CODEX ALIMENTARIUS COMMISSION
CODEX PROCEDURES
FOR THE ESTABLISHMENT OF
MAXIMUM RESIDUE LIMITS FOR PESTICIDES

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CODEX AND WTO
WORLD TRADE ORGANIZATION

AGREEMENT ON THE APPLICATION OF SANITARY AND PHYTOSANITARY MEASURES
WTO/SPS AGREEMENT

AGREEMENT ON TECHNICAL BARRIERS TO TRADE
WTO/TBT AGREEMENT
WTO/SPS AGREEMENT AND CODEX

The SPS Agreement

- calls on Members to harmonize their national standards with “international standards, guidelines or recommendations” such as the Codex Alimentarius Commission for sanitary measures to protect human health (Chapeau, Article 3.1)
- calls on Members to play a full part, within the limits of their resources, in the relevant international organizations and their subsidiary bodies, in particular the Codex Alimentarius Commission (Article 3.3)
- States that the SPS Committee shall maintain close contact with the relevant international organizations in the field of sanitary and phytosanitary protection, especially with the Codex Alimentarius Commission …. to secure the best available scientific and technical advice for the administration of this Agreement (Article 12.3)
- Codex Standards are defined as “international standards, guidelines or recommendations” for food safety (Annex A).
WTO/SPS AGREEMENT & CODEX

Sanitary Measures – protect human life and health (...) resulting from

- Additives
- Contaminants
- Veterinary drugs
- PESTICIDES
- Pathogen microorganisms + toxins

Codex Food safety provisions recognized by the WTO/SPS Agreement

- Maximum Levels for
  - Additives
  - Contaminants
- Maximum Residue Limits for
  - PESTICIDES
  - Veterinary Drugs
- Hygiene requirements → biological hazards (pathogens/food associated)
- Methods of analysis and sampling
- Inspection/Certification
CODEX ALIMENTARIUS COMMISION

- What is it? -

Intergovernmental food standards-setting body established by FAO and WHO

— Members

• 187 Member countries
• 1 Member Organization (European Union)

— Observers

• UN Agencies
• International intergovernmental organizations
• International non-governmental organizations
• Protect consumers’ health
• Ensure fair trade practices
• Coordinate work on food standards with other international organizations (INGOs & IGOs)
• Develop and maintain the **CODEX ALIMENTARIUS** (e.g. DATABASE FOR MRLs FOR PESTICIDES)
CODEX ALIMENTARIUS COMMISSION
- Structure -

- Executive Committee
- Secretariat
- General committees →
  - Codex Committee on Pesticide Residues (CCPR)
- Commodity committees
- Task Forces
- Regional committees

Subsidiary Bodies
CODEX COMMITTEE ON PESTICIDE RESIDUES
• Prepare Priority Lists of Pesticides for evaluation by JMPR

• Establish MRLs/Pesticides in food & feed moving in international trade

• Consider methods of analysis & sampling for the determination of pesticide residues

• Establish EMRLs for environmental & industrial contaminants in food & feed (associated with the former use of pesticides in agriculture)

• Consider any matter related to the safety of food & feed containing pesticide residues
CODEX COMMITTEE ON PESTICIDE RESIDUES
- Overview -

• Host Government: China
• Meeting Interval: 1 year
• Number of meetings: 48
  o 1st Session January 1966
  o 48th Session April 2016
  o 49th Session April 2017
ESTABLISHMENT OF INTERNATIONAL FOOD SAFETY STANDARDS

WTO/SPS AGREEMENT

• Sanitary measures (e.g. food safety) applied by WTO members should be based on scientific principles (Art. 2.1) and on risk assessments (Art. 5.1)

• Sanitary measures (e.g. food safety) conforming to international standards are deemed necessary to protect human health (Art. 3.2)

• THEREFORE: International food safety standards must be developed according to risk analysis principles
ESTABLISHMENT OF INTERNATIONAL FOOD SAFETY STANDARDS

CODEX ALIMENTARIUS COMMISSION → develops international food safety standards based on risk analysis principles

RISK ANALYSIS:

• Risk Assessment
• Risk Management
• Risk Communication
RISK ANALYSIS AT INTERNATIONAL LEVEL: FAO/WHO - CODEX

RISK ASSESSMENT
(FAO/WHO - Permanent bodies, Ad-Hoc Expert Consultations)

Functional separation + liaison

RISK MANAGEMENT
(Governments, CAC – Subsidiary Bodies)

Risk Communication: Governments, FAO/WHO – Infosan, IGos
RISK ASSESSMENT / RISK MANAGEMENT - ESTABLISHMENT OF INTERNATIONAL FOOD SAFETY STANDARDS: FAO/WHO - CODEX

FAO/WHO Scientific Advisory Bodies and Ad Hoc Expert Consultations (in conjunction with other agencies)

- Chemical Hazards
  - JECFA
    - Additives (CCFA)
    - Contaminants (+ mycotoxins) (CCCF)
    - Veterinary drugs (CCRVDF)
  - JMPR: Pesticide residues (CCPR)

- Microbiological Hazards
  - JEMRA (CCFH)

- Nutrition Hazards
  - JEMNU (CCNFSDU)
RISK ASSESSMENT / RISK MANAGEMENT -
ESTABLISHMENT OF INTERNATIONAL
FOOD SAFETY STANDARDS: FAO/WHO - CODEX

FAO/WHO Ad Hoc Expert Consultations (in conjunction with other agencies)

• Biotechnology
  – TF/BT

• Antimicrobial resistance
  – TF/AMR (CCFH)

• Biotoxins, Melamin, Risk-Benefit of Fish Consumption
  – CCCF

• Active chlorine
  – CCFH

• Nanotechnology
RISK ASSESSMENT / RISK MANAGEMENT INTERACTION JMPR-CCPR PESTICIDES

Priority List for the Evaluation of Pesticides

Risk Assessment → ARf/ADI/MRLv(s) Residue Definition

Risk Management → MRL(s) (Database PR)
ESTABLISHMENT OF MRLs for PESTICIDES

CODEX STEP PROCEDURE

- Uniform (Regular) Procedure (8 Step Procedure)
  - Development of the PL (Step 1)
  - Evaluation of pesticides by JMPR (Step 2)
  - Circulation of proposed draft MRLs for comments at Step 3
  - Consideration of proposed draft MRLs at Step 4 by CCPR
  - Adoption of proposed draft MRLs at Step 5 by CAC
  - Circulation of draft MRLs for comments at Step 6
  - Consideration of draft MRLs at Step 7 by CCPR
  - Adoption of the draft MRLs at Step 8 by CAC
ESTABLISHMENT OF MRLs for PESTICIDES

CODEX STEP PROCEDURE

• Accelerated Procedure
(5/8 Step Procedure)
  – Development of the PL (Step 1)
  – Evaluation of pesticides by JMPR (Step 2)
  – Circulation of proposed draft MRLs for comments at Step 3
  – Consideration of proposed draft MRLs at Step 4 by CCPR
  – Adoption of proposed draft MRLs at Step 5/8 by CAC
ESTABLISHMENT OF MRLs for PESTICIDES

Establishment of MRLs

• Development of New MRLs (Existing pesticides & new pesticides)

• Revision of MRLs ➔
   (Existing (“old”) pesticides – Periodic Review)

• Revocation of existing MRLs (= CXLs)

Development & Revision of MRLs ➔
Submission of:

• Concern Forms

• Clarification Forms

• Public Health Concern Forms
  (Priority List - Periodic Review)
ESTABLISHMENT OF MRLs for PESTICIDES

Development and Revision of MRLs – Application of the 4 YEAR RULE

• JMPR -> Intake concerns
• Concern Forms -> JMPR derivation of MRLs, calculation of toxicological values, etc.
• Periodic Review -> Submission of additional / complementary data (residue data, toxicological data, etc.)

4 YEAR RULE:
• Can apply only once
• Results:
  – Delay in the adoption of a new or revised MRL
  – Revocation of the existing CXL with no replacement
ESTABLISHMENT OF MRLs for PESTICIDES

REVOCATION OF MRLs / PESTICIDES

• Periodic Review
• New scientific data
• Availability of the pesticide on the market
• Pesticide is not used in food and feed
• No international trade of food and feed where the pesticide may have been used
• Revocation of the MRLs/pesticides

• Results:
  – Revocation of the existing CXL with no replacement
  – Establishment of EMRLs
Risk Management - Pesticides

Committee on Pesticide Residues

- Establish MRLs / EMRLs
- Other Risk Management Options
CCPR - Challenges

• Priority setting at the Codex Committee level
• Funding of FAO/WHO Expert Bodies
• Data generation in developing countries
• Divergent Risk Assessment Policies
  – e.g. JMPR vs EFSA
• Divergent Risk Management Approaches
  – e.g. Set as many MRLs for single products as opposed as many MRLs for group of products
• Absence of CXLs – Import tolerances at LOD/LOQ levels ≅ 0 Tolerance (low levels / traces of pesticides)
• Enforcement of MRLs – Codex reference analytical methods
CCPR – Challenges: Next Agenda

• Establishment of Priority List for Evaluation by JECFA (New Evaluations, New Uses and Other Evaluations, Periodic Review)

• Discussion on the establishment of MRLs: new & revised MRLs, withdrawal of draft & proposed draft MRLs, revocation of MRLs / pesticides Group MRLs (grouping products or keeping it single?!)

• Finalization of Criteria for Methods of Analysis for the Determination of Pesticide Residues Performance of the method against identification of the method

• Revision of the Classification of Food and Feed: Grouping, sub-grouping and commodities

• IESTI Equation: Less & More conservative MRLs or More & Less conservative MRLs while still protecting public health
Thank you!