

Agricultural and Vegetable Oils Bulletin

“Free from...” Statements

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TIC Council members are frequently asked to certify that consignments are free from such items as dead or live insects, toxic substances such as aflatoxin, etc.

There can never be certainty that a consignment is absolutely free from such items and TIC Council members have therefore agreed, for the future, to clarify the meaning of such statements whenever they are required to make them on certificates.

The statistical basis for such statements is governed by the limitations inherent in the sampling process and test methods. TIC Council members will use current or contractually stipulated sampling techniques and test methods, but since the sample size is always so much smaller than the bulk material it represents, and test methods are subject to known uncertainties and detection limits, IFIA members have agreed that it is necessary to point out on each certificate using this formula that to certify “free from...” is subject to certain limitations.

The policy recommended by TIC Council is therefore that:

- where the item in question is not found in the sample (when selected, prepared and analysed in accordance with current or contractually stipulated methods), TIC Council Members will be prepared to certify that the consignment is “free from...”, and
- where there are findings, but not to the point of making the consignment unfit for purpose, TIC Council Members will be prepared to certify “substantially” or “practically” “free from...” in accordance with established practice.

However, all such certificates should now therefore include the following explanatory text:

“As per TIC Council Agricultural and Vegetable Oils Bulletin 11-02 of November 2011, « free from... » statements on certificates are issued subject to the limitations of (i) the degree of uncertainty inherent in the sampling process, and (ii) the testing methodology applied as per current methods commonly used for the detection of the item in question or those stipulated in the contract.

Statements such as “substantially” or “practically” “free from...” are used either subject to explanation of the basis on which the assertion is made, or where the findings in respect of which the certificate is issued are not such as to make the consignment unfit for purpose, taking into account (where relevant) any known “fit for purpose” limits in the country of destination.”

NOTE:

In drawing attention to these limitations, TIC Council is being consistent with the practice of public authorities which, for example, in the case of the FAO International Standards for Phytosanitary Measures, define “free from...” (of a consignment, field or place of

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production) as being:

“Without pests (or a specific pest) in numbers or quantities that can be detected by the application of phytosanitary procedures” [FAO, 1990; revised FAO, 1995; CEPM, 1999].

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