

## ANALYSIS OF AGENDA ITEMS IN PREPARATION FOR THE 23<sup>rd</sup> SESSION OF THE CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES (CCFFV23)

Prepared to Support the Participation of Codex Communities of Practice Supported by GFoRSS

25 February –1 March 2025 • Mexico City, Mexico

### Disclaimer and Disclosure of Interest

*It is important to note that the proposed analysis and associated conclusions and recommendations stem from the work of independent food regulatory experts. The analysis and associated recommendations or positions are presented as mere suggestions and should not be considered as a direction or final recommendation to the competent authority empowered to develop and endorse Codex positions.*

**Disclosure of Interest:** *Experts involved in the development of this analysis contribute to various food safety and nutrition regulatory capacity building initiatives funded by other Governments, aid agencies, industry and international organizations.*

### OBJECTIVES

This document offers an analysis of agenda items to support participation in the 23<sup>rd</sup> session of the Codex Committee on Fresh Fruits and Vegetables (CCFFV23), taking place in Mexico City, Mexico, from 25 February - 1 March 2025.

The document is intended for possible use by the Codex communities of practice promoted by the [Global Food Regulatory Science Society \(GFoRSS\)](#), as part of their contribution to enhancing awareness and supporting effective participation in international standard setting meetings (Codex meetings), by representatives from member countries and observers.

This document will offer an analysis of select key agenda items to support the development of positions at the national and regional level. This analysis is indicative in nature and does not represent an official position of the organization, its membership or its management.

The analysis provided in this document offers a factual review of key agenda items of CCFFV23, pertaining to:

- A. [Agenda Item 3: Draft standard for fresh dates \(at Step 7\)](#)
- B. [Agenda Item 4: Draft standard for fresh curry leaves \(at Step 4\)](#)

### A. Agenda item 3: Draft standard for fresh dates

Document Number: REP22/FFV Appendix IV; CX/FFV 25/23/4

Status in Codex Process: Step 7

### Background

- **At the CCFFV19 (2015)** India introduced a new work proposal on a Codex standard for fresh dates.
- **CAC39 (2016)** agreed to initiate new work on Codex Standard for Fresh Dates and further mentioned to define the scope and other technical issues.
- **At the CCFFV20 (2017)**, the Committee decided to establish an EWG chaired by India, and co-Chaired by Saudi Arabia.
- **At CCFFV21 (2019)**, the Committee noted the need for clarification of the scope and determined that the proposed draft standard was not ready to progress in the step process and decided to return the draft standard to Step 2 for further revision.
- **CCPFV29 (2020)** recommended that the proposed draft standard for Fresh Dates include those unprocessed, fresh dates which have moisture levels greater than the levels specified in the existing Standard for Dates (CX 143-1985).

- At **CCFFV22 (2022)**, the Committee retained the 30%-85% moisture range in the draft standard despite differing opinions and referred it to CAC45 for adoption at Step 5/8.
- **CAC45 (2022)** adopted the draft standard for fresh dates **at Step 5**.

## Analysis

The updated version of the proposed Draft Standard for Fresh Dates, as outlined in the **REP22/FFV Appendix IV document**, provides the following:

- Improved clarity and reduced ambiguity (definitions and scope are better structured), but some risks remain regarding the exclusion of certain date varieties that are significant to global trade. Further refinements are needed to balance these considerations effectively.
- Clear definition of the standard as applicable only to fresh dates intended for direct consumption, explicitly excluding dates meant for industrial purposes. This ensures focus and clarity on the standard's intended scope and users.
- Specification in the updated definition on fresh dates as whole, unpitted fruits (*Phoenix dactylifera L.*) that have not undergone artificial moisture adjustments. This precise description supports consistency and aligns trade practices.
- Establishment of a moisture range of 30%-85% for all fresh dates, replacing stage-specific ranges. While this simplifies the standard, it risks excluding semi-dry varieties with moisture below 30%, common in many regions.
- Retention of optional classification categories ("Extra," Class I, Class II), but the tolerances for defects have been simplified. This approach maintains flexibility but reduces detail, which may not cater to specific market requirements.
- Emphasis on key attributes for the quality requirements like intactness, soundness, and freedom from external moisture or pests. While simplified language enhances usability, it may omit nuanced details important for ensuring consistency.
- Continues to allow size classification by count or weight while simplifying labeling options to align with existing trade practices. This adjustment promotes ease of compliance in international trade.
- Ensures consistency in packaging information and compliance with Codex standards. The labeling provisions are aligned with the General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021).

## Comments and Considerations

### Highlights and Discussions from CCFFV22 (2022)

- During the CCFFV22 session, several key topics were debated and refined regarding the Draft Standard for Fresh Dates. One significant discussion centered around the **Title Debate**, where participants agreed to include the term "**Fresh**" in the title of the standard. This decision was made to clearly differentiate the new standard from the existing **Codex Standard for Dates (CXS 143-1985)**, thereby avoiding confusion between fresh and processed dates in international trade.
- The **Scope Revision** of the draft standard was another important topic. Clarifications were made to explicitly exclude internationally processed dates, ensuring that the standard aligns strictly with Codex guidelines. This revision aimed to maintain the focus on fresh dates intended for direct consumption, differentiating them from those intended for processing or industrial use.
- The **Moisture Content Controversy** generated significant discussion, with divergent views on whether to retain the proposed **30%-85% moisture range**. Delegations emphasized the importance of differentiating fresh dates from dried ones, considering all stages of maturity—**Kimri, Khalal, Rutab, and Tamar**. Proposals were made to lower the minimum moisture content to **12 %**, or to establish specific values based on different cultivation types to better reflect natural variations.
- In terms of **Packaging**, there was a proposal to limit package weight to **5-6 kg** to prevent product crushing during transport. However, this suggestion was ultimately rejected, indicating a preference for flexibility in packaging standards that accommodate various market requirements and logistics.

- The session also addressed **Labelling**, where an agreement was reached to revise labeling terminology, replacing "**genotype**" with "**type**" to improve clarity for consumers and stakeholders. This change aims to simplify and standardize labeling information, making it easier to understand and ensuring compliance with international labeling practices.
- Lastly, the topic of **Quality Tolerances** was discussed, focusing on the need for clear standards regarding tolerances for defects, including pest damage and decay. These tolerances are essential for maintaining product quality and ensuring that fresh dates meet consumer and trade expectations.

### Other Considerations from the CAC45 Discussion (2022)

- During the CAC45 session, several key concerns were raised regarding the proposed Draft Standard for Fresh Dates. One of the main issues was the minimum moisture content of **30%**, **which lacked robust scientific justification** and appeared to be arbitrarily set to prevent overlap with existing dried date standards. This led to concerns that such a threshold might not accurately reflect the natural variability of fresh dates.
- Another major point of discussion focused on soft and semi-soft date varieties, which are commonly classified as fresh fruits and naturally have a moisture content ranging from 20% to 30%. Delegates argued that these varieties should be considered within the standard to avoid unnecessary exclusions that could impact trade and market access.
- There was also concern that adopting the standard at Step 5/8 in its current form could result in the exclusion of certain date cultivars, which do not fit within the proposed moisture content limits. This misalignment with market realities could negatively affect production and international trade, limiting the economic viability of some date-producing regions.
- To ensure consistency with Codex principles, it was recommended that the draft standard harmonize with other existing Codex standards, such as the General Standard for Dried Fruits and the Codex Standard for Dates (CXS 143-1985). This alignment would help prevent classification conflicts and support a more inclusive and globally accepted standard for fresh dates.

These discussions highlighted the need for further technical reviews and scientific validation before finalizing the standard to ensure fairness, inclusivity, and market relevance.

### Overview of Comments in Reply to CL 2023/84/OCS-FFV (Issued in October 2023)

The comments were received from Algeria, Canada, Chile, Egypt, Eritrea, India, Indonesia, Iraq, Jordan, Morocco, Panama, Qatar, Saudi Arabia, Senegal, Syria, Tunisia, UAE, Tanzania, USA, and the International Commission for Uniform Methods of Sugar Analysis (ICUMSA), as outlined in the CX/FFV 25/23/4 document, and focused on five key provisions:

1. **Provisions Concerning Quality:** Addressed the minimum quality requirements, including **moisture content**, external appearance, and condition of fresh dates.
  - **Proposals for Alternative Moisture Content Approaches**
    - Some members proposed lowering the minimum moisture content to 12% to include a wider variety of fresh dates.
    - Others suggested removing the minimum moisture content entirely while keeping only the maximum (85%) to avoid restricting trade.
    - The scientific approach supporting 12% is based on the 85th percentile of moisture distribution in commercial varieties.
  - **Key country positions on Moisture Content for Fresh Dates:**
    - Algeria, Egypt, Iraq, Jordan, Morocco, Syria, Tunisia, UAE → Support a moisture content range of **12%-85%** to ensure inclusivity.
    - Eritrea, Qatar, Senegal, Tanzania → Propose a moisture range of **20%-85%** for fresh dates.
    - Saudi Arabia → Supports retaining the current proposed range of **30%-85%** as per the draft standard.

- India → Suggests **removing the minimum moisture content** requirement and keeping only a maximum of 85%.
  - Indonesia → Proposes a minimum of **26%** for cane sugar varieties and 30% for invert sugar varieties, referring to CXS 143-1985.
2. **Provisions Concerning Sizing:** Included recommendations for **standardizing size classifications** based on weight and count to ensure consistency in trade practices.
  3. **Provisions Concerning Tolerances:** Comments covered permissible **defects, variations in shape, and minor imperfections**, allowing flexibility while maintaining quality standards.
  4. **Provisions Concerning Tolerances (Additional Clarifications):** Further discussions on the **acceptable percentage of defects per classification category**, including thresholds for pest damage and physical imperfections.
  5. **Provisions Concerning Marking or Labelling:** Focused on **clarifying labeling requirements**, ensuring transparency in consumer information, and aligning with international labeling regulations.
    - **Scientific and Technical Justifications for Adjustments**
      - Some countries provided **scientific research** showing that fresh dates **naturally** have moisture content as **low as 12%**, supporting a **lower minimum threshold**.
      - The **85th percentile statistical approach** supports a **broader moisture range**.

## Recommendations

- ❖ The updated version of the Proposed Draft Standard for Fresh Dates introduces significant improvements in clarity and structure but requires further refinements to address potential exclusions of certain date varieties critical to global trade.
- ❖ Organizing Technical meetings before **CCFFV23** will facilitate agreement among Codex members and experts, on the **minimum moisture threshold and any potential footnote that will help with further clarification**.
- ❖ Basing the **minimum moisture content** on **scientific data** rather than arbitrary limits, ensuring a robust and evidence-based approach.
- ❖ Two options are proposed:
  - **Option 1: To remove the minimum moisture limit and introduce a clarifying footnote for inclusivity.**  
 This approach eliminates the **minimum moisture content requirement** to ensure inclusivity across all fresh date varieties. Instead, a **footnote** is introduced to define fresh dates based on **natural maturity stages** without artificial drying or rehydration. This ensures recognition of diverse varieties, including **semi-dry and soft dates**, while maintaining trade flexibility.  
  
**Proposed Footnote:** *"Fresh dates are defined as whole, unpitted fruits of the date palm (Phoenix dactylifera L.), naturally harvested at various maturity stages (e.g., Kimri, Khalal, Rutab, Tamar) without artificial drying or rehydration. The definition encompasses diverse varieties, including semi-dry and soft dates commonly traded for direct consumption, with moisture levels naturally determined by the variety, maturity stage, and regional practices"*.
  - **Option 2: Set 12% as the minimum to include semi-dry varieties while distinguishing them from dried dates.**  
 This proposal establishes **12% as the minimum moisture threshold** for fresh dates using a **data-driven method**. Statistical analysis (85th percentile) confirms that **85% of fresh date samples globally** have moisture levels above this threshold. This option ensures **semi-dry and soft varieties are included** while preventing misclassification with dried dates under **CXS 143-1985**. It aligns the standard with **scientific evidence and trade realities**, ensuring global applicability and fairness.
- ❖ Both options aim to **harmonize the classification of fresh dates**, balancing inclusivity, scientific justification, and market needs.

## Conclusions

- A. The updated version of the **Proposed Draft Standard for Fresh Date** enhances clarity, but **concerns remain** about the **minimum moisture content threshold** and **exclusion of semi-dry dates**.
- B. Proposals to **either lower** the minimum to **12%** or **remove it entirely** continue to be debated.
- C. **Further discussion** is needed to ensure **the inclusivity of different date varieties** while maintaining **trade practicality and scientific accuracy**.
- D. The final standard should maintain **scientific credibility, inclusivity, and harmonization** with existing Codex standards to ensure consistency in international trade.
- E. The standard should promote **equal trade opportunities** for all producing regions, preventing the exclusion of semi-dry date varieties from international markets.
- F. Ensure the **standard remains inclusive** of all fresh date varieties, aligning with trade realities while supporting an **equitable and science-based** approach to classification and regional production needs.

### A. Agenda item 4: Draft standard for fresh curry leaves

Document Number: CX/FFV 25/23/5; CX/FFV 25/23/5- Add1

Status in Codex Process: Step 4

## Background

- **At the CCFFV22 (2022)**, India introduced a new work proposal on a Codex standard for fresh curry leaves and **CCFFV22** agreed to establish an EWG on fresh curry leaves, Chaired by India.
- **Discussion in CCFFV22 (2022)** noted broad support required for the said new proposal and further noted that the commodity was traded as fresh and therefore not as spice, and that there was a lack of internationally disaggregated data on its trade volumes.
- **The CAC45 (2022)** agreed to initiate new work on Codex Standard for Fresh curry leaves and further mentioned to define the scope and other technical issues, encouraging countries concerned to actively participate in the development of the standard.
- A **draft proposal** was prepared by India and posted on EWG online forum for comments. The EWG began its work by circulating the first consultative draft to EWG members to invite comments on the proposed standards keeping in view of the discussions held during CCFFV22.
- **Three members** submitted their comments, and a **second draft** was prepared based on comments received and with specific requests for comments on maximum defects and sizing in square brackets and circulated to all EWG members.
- **No Comments** were received from the participating member countries on the second circulated draft.

## Overview and Analysis

The new proposed Draft Standard for Fresh curry leaves, as outlined in the **CX/FFV 25/3/5 Appendix I document**, highlights the following:

**1. Scope:** Define the quality requirements for fresh curry leaves after preparation and packaging.

**2. Definition of Produce:** This Standard applies to commercial varieties of fresh curry leaves obtained from varieties (cultivars) of *Murrayakoenigii* (L.) Sprengel of Rutaceae family, which must be supplied fresh to the consumer after proper cleaning and packaging. It does not apply to other forms such as dehydrated, powdered and dried curry leaves.

- Fresh curry leaves may be attached to small branches and/or twigs wrapped in bunches; as individual leaves loose in containers; or leaves in prepackaged in retail containers/pouches.

### 3. Provisions Concerning Quality:

- **3.1 Minimum requirements:** fresh in appearance; intact with stem/stalk attached; free of external moisture; properly drained if washed; free of any foreign smell and/or taste; clean, free of visible foreign matter; free from pests and damage caused by pests; and sound (produce affected by rotting or deterioration such as to make it unfit for consumption is excluded).
- **3.1.1 Minimum maturity requirements:** The fresh curry leaves must be sufficiently developed, pliable and not woody.
- **3.2 Classification:** fresh curry leaves may be classified in three classes as defined below. Tolerances in respect of quality and size shall be allowed in each lot for produce not satisfying the requirements of the class indicated. When unclassified, the provisions for Class II requirements apply.
  - **“Extra” Class:** Fresh curry leaves must be of superior quality. They must be characteristic of the variety and/or commercial type. They must be free from defects, with the exception of very slight superficial defects, provided these do not affect the general appearance of the produce, the quality and presentation in the package.
  - **Class I:** fresh curry leaves must be of good quality. They must be characteristic of the variety and/or commercial type. The following slight defects, however, may be allowed, provided these do not affect the general appearance of the produce, the quality, the keeping quality and presentation in the package:
    - slightly damaged leaves, such as cracks, holes or tears **[not exceeding 3.0% by weight]**; and
    - slight defects in coloring **[not exceeding 5.0% by weight]**
  - **Class II:** This includes fresh curry leaves that do not qualify for inclusion in higher classes but satisfy the minimum requirements specified above. The following defects may be allowed, provided the fresh curry leaves retain their essential characteristics as regards the quality, the keeping quality and presentation:
    - damaged leaves, such as cracks, bruises, holes or tears **[not exceeding 5.0% by weight]**;
    - defects in coloring **[not exceeding 5.0% by weight]**;
    - slight lack of freshness;
    - slight black spots **[not exceeding 2.0% by weight]**; and
    - missing or loose stalks/stems **[not exceeding 1.0% by weight]**.

**4. Provision Concerning Sizing:** No Sizing requirement for fresh curry leaves.

### 5. Provisions Concerning Tolerances:

- **5.1 Quality Tolerances:** at all marketing stages, tolerances in respect of quality shall be allowed in each lot for produce not satisfying the requirements of the class indicated. Any produce that fails conformity assessment, may be allowed to be re-sorted and brought into conformity in accordance with the relevant provisions in the Guidelines for Food Import Control Systems (CXG 47-2003).
  - **Extra Class:** 5% by weight or count of fresh curry leaves not satisfying the requirements, but meeting the requirements for Class I is allowed.
  - **Class I:** 10% by weight or count of fresh curry leaves not satisfying the requirements, but meeting the requirements for Class II is allowed.
  - **Class II:** 10% by weight or count of fresh curry leaves not satisfying the requirements of Class II is allowed.
- **5.2 Size Tolerance:** The fresh curry leaves shall be uniform in the same package i.e., having a difference in length of **[not more than 30 mm]**.

### 6. Provisions Concerning Presentation:

- **6.1 Uniformity:** the contents of each package must be uniform and contain fresh curry leaves of the same origin, variety or commercial type, quality, color and size; The visible part of the contents of the package must be representative of the entire contents.
- **6.2 Packaging:** Fresh curry leaves must be packed in such a way as to protect the produce properly; he materials used inside the package must be of food grade quality, clean and of a quality such as to avoid causing

any external or internal damage to the produce; The use of materials, particularly of paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

- Fresh curry leaves may be packed in each container in compliance with the Code of Practice for Packaging and Transport of Fresh Fruits and Vegetables (CXC44-1995).
- **6.2.1 Description of Containers:** The Containers shall meet the quality, hygiene, ventilation and resistance characteristics to ensure suitable handling, shipping and preserving of fresh curry leaves, also packages must be free of all foreign matters and smell.

## 7. Provisions Concerning Marking or Labelling:

- **7.1 Consumer Packages:** In addition to the requirements of the General Standard for the Labelling of Prepackaged Foods (CXS1-1985), the following specific provisions apply:
  - 7.1.1 Name of Produce: If the produce is not visible from the outside, each package shall be labelled as “Fresh Curry Leaves”.
  - 7.1.2 Origin of Produce: Country of origin and optionally district, where produce is grown or national, regional or local place name.
- **7.2 Non- Retail Containers:** The labelling of non-retail containers should be in accordance with the General Standard for the Labelling of Non-Retail Containers of Foods (CXS 346-2021).

**8. Food Additives:** No food additives are permitted in fresh curry leaves.

**9. Contaminants:** The produce covered by this Standard shall comply with the maximum levels of the General Standard for Contaminants and Toxins in Food and Feed (CXS193-1995).

The produce covered by this Standard shall comply with the maximum residue limits for pesticides established by the Codex Alimentarius Commission.

**10. Hygiene:** Recommended that the produce covered by the provisions of this Standard be prepared and handled in accordance with the appropriate sections of the General Principles of Food Hygiene (CXC 1-1969), Code of Hygienic Practice for Fresh Fruits and Vegetables (CXC 53-2003), and other relevant Codex texts.

The produce should comply with any microbiological criteria established in accordance with the Principles and Guidelines for the Establishment and Application of Microbiological Criteria related to Foods (CXG21-1997).

## Recommendations

CCFFV23 is invited to consider:

- A. **The proposed draft standard for fresh curry leaves at Appendix I**
- B. **Forwarding the proposed draft standard for fresh curry leaves for the coming CAC meeting for adoption at Step 5/8.**
  - ❖ The Proposed Draft Standard for “Fresh Curry Leaves” addresses the need for a Codex standard that ensures safety, quality, and labeling requirements. It will serve as an internationally agreed reference, established by consensus among key producing and trading countries, to facilitate and promote fair trade.
  - ❖ It is recommended to reach an agreement on the bracketed provisions related to defect tolerances and sizing, as this will strengthen the text and ensure clear and unambiguous quality requirements.
  - ❖ It is recommended to support the forwarding of the Proposed Draft standard for Fresh Curry Leaves, after final considerations of the bracketed provisions, for its final adoption (Step 5/8) at the upcoming commission (CAC48).