



TO: Codex Contact Points
Interested International Organizations

FROM: Secretariat, Codex Alimentarius Commission

SUBJECT: **Request for comments on matters referred from the 64th session of the Executive Committee and the 33rd Session of the Commission**

i) **Strategic Plan 2008-2013;**
ii) **Private standards;**
iii) **Processed Cheese**

DEADLINE: **3 September 2010**

COMMENTS: To:

Secretariat Codex Alimentarius Commission FAO/WHO Food Standards Programme Viale delle Terme di Caracalla 00153Rome, Italy Fax: +39 06 5705 4593 E-mail: codex@fao.org (<i>preferably</i>)	With a copy to: Ms Marzena Chacińska, Head of International Co-operation Department, Agricultural and Food Quality Inspection, 30 Wspólna Street, 00-930 Warsaw, Poland, Fax.: + 48 22 623 29 97 or e-mail: kodeks@ijhars.gov.pl (<i>preferably</i>)
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(i) STRATEGIC PLAN 2008-2013¹

Goal 4: Promoting Cooperation between Codex and other relevant international organizations and Goal 5 (Promoting Maximum and Effective Participation of Members

Activity 4.5 “Promote interdisciplinary coordination at the national and regional level”

Description: Encourage Codex member countries to establish effective mechanisms within their own countries so that horizontal coordination and communication occurs among national delegates to various food-standards-related international organizations. Invite members to develop evaluation criteria to assess the success of the mechanisms that they have established and report progress in this activity through their respective Codex Regional Coordinating Committees to the CAC.

The 64th Session of the Executive Committee, while noting that Activity 4.5 was completed in 2009, recommended that it should be continued and that the questionnaire sent in 2008 on interdisciplinary coordination at the national and regional level should be circulated again for consideration by the forthcoming sessions of Coordinating Committees.

Goal 5: Promoting maximum and effective participation of members

Activity 5.5 Enhance participation of non-governmental organizations at international, regional and national levels

Description: Encourage non-governmental organizations to participate in Codex work at national, regional and international levels. Encourage members to establish sound structures and processes for consultation on Codex matters to ensure effective involvement and participation of all interested parties.

This is an ongoing activity and should be considered by all Coordinating Committees.

Request for comments and information

Comments and information are requested on Activities 4.5 and 5.5 of the Strategic Plan 2008-2013.

¹ ALINORM 10/33/3A paras 44-56

(ii) PRIVATE STANDARDS²

The 33rd Session of the Commission considered a paper (CX/CAC 10/33/13) prepared by FAO/WHO on private food safety standards (PFS), which addressed the following issues: the extent to which PFS are consistent with Codex and the impact of these standards on market access and public health, particularly in developing countries. The paper did not cover the issue of whether the SPS Agreement should apply to PFS, which was a question that would continue to be discussed within the WTO SPS Committee.

The main conclusions of the paper were that there was a tendency for individual firm standards to be more stringent than relevant Codex standards without scientific basis whereas collective food safety standards were largely consistent with Codex. A general exception to this, however, related to traceability requirements. PFS were however more prescriptive than Codex in stating how food hygiene requirements should be met. Since the standards in most cases were prepared with extremely limited opportunity for developing country input, the prescription contained within the standards were often inappropriate in developing country contexts and difficult or impossible to apply in small-scale food businesses in developing countries. Especially costs of certification disproportionately penalized small-scale producers and multiple certification requirements were a major problem that should be avoidable given that there are minimal differences among many of the existing standards. The Representative of FAO highlighted that there was a need for transparency not only in the setting of private standards but also in their implementation and further emphasized that the key question was whether private food standards support or undermine public policy.

After extensive discussion, the Chairperson concluded that legal trade implications of private standards were best dealt with in WTO. Codex, FAO and WHO should engage with global private standard-setting bodies and others, and encourage their participation in Codex as observers. The Chairperson noted the willingness of FAO to make closer contact with private standards organizations. The Commission agreed to refer the matter to coordinating committees to conduct further analysis of the problems encountered with private standards and to make recommendations for follow up by the next session of the Commission. The analysis should include the financial burden especially to SMEs due to proliferation of private standards. Private standards setting bodies should be encouraged to limit number of audits and to work more cooperatively among themselves.

Request for comments and information

Comments and information are requested on the following questions:

Question 1: Have food producers/processors in your country experienced any problems in meeting private standards

Please provide a description of the problems encountered (where these problems are encountered, which industries are mainly affected) and give specific examples.

Question 2: What are the financial implications of meeting private standards, especially implications for SMEs

Please provide specific examples and data to support your response.

Question 3: What measures have been taken to overcome/ease the problems in implementing private standards

Please provide a description of measures taken and how it has helped to limit the problems associated with private standards, if relevant.

Question 4: What should the CAC/ FAO/WHO do in the context of private standards

Please make recommendations for follow up action by CAC (or FAO/WHO) bearing in mind that legal trade implications of private standards are dealt with in WTO.

Request for comments and information

Comments and information are requested on the five questions above.

² ALINORM 10/33/REP paras 218-243

(iii) PROCESSED CHEESE³

The Commission agreed to defer decision on the discontinuation on work on a standard for processed cheese until its 34th Session. The Commission further agreed to request the interested Coordinating Committees to discuss the necessity and the scope of regional standards for processed cheese and report their findings to the 34th Session of the Commission. The Commission would then base its decision on the discontinuation of work on the basis of the findings and recommendations of the coordinating committees.

Request for comments and information

Comments are requested on the (i) the need for a standard on processed cheese and the rationale for such a standard i.e. whether there is a problem or potential problem in the trade of these products; and (ii) the scope of such a standard i.e. compositional aspects of the products to be covered by the standards.

³ ALINORM 10/33/REP paras 89-93