



2013 ASTA Regulatory/Legislative Workshop

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ASTA Update

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ASTA Update



- Risk Profile on Spices
- Pesticide Residues
- Ethylene Oxide
- Codex Issues

Risk Profile



- FDA published Federal Register Notice April 2010 following 2 spice-related outbreaks
- ASTA submitted comments/data
- FDA gathered data
- Risk profile on pathogens and filth in spices to be published "soon"

Risk Profile



- Based on data developed for risk profile, manuscripts published in *Food Microbiology*
 - *Prevalence of Salmonella in spices at import*
- August 2013 *New York Times* article provides glimpse at anticipated publicity

Risk Profile



- ASTA Preparations
 - Microbiologist to assist with assessment and development of comments to submit to FDA
 - Data
 - End usage
 - Treated in U.S. vs. offshore
 - ASTA media statement
 - April Annual Meeting presentation

Pesticide Residues



- Tolerances set by EPA/enforced by FDA
- FDA enforcement philosophy – 2012 orange juice/carbendazim
 - Gray: found in product already in U.S. FDA did not force recalls because did not pose safety concern – Agency able to make risk based decisions
 - Black and white: prohibited chemical, imports detained/withdrawn – FDA must meet statutory requirements

Pesticide Residues



- Limited tolerances exist for spices
- Recognize issues with FDA testing and customer requirements
- Board of Directors explored options
 - Set additional tolerances
 - Default tolerance

Pesticide Residues



- EPA requirements significant to substantiate safety of pesticide residue in food
 - Manufacturer must support and additional intake cannot jeopardize other tolerances
 - Must be legally used in source country
 - Field trials likely
- Number of pesticides makes cost-prohibitive

Pesticide Residues



Default tolerance

- Currently in U.S. – in absence of tolerance = ZERO
 - More problematic as testing becomes better
- EU – 0.01 ppm
- EPA does not have authority to establish
- Requires Congressional action

Pesticide Residues



Congressional Action CHALLENGES

- Congress inaction is the norm
- Guaranteed to attract storm of negative publicity
- ASTA alone isn't powerful enough on this big of an issue

Pesticide Residues



- Issue not isolated to spice industry
- CropLife America
 - Trade association representing major manufacturers, formulators & distributors of pest control products
- Food and Beverage Crop Protection Committee
 - Bring food & beverage companies/trade associations together to leverage experience, expertise

Ethylene Oxide



- Food Quality Protection Act of 1996 requires registration review to ensure “safety” as ability to assess risk evolves
- Re-registration Eligibility Decision issued March 2008
 - Spices contingent on 2 generation reproductive effects study on ECH
 - Submitted March 2012
 - Waiting for agency comments

Ethylene Oxide



- Registration review required every 15 years. Initial review was scheduled 2006...slipped 2 years
- EPA has established registration review docket
- Anticipated review schedule with decision September 2021

Ethylene Oxide



- Cost & source of funding
 - \$700,000+ last time
- TBD – data & studies required
- Likelihood of positive outcome
- Industry need for ETO in 2021
- More to come....

Codex Alimentarius



- Formed in 1963 as joint food standards program between UN Food and Agriculture Organization (FAO) & World Health Organization (WHO)
- Dual Mandate: use science-based policies to **protect consumer health** & ensure **fair trade practices**

Codex Alimentarius



- Goal is global harmonization, however, Codex acknowledges that statutory requirements preclude all participating countries from adopting all standards
- 2005/2006 pesticide Maximum Residue Levels (MRLs) established for spices and chilies
- Not recognized in U.S. because does not meet statutory requirements of EPA

Codex Alimentarius



- Codex widely recognized in developing countries without resources to set standards
- U.S. is participant
- Value in particular for exports when Codex standards are a requirement
- IOSTA has non-governmental observer status
- 2 recent issues impacting spice industry

Codex Alimentarius



- Codex Committee on Food Hygiene
 - US & India leading revision of Codex Code of Hygienic Practices for Spices and Culinary Herbs
 - Focus on growing areas, worker hygiene, storage, etc.
 - ASTA input through IOSTA
 - Value in establishing best practices

Codex Alimentarius



- July 2013 approved Codex Committee on Spices and Culinary Herbs (CCSCH)
- CCSCH will establish **minimum quality** standards for spices and herbs
 - Eg. Volatile oil, moisture, ash
- Will not cover items addressed in other committees eg. Pesticide residues, food safety issues

Codex Alimentarius



- India had sought for several years
- ASTA, CSA, ESA opposed believe quality should be determined between buyer and seller
- Successful in limiting scope to “spices & culinary herbs in their dried & dehydrated state in whole, ground & cracked or crushed form
- Eliminated oleoresins, spice blends, other

Codex Alimentarius



- CCSCCH to meet every 18 months with work expected to take 18 years
- New work (first spices to be tackled) will be taken up at first meeting in February 2014 in Cochin, India
- ASTA will work through IOSTA and US delegation
- Representatives from Food Safety Committee to help with technical expertise

ASTA Update



Questions



Thank you!