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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

on the coordination of Member governments' comments to the
Chairman of the Codex Committee on methods of analysis and sampling

I. PLANS FOR SAMPLING BY ACCEPTANCE AND DETERMINATION OF NET CONTENTS OF PREPACKED PRODUCTS

At the 8th meeting of the Codex Committee on methods of analysis and sampling, held in Budapest from 3 - 7 September 1973, the Chairman suggested that an ad hoc working group should be set up to make a detailed study of suitable sampling schedules.

This working group, consisting of representatives of the following countries: Australia, France, Hungary, the Netherlands, Switzerland, United Kingdom, and the United States and presided over by Mr Anderson of Canada, met for the first time during the meeting.

In view of the statements made on this subject by various representatives of participating States, and particularly in view of the work already carried out within the European Communities in the form of draft directives submitted to the Council during 1972 and 1973, the Commission recommends that the Member States and the Commission itself inform the Chairman of the Codex Committee on Methods of Analysis and Sampling by letter specifying in particular that:

"during the past two years the Commission has submitted three draft directives to the Council on the question of prepackaging".

These are draft directives concerning the harmonization of the laws of the Member States concerning:

the bulk packaging of certain prepackaged liquids,¹

bottles used as measuring containers², and

the making up by weight or by volume of certain prepackaged products.

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¹OJ C 50, 19 May 1972.

²OJ C 110, 13 December 1973.

These directives are based on two fundamental principles, namely requirements regarding maximum permitted errors or in other words regarding the maximum permissible loss of the weight and volume actually contained in the prepackaging and the requirement concerning the nominal average contents of the prepackaging. Verifications of observance of these quantities is carried out in accordance with the common rules concerning random statistical checks.

This principle concerning the average contents has been adopted by most of the Community experts, and was also adopted almost unanimously by the delegations attending the meeting of the Codex Committee on the labelling of foodstuffs, held at Ottawa from 28 May to 1 June 1973.

Controls are carried out by means of sampling and are in two parts:

- the first one concerns the average actual contents of the sample and
- the second concerns the actual contents of each element of that sample.

The procedures for the statistical check were worked out in accordance with the Military Standard tables which up to the present time are the ones most used in this connection.

The check on average contents makes use of a measuring procedure. Since measuring procedures require more time than procedures which check on whether minimum contents have been observed, it was considered preferable to use as a criterion of loss the sampling method based on average variations in content, as this is an effective guide to the average variation of the batch which is being checked.

The second check, which relates to individual minimum contents, is carried out by reference to a method based upon characteristics (good or defective) which can also be valid in the case of distribution patterns which do not follow Gauss's law and which is simple and quick to apply; a single sampling schedule and a double sampling schedule are suggested as alternatives; they are equally effective but the double sampling schedule, since it is a little more precise, permits a reduction in the number of samples taken.

II. QUESTIONS ARISING FROM THE REPORT OF THE EIGHTH MEETING OF THE COMMITTEE

- Terms of reference of the Codex Committee on methods of analysis and sampling

The Commission considers that the Member States ought not to support the proposal that specific methods should no longer be submitted for the opinion of the Committee and that it should only examine general methods. On the contrary, the Committee should be in a position to continue to play its part as coordinator in all sectors.

- Procedure to be followed when submitting methods of analysis and sampling for examination by the Committee

The proposed procedure ought to be regarded as a general guide rather than as an absolute rule. Indeed, although the fullest information possible should be made available to delegations on the merits of a particular method, such information can as well be submitted in a document as by reference to previous publications.

