

WORLD TRADE ORGANIZATION

G/SPS/W/187
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(06-1269)

Committee on Sanitary and Phytosanitary Measures

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PROCEDURE TO MONITOR THE PROCESS OF INTERNATIONAL HARMONIZATION

Submission by Sri Lanka

In accordance with paragraph 6 of the provisional procedure to monitor the use of international standards (G/SPS/11), Sri Lanka proposes that the Committee consider the attached issue.

PROCEDURE TO MONITOR THE PROCESS
OF INTERNATIONAL HARMONIZATION

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Commodities affected:	Cinnamon
Disease/problem/issue:	Sulphur dioxide used for fumigation of cinnamon
Is international trade significantly affected because of this issue?	Yes, trade in cinnamon is affected – in the EC market.
Does there currently exist an international standard for this disease/problem/issue with these commodities?	No
If so:	
Briefly describe the existing standard:	N/A
Is the international standard inappropriate?	N/A

Description of how trade is affected by this issue and how the issue can be resolved through new or existing international standards:

1. The practice of using SO₂ (generated by burning elemental sulphur) for fumigation purposes has been applied by the cinnamon industry in Sri Lanka for many generations as an acceptable method for fumigation to obtain a better colour and also to protect the end-product from possible fungus and insects. This practice does not require direct application of sulphur into cinnamon.
2. Initiatives have been taken in Codex to agree to a maximum level of SO₂ (500 ppm) for all herbs and spices including seasoning and condiments, which should also include cinnamon (Alinorm 01/12A, Appendix IV page 144 and Section 12.2). However, no final decision has been reached on this matter.
3. Based on the chemical evaluation undertaken by the JECFA in 1998, it has been accepted that SO₂ in acceptable quantities as a food additive does not produce any adverse effects on human health. Furthermore, accepted maximum levels of SO₂ have been established for other products in which it has been accepted for use as a food additive. For example, dry ginger, which is a similar commodity to cinnamon and where SO₂ is used in much larger quantities than in cinnamon, is included in the EC list of foodstuffs and the tolerable limit of SO₂ content has been defined as 150 mg/kg. JECFA it has considers as safe an Average Daily Intake (ADI) of SO₂ at 0.7 mg/kg of body weight. As such the consumption of cinnamon even at the unlikely rate of ONE gramme per day, even on a daily basis, falls well below the permitted level of 0.7 mg/kg/ kg/b.w (with 500 ppm of SO₂ being permitted in cinnamon). We are seeking as a transitory measure a level of 150 ppm of residual SO₂, and at this level the residual SO₂ will be ONLY 0.150 mg/kg (as compared to the permitted level of 0.7 mg/kg).

Trade implications

4. At present, Sri Lanka is the single largest exporter of true cinnamon in the world with well over 85 per cent share of the world market of cinnamon, and accounts for well over three quarters of global output. The industry supports the livelihood of over 70,000 smallholder cinnamon growers in the southern province of Sri Lanka who have depended on this trade for generations.

5. In the absence of an international standard governing the use of SO₂ in cinnamon, it is up to individual countries to adopt their own regulations. Where trade problems are being encountered at this time is specifically with the European Communities. However, the guideline provided by the WHO/FAO – JECFA for SO₂ as indicated in paragraph 3 above apparently has not been considered in the rejection of cinnamon by the EC member States.

6. Since July 2004, Sri Lanka has encountered problems with a number of consignments of "Ceylon Cinnamon" exported to the European Communities on the grounds that consignments contained sulphur dioxide (SO₂). The EC authorities have stated that this action was taken under a technical regulation relating to import of foodstuffs to the European Communities contained in European Parliament and Council Directive No. 95/2/EC of 20 February 1995 and its subsequent amendments.

7. According to the Directive, which covers food additives, only those food additives which satisfy the requirements set down therein can be used in foodstuffs. Appendix II - Part B of the Regulation deals with sulphur dioxide (SO₂) and sulphites and lists different sources of sulphur dioxides (E220 – E228) and the maximum tolerance levels of SO₂, expressed in mg/kg or mg/l for various foodstuffs. Certain types of herbs and spices, namely, ginger and mustard, which, like cinnamon, are used as food additives, are included in the list of foodstuffs and the tolerable limits for SO₂ content defined. However cinnamon is not included in the list of foodstuffs at present. The European Spice Association (ESA) is of the view that it would not be possible to import cinnamon from Sri Lanka into the European Communities under the present circumstances. This decision of the ESA will drastically reduce or eliminate Sri Lanka's exports to the European Communities, and may have a cascading effect on other export markets.

Sri Lanka's proposal

Sri Lanka has submitted a formal proposal to the Codex Alimentarius Commission (CAC) to identify cinnamon as a foodstuff where SO₂ could be used and to permit as an interim measure a maximum level of 150 ppm until such time as a standard is established by the Codex Alimentarius Commission based on their proposal of 500 ppm as indicated in the Alinorm referred to above in paragraph 2.

Furthermore, in accordance with the 15 November 2004 Decision of the SPS Committee on the Monitoring Procedure (G/SPS/11/Rev.1), Sri Lanka requests that the SPS Committee Chairman write to the CAC to inform the Commission of his intention to include this item in the annual monitoring report as per the decision of the SPS Committee at its session of 2 February 2006.
