

**European Community comments for the
CODEX COMMITTEE ON FOOD ADDITIVES
AND CONTAMINANTS**

38th Session, The Netherlands, 24-28 April 2006

*European Community Competence.
European Community Vote.*

**DISCUSSION PAPER ON AFLATOXIN CONTAMINATION IN BRAZIL NUTS
(CX/FAC 06/38/24)**

Agenda Item 13 (d)

The European Community notes that a Code of practice for the prevention and reduction of aflatoxin contamination in tree nuts has been adopted by the Codex Alimentarius Commission at its 28th session (CAC/RCP 59-2005). It was also approved to develop an appendix to this code addressing additional measures for Brazil nuts. This appendix is currently under development.

The European Community agrees with the conclusion (§ 54, IV) that the results of the implementation of the recommended measures to prevent and reduce the presence of aflatoxins in Brazil nuts will only be available in the next few years and will certainly resulting the decrease of the current levels of aflatoxin contamination in Brazil nuts.

In the preamble to the Codex General Standard for Contaminants and Toxins in Foods (CODEX STAN 193-1995 – rev 2-2005) one of the criteria to be applied for the establishment of maximum levels for maintaining a consistent policy in the matter is the following:

“Maximum levels shall be set as low s reasonably achievable. Providing it is acceptable from the toxicological point of view, maximum levels shall be set at a level which is (slightly) higher than the normal range of variation in levels in foods that are produced with current adequate technological methods, in order to avoid undue disruptions of food production and trade. Where possible, maximum levels shall be based on GMP and/or GAP considerations in which the health concerns have been incorporated as guiding principle to achieve contaminant levels as low s reasonably achievable.”

Therefore the European Community is of the opinion that it is appropriate to await the availability of the data on the presence of aflatoxins in Brazil nuts, obtained after the implementation of the recommended measures to prevent and reduce the presence of aflatoxins in Brazil nuts before considering the setting of a maximum level for aflatoxins in Brazil nuts.