at Step 4 pending the outcome of the JECFA assessment.

JECFA83 performed an assessment of hypothetical MLs 4, 8, 10 and 15 µg/kg of AFT in RTE peanuts and concluded that enforcing a ML of 10, 8 or 4 µg/kg in RTE peanuts would have little further impact on reducing dietary exposure to aflatoxins for the general population, compared with setting an ML of 15 µg/kg. At an ML of 4 µg/kg, the proportion of the world market of RTE peanuts rejected would be approximately double the proportion rejected at an ML of 15 µg/kg (about 20% versus 10%).

Based on the JECFA83 outcome, the EWG proposed an ML of 15 µg/kg of AFT in RTE peanuts be considered by CCCF11 (2017). The Committee did not reach a consensus so decided to request comments from members and observers in support of an ML of AFT in RTE peanuts of either 15 µg/kg or 10 µg/kg. The EWG led by India was re-established to prepare a revised proposal for further comments and consideration by CCCF12 (2018).

Comments were received; some countries and observers expressed support to ML 15 µg/kg and others to ML 10 µg/kg. Those who supported the ML of 15 µg/kg provided justification on the basis of the outcome of the JECFA83 report. Those who supported the ML of 10 µg/kg were of the view that ML should be established on the basis of the ALARA.

An EWG was established and following two rounds of consultations, the EWG recommended an ML of 10 µg/kg for AFT in RTE peanuts. CCCF12 (2018) concluded to hold the proposed ML AFT RTE Peanuts 10 µg/kg



at Step 4 to ensure implementation of the *Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Peanuts* (CXC 55-2004), JECFA would issue a call for data in three years' time and an EWG would be re-established.

CCCF14 (2021) agreed to re-establish the EWG led by India to consider new/additional GEMS/Food data only and take into account old and new data for comparison, update the working paper (CX/CF 18/12/10) that was presented at CCCF12 and prepare a revised proposal for ML for AFT in RTE peanuts and associated sampling plan for consideration by CCCF15 (2022).

### Analysis

- ❖ The same rationale was used to propose the ML for RTE peanuts, as previously adopted by CCCF in recent years, and that to accept a maximum rejection rate of 5% (i.e. rejection rates of 5% or less may offer room for reduction of exposure to be implemented), taking into caution the rejecting rates in trade for some producing countries.
- ❖ Occurrence data from the GEMS/ Food database was collected between 2011 and 2020. New 65 041 analytical data from GEMS/Food for the years 2017, 2018, 2019 and 2020 were given great attention because they fall in the years after the implementation of the Code of Practice for the prevention and reduction of Aflatoxin contamination in peanuts (CXC 55-2004) by the Codex members.
- ❖ Considering the data for years 2017 to 2020 (after the implementation of the COP), rejection rates for trade were <5% only when considering a hypothetical ML comprised between 10 µg/kg and 15 µg/kg (appendix II of the working document CX/CF 22/15/10).

### Comments and Considerations

Until the time this document was developed, the deadline of the new circular letter (CL 2022/19-CF) related to this agenda item was not reached (28/04/2022). More comments are therefore still being received by the Codex Secretariat. However, the majority of comments expressed until now focus on the following:

- ❖ The importance of accelerating the finalization of the ML and sampling plan to ensure public health and fair practices in trade.
- ❖ The COP (CXC55) has been available for implementation by member countries for many years now.
- ❖ The GEMS/Food should be the reference source of data to derive MLs for contaminants in Codex.
- ❖ The impact assessment conducted by JECFA83 should be taken into account when considering proposals for MLs for AFTs in ready-to-eat peanuts.
- ❖ The new dataset (data from 2017 onward) should be utilized in addition to the old dataset when considering proposals for MLs to enable identifying possible differences between the old and new ML proposals due to the implementation of the COP.
- ❖ The ML should take into consideration the previous ML set for peanuts intended for further processing.

### Recommendations

**In its 15<sup>th</sup> session, CCCF is therefore considering:**



- A. To endorse the establishment of an ML\* for AFT in RTE peanuts at either **10 µg/kg or 12 µg/kg as proposed by the EWG**;
- B. To recommend to apply the sampling plan for AFT in peanuts intended for further processing, as described in General Standard for Contaminants and Toxins in Food and Feed (CXS 193-1995), also to RTE peanuts. Here, CCCF may consult with the Codex Committee on Methods of Analysis and Sampling (CCMAS) to review the entire sampling plan for update after the ML for AFT in RTE peanuts and other products under consideration of CCCF are adopted.
- C. To advance the ML for final adoption by CAC45 (2022).

\*: Portion of the Commodity / Product to which the ML applies - unless specified, seed or kernels with or without shell. The ML applies to peanuts labelled as “ready-to-eat”.

### *Considerations for the Arab Region*

- ❖ The data submitted and included in Appendix II of document CX/CF 22/15/10 does not contain any input from the Arab region, whereas this region may be considered as a substantial consumer of ready-to-eat peanuts. Some countries such as Egypt also produce this commodity and export it in a significant manner.
- ❖ It will be important to consider the impact of the proposed ML on products made available in the region, including those produced and exported by countries from the region, such as Egypt.
- ❖ Considering the above mentioned uncertainties (as to the effect of proposed MLs on products from region) and keeping with international practices, a position could be adopted to ensure that the ML proposed is in line with the JECFA analysis.
- ❖ As JECFA’s analysis did not lead to identify increased public health benefits from lowering the ML below 15 µg/kg, an Arab position could be adopted to support the reconsideration of the value of 15 µg/kg as the Codex ML.
- ❖ Monitoring data related to AFT in RTE peanuts should be examined for products sold and produced in the region.
- ❖ Current risk management measures should be reviewed, in particular regulatory measures related to AFT RTE peanuts in the Arab region.
- ❖ A regional (Arab) Expert Working Group should be established, who could help in examining the above proposal and develop a risk analysis for AFT in RTE peanuts in the Arab region.

### *Conclusion*

The proposed position may be as follows:

Arab delegations thank India for its leadership on the EWG that developed proposed MLs for total Aflatoxins in ready-to-eat peanuts. In view of the conclusion made by JECFA that there was no major additional public health benefit resulting from the adoption of a ML lower than 15 µg/kg /kg, we recommend the adoption of this value i.e, 15 µg/kg of total aflatoxins in ready-to-eat peanuts as the Codex ML. This would help address the current uncertainties related to the estimation of the rejection rates anticipated from other values, based on the GEMS Food data, which offer a limited representation from developing countries.

