

**Agenda Item 3 CX/MAS 13/34/3**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING**

**Thirty-fourth Session**

**Budapest, Hungary, 4 - 8 March 2013**

**ENDORSEMENT OF METHODS OF ANALYSIS PROVISIONS IN CODEX STANDARDS**

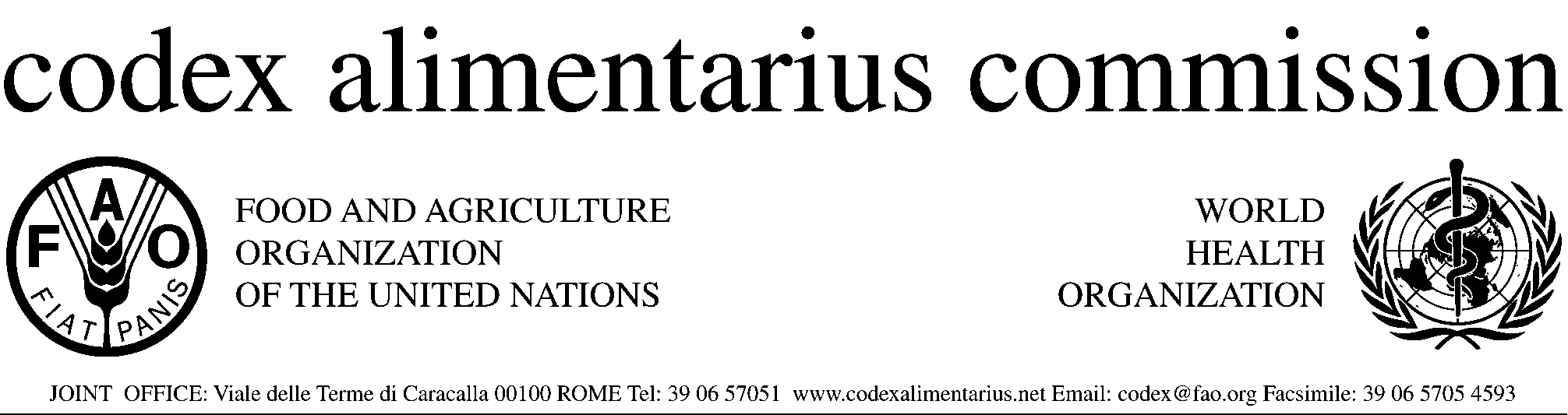
**PART I METHODS OF ANALYSIS**

1. **FAO/WHO COORDINATING COMMITTEE FOR THE NEAR EAST (CCNEA)**

**Regional Standard for Date Paste1**

Paragraph 2 refers to the Table section A for the complete list of the proposed methods of analysis. In Table section A, for the Commodity Date Paste, for the Provision Acid Soluble Ash, the method proposed is AOAC 900.02D.

As per AOAC 900.02D, the ash obtained is dissolved in water, boiled and filtered. The method thus provides Water Soluble (and Water Insoluble) Ash and not Acid Soluble Ash. This inconsistency may be looked into and corrected appropriately.



**Agenda Item 4 CX/MAS 13/34/4**

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**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING**

**Thirty-fourth Session**

**Budapest, Hungary, 4 - 8 March 2013**

**PROPOSED DRAFT PRINCIPLES FOR THE USE OF SAMPLING AND TESTING IN**

**INTERNATIONAL FOOD TRADE**

**Draft Section on Principles**

**INDIA’S COMMENTS**

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| Comments to Appendix IV, REP 12/MAS |

Appendix IV Page 36, Section 2 – Scope, para 7, Line 3

The text should be modified as under:

These principles are intended to assist governments in the establishment and use of sampling and testing procedures for determining, on a scientific basis, whether foods in international trade are in compliance with ~~particular specifications~~ relevant Codex Standards.Compliance with these principles will also assist in avoiding potential disputes.

Rationale: In a Codex document the reference should only be to Codex specifications, or else there would be lot of uncertainties with respect to importing country’s specification whether they are risk analysis/assessment based safety limits or limits specifically established to create non-tariff trade barriers, etc.

Appendix IV, Page 37, Section 4 – Principles, Principle 1, line 3

The text should be modified as under:

Before starting trading activities, the parties concerned should reach agreement related to the sampling and testing procedures that will be applied ~~to determine whether the food in trade meets the specifications of the importing country~~ to determine whether the food in trade meets the specifications described in relevant Codex Standards and also on the sampling and testing procedures to be followed in the case of a dispute.

Rationale: In a Codex document the reference should only be to Codex specifications, or else there would be lot of uncertainties with respect to importing country’s specification whether they are risk analysis/assessment based safety limits or limits specifically established to create non-tariff trade barriers, etc.

Appendix IV, Page 38, Section 4 – Principles, Principle 5, First line

The text should be modified as under:

~~The sampling and testing procedures selected should be scientifically based~~ the sampling and testing procedures selected should be scientific and generally based on Codex or any other internationally recognized standards like ISO and appropriate to the commodity and lot or consignment to be sampled and tested, fit for intended purposes and applied

consistently.

Rationale: In a Codex document the reference should only be to Codex specifications, or else there would be lot of uncertainties with respect to importing country’s specification whether they are risk analysis/assessment based safety limits or limits specifically established to create non-tariff trade barriers, etc.

Appendix IV, Page 38, Section 4 – Principles, Principle 10, First line

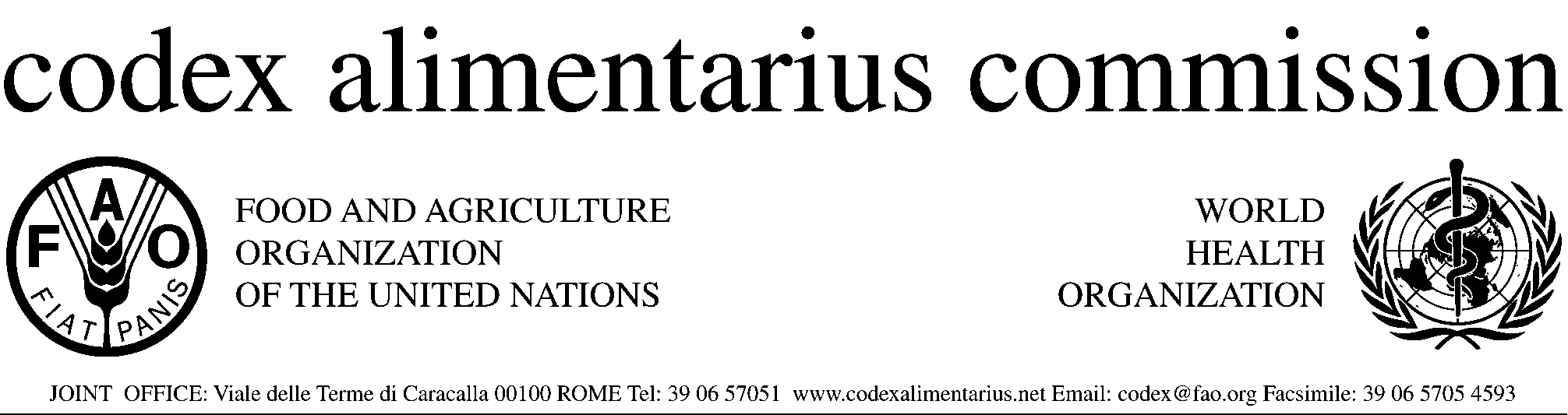
The text should be modified as under:

~~Sampling and testing procedures should be reviewed periodically to ensure they take into account new science and information~~ Latest editions of the standard (Codex or any other international) sampling and testing procedures should be used.

Rationale: the use of latest standard test methods will also ensure that the standard setting body will ensure that the test/sampling method is periodically reviewed to take in to account latest techniques etc.

Appendix IV, Page 38, Section 4 – Principles, Add Principle 11

**The sampling and testing procedure should be carried out by laboratories accredited or compliant to ISO/IEC 17025:2005 for the relevant scope of sampling/testing.**



**Agenda Item 5 CX/MAS 13/34/6**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON METHODS OF ANALYSIS AND SAMPLING**

**34TH Session**

**Budapest, Hungary, 4-8 March 2013**

**DISCUSSION PAPER ON THE UPDATE REFERENCES OF METHODS OF ANALYSIS AND RELATED TEXTS**

**General Comments**

Para 11 – Additionally, the latest version of the method of analysis recommended must be used for accreditation by the 17025, unless there is a justification for not using it. Generally, new versions bring improvements, while the mention of an old version in a Codex Standard requires a laboratory to use an outdated norm.

**There cannot be a justification for not using the latest version of ISO/IEC 17025, because normally in case of ISO standards, once a revised version is implemented, the older versions cease to exist. Further, if we look for accreditations, presently all laboratory accreditations are as per ISO/IEC 17025:2005. If the Codex continues to refer to the older version then the accreditations will no longer be relevant.**

Para 13- The Commission decides that a standard should be elaborated and also which subsidiary body or other body should undertake the work. Decisions to elaborate standards may also be taken by subsidiary bodies of the Commission and subsequently be approved by the Commission.

**The work of elaboration of the standard needs to be done in technically correct manner and ensuring that the elaboration does not attach a different interpretation to the standard text, than that intended by the standard setting body. Hence it is suggested that some documented guidelines should be provided, for ensuring that the elaboration does not end up causing some problems with the uniform interpretation of the standard.**

Para 23- The year of publication reflects only editorial changes and when the method is substantially amended the reference number is changed. For this reason, it is not necessary mention the year of publication of methods of analysis, unless the use of a specific revision be justified.

**This is not generally how ISO and other national standards like BIS (in case of India), which are also referenced in Codex standards, are updated. Generally they also have a process of** **issuing amendments to take care of purely editorial nature changes. In case of amendments the year of the number and the year of the standard does not change. However procedure for issuing amendments is generally discouraged and if there are 2 – 3 amendments then the standard is generally revised. In case of major changes both editorial and technical the standard is generally revised, where by the number remains same but the year of the standard changes. In case a totally new testing technique is being introduced, then may be a new standard (with new number may be published) based on the decision of the respecting committees. However since test method standards are an adjunct to a product standard, the standard setting bodies may generally decide to add on the new test method also in the existing test method standard, resulting in a revision of existing test method. Hence it can not be assumed that if the method is substantially amended it will generally be a new standard (with new number).**

Para 26 Recommendations Point 1

Consider the possibility to amend Codex Standards, Procedural Manual and other relevant documents of CCMAS to mention the number of the norm alone.

**The year of the standard is an integral part of the standard, because it will change as soon as the standard is revised, sometimes on account of editorial changes and always when there are technical changes. Since the Codex standards may invariably be referred by the regulatory bodies, the standards will come under the purview of legal requirements and hence it is not appropriate to mention/refer the standard only on the basis of number and without mentioning the year.**

Para 26 Recommendations point 4

The Commodities Codex Standards could just make reference to a general document with all the methods of analyses. This approach allows permanent and dynamic revision.

**Ideally the approach to be followed for up-dation of the referenced test methods in the Codex standards with an objective of keeping pace with the up-dation of the referenced methods by the respective standards setting bodies, needs to have following components:**

**Maintain a list of all the test method standards (methods of analyses) referred in various Codex standards and also a list of corresponding Codex product standards where they are referred.**

**Have system for software tracking, and periodic (say every quarter) review to verify if any standard has undergone any revision.**

**Assess the revised standards to ascertain if the changes are of editorial nature or are technical in nature (changes in test methods, testing technique, etc). In case they are observed to be editorial in nature, then through the software tracking mechanism, make changes references in the corresponding Codex standards.**

**In case the changes are technical in nature then they may be taken up by the corresponding Codex committees (CCMAS or the corresponding commodity committee if existing), for ascertaining validity of the same and up-dation in the corresponding Codex standards.**

**Note** – **However in case of AOAC specifications some different system for up-dation will need to be followed, since as per AOAC’s system for test method numbering, the year of publication indicating the revision status is not part of the method number. This can be discussed during the CCMAS meeting.**

Para 26 Recommendations Point 5 and 6

The Commodities Codex Standards could just make reference to a general document with all the methods of analyses. This approach allows permanent and dynamic revision.

**Most of the standard setting bodies like ISO, BSI, EN, IDF, AOAC, would generally have a process of periodic review of their standards (including test method standards) for the purpose of reviewing the currency as well as technological/scientific developments and make appropriate changes. Hence the up-dation process as recommended above (S. No. 6) will take care of the revision and up-dation aspects in Codex standards. However sometimes the standard setting body may decide to issue a new test method standard, for a test method based on different and technologically advanced techniques like, use of ICP-MS technique for estimation of toxic metals in food products, etc. In these cases following the suggestions as made under recommendation 7 may be the best option may be followed.**

Para 26 Recommendations Point 2

When possible, it is advisable to use the criteria approach, rather than referring to specific methods.

**Under the circumstances, this would be the best solution. But it would entail lot of work in defining the criteria for the choice of test methods. Today’s trend especially with some of the regulators like EU, is not to prescribe specific methods but to lay down the method performance criteria. This is most prevalent in areas of residue testing (pesticide, antibiotic, metals, aflatoxins, etc). The lab is at a liberty to choose the test methods, based on the resources available to it and the limits for the parameters to be tested, provided it is able to establish and demonstrate capability of meeting the required method performance criteria as described in the regulation/product standards/Codex standards. Eventually this approach may also be explored for other parameters.**