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**European Community comments for the  
CODEX COMMITTEE ON CONTAMINANTS IN FOODS  
1<sup>st</sup> Session, Beijing, China, 16-20 April 2007**

**Agenda Item 7 e)**

**Discussion paper on aflatoxin contamination in Brazil nuts  
(CX/CF 07/1/10)**

*European Community Competence  
European Community Vote*

The European Community welcomes the discussion paper on aflatoxin contamination in Brazil nuts.

The European Community notes that a Code of Practice for the Prevention and Reduction of aflatoxin contamination in Tree nuts was adopted by the Codex Alimentarius Commission (CAC) at its 28<sup>th</sup> Session and an appendix specific for Brazil nuts was adopted by the CAC at its 29<sup>th</sup> Session.

It is acknowledged in the discussion paper that the results of the implementation of the recommended measures will be only available in the next few years.

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 is the following:

“Maximum levels shall be set as low as 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 as 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 and **has therefore a strong objection to include at this stage the hypothetical standard of 20 µg/kg in the JECFA dietary exposure assessment on aflatoxins** as suggested in the Discussion Paper in § 49, IV b).

In relation with the recommendation mentioned in § 49, IV c) and d), the European Community stresses that all data made available until now to the European Community indicates that by far the largest part of the aflatoxin contamination can be found on the edible kernel of the Brazil nut and that only a minor part of the aflatoxin contamination can be found on the shell. The significant difference between the aflatoxin contamination in shelled and in-shell nuts are probably due to the fact that it is possible to select out more efficiently the good quality kernels in the case of shelled nuts than in the case of in-shell nuts.

Nevertheless, the European Community supports the recommendation mentioned in § 49 IV d) to obtain more data clarifying the influence of the shell in the aflatoxin contamination level of Brazil nuts.