

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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REP21/GP

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX ALIMENTARIUS COMMISSION

44th Session

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8 – 13 November 2021

REPORT OF THE 32ND SESSION OF THE CODEX COMMITTEE ON GENERAL PRINCIPLES

Virtual

8, 9, 11, 12, 15 and 17 February 2021

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SUMMARY AND STATUS OF WORK

| Responsible Party | Purpose | Text/Topic | Paragraph |
|--|-------------------------------------|---|-----------|
| Codex Secretariat CAC44 | Editing | It was noted that the Codex Secretariat would ensure editorial consistency of the draft Procedural Guidance for CWBC (Appendix II) with the PM prior to sending out a Circular Letter to the Codex Membership before discussion at CAC. CCGP32 agreed to forward the draft Procedural Guidance for CWBC (Appendix II) to the Commission for adoption and inclusion in the PM, preferably in section III. | 22 |
| | Submission to CAC44 | | 23 |
| Codex Secretariat CAC44 | Drafting Submission to CAC44 | CCGP32 supported that the Codex Secretariat would prepare a document indicating the amendments to the <i>Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts</i> , recommended by the Secretariat including examples for the different changes and workflows, and the version numbering and history, taking into account the comments made at CCGP32, for the next session of CAC for possible referral to CCGP. | 27 |
| Codex Secretariat | Publishing | CCGP32 agreed that the Codex Secretariat proceed with the development of a digital version of the PM, which would be made available for testing and review by the Members before being published online | 33 |
| Codex Secretariat CCEXEC81 CAC44 | Forwarding | CCGP32 agreed to forward the considerations of CCGP to the CCEXEC Strategic Planning subcommittee and CAC for further guidance | 39 iv |
| Codex Secretariat CCEXEC81 CAC44 | Forwarding | CCGP32 agreed to forward the results of its discussions to the CCEXEC Strategic Planning subcommittee and CAC for consideration. | 46 iii |

LIST OF ABBREVIATIONS

| | |
|--------|--|
| CAC | Codex Alimentarius Commission |
| CCEXEC | Executive Committee of the Codex Alimentarius Commission |
| CCGP | Codex Committee on General Principles |
| CCP | Codex Contact Point |
| CRD | Conference Room Document |
| CTF | Codex Trust Fund |
| CWBC | Committees Working by Correspondence |
| EU | European Union |
| EWG | Electronic Working Group |
| FAO | Food and Agriculture Organization of the United Nations |
| HLPF | High Level Political Forum on Sustainable Development |
| IGO | International governmental organization |
| ISO | International Organization for Standardization |
| MRL | Maximum residue limit |
| NGO | Non-governmental organization |
| OIE | World Organisation for Animal Health |
| PM | Codex Procedural Manual |
| SDGs | Sustainable Development Goals |
| SP | Codex Strategic Plan |
| SPS | Sanitary and Phytosanitary |
| TBT | Technical Barriers to Trade |
| UNFSS | United Nations Food Systems Summit |
| WHA | World Health Assembly |
| WHO | World Health Organization |
| WTO | World Trade Organization |

INTRODUCTION

1. The Codex Committee on General Principles (CCGP) held its thirty-second session (CCGP32) virtually, on 8, 9, 11, 12, 15 and 17 February 2021, at the invitation of the Government of the French Republic. Mr. Jean-Luc Angot (France) chaired the session, which had 481 registrants representing 94 Member Countries, one Member Organization (European Union) and Observers of 24 international governmental (IGOs) and non-governmental organizations (NGOs) and United Nations agencies. The full list of participants is contained in Appendix I.

OPENING OF THE SESSION¹

2. Hon. Mr. Julien Denormandie, Minister of Agriculture and Food, France and Hon. Mr. Franck Riester, Minister Delegate for Foreign Trade and Economic Attractiveness, France, addressed the Committee and welcomed participants. Mr. Markus Lipp, Senior Food Safety Officer, Food Systems and Food Safety Division of the Food and Agriculture Organization of the United Nations (FAO), Mr. Francesco Branca, Director, Department of Nutrition and Food Safety, World Health Organization (WHO), and Mr. Guilherme da Costa Junior, Chairperson of the Codex Alimentarius Commission (CAC) also addressed the Committee.

Division of Competence²

3. CCGP32 noted the division of competence between the European Union (EU) and its Member States, in accordance with paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission.

ADOPTION OF THE AGENDA (Agenda item 1)³

4. CCGP32 adopted the Provisional Agenda as the Agenda for the session.

MATTERS REFERRED TO THE COMMITTEE (Agenda item 2)⁴

5. CCGP32 noted the matters in the working document that were for information.
6. In considering the recommendations of the 80th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC80) regarding the report of the subcommittee on Codex and the Pandemic – Strategic challenges and opportunities, several comments were made, including;
 - appreciation for the work of CCEXEC and its subcommittee on Codex and the pandemic – Strategic challenges and opportunities;
 - the importance of keeping a record of all the procedural and practical particularities of virtual Codex sessions that had already taken place and were still to come to facilitate a future assessment of the possible need to amend or supplement Codex procedures;
 - the timely and efficient handling of this issue by the Commission; and
 - the ongoing consultation between the Codex Secretariat and the FAO and WHO Legal Offices on matters relating to voting and elections during virtual sessions.
7. Some comments were also made on other work of CCEXEC as follows:
 - appreciation for the re-establishment of the CCEXEC strategic planning subcommittee and its new terms of reference, including efforts to ensure due recognition of Codex work, in particular in the context of the 2030 Agenda for Sustainable Development and the upcoming United Nations Food Systems Summit (UNFSS);
 - importance of the work on operationalization of the Statements of Principle on the Role of Science in particular the development of a guidance also for Members and engaging with the wider Codex Membership in the development of this guidance⁵; and

¹ Opening remarks: Hon. Mr. Julien Denormandie, Minister of Agriculture and Food, France (CRD19); Opening remarks: Hon. Mr. Franck Riester, Minister Delegate for Foreign Trade and Economic Attractiveness, France (CRD20); Opening remarks: Mr. Guilherme da Costa Junior, Chairperson of the Codex Alimentarius Commission (CRD21); Opening remarks Mr. Branca (CRD22); Opening remarks Mr. Lipp, FAO (CRD23)

² Division of Competence between the European Union and its Member States (CRD01)

³ CX/GP 21/32/1

⁴ CX/GP 21/32/2; CX/GP 21/32/2 Add 1; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD12 (Comments of the African Union)

⁵ REP19/CAC para 12i; REP21/EXEC1 para43.iii; CX/EXEC 19/77/10; CX/EURO 19/31/CRD9

- the pertinence and timeliness of the discussions in CCEXEC80 on webcasting of CCEXEC sessions in line with the Codex core values of inclusiveness and transparency.

Conclusion

8. CCGP32 noted the information contained in the working documents on Matters referred to the Committee.

INFORMATION ON ACTIVITIES OF FAO AND WHO RELEVANT TO THE WORK OF CCGP (Agenda item 3)⁶

9. The representatives of FAO and WHO introduced the item providing information on the activities of their respective Organizations relevant to the work of CCGP, including the information on the activities in addition to those described in the item documents. A short update was also provided by the new programme administrator of the Codex Trust Fund (CTF) who noted the implementation challenges due to the COVID-19 pandemic and efforts to address them.
10. The efforts made by both Organizations to ensure work continuity during the pandemic including the provision of relevant and science-based guidance related to COVID-19, scientific advice for Codex, and various guidelines and implementation tools for improving the food production environment and promoting healthy diets were praised by delegations. Furthermore, the need to continue the provision of scientific advice work and protect its funding was stressed, as this was fundamental to Codex standard setting work. Members were also encouraged to recognize and support the work of national experts participating in scientific advice work, and to resource their participation.
11. The importance of the UNFSS in contributing to the achievement of the SDGs was underlined, including its linkages to Codex work. The terms of reference of the fourth strategic planning subcommittee of CCEXEC⁷, including its task to address how Codex can contribute to and achieve recognition for its key food standards work in the actions of its Members in relation to the UNFSS were highlighted.
12. The FAO study on the international harmonization of Codex pesticide maximum residue limits (MRLs) in rice was welcomed by delegates and was found to be relevant to the discussion on monitoring the use of Codex standards (Agenda item 7 of CCGP32) as it provided an example of a case study on the use and impact of Codex standards.

Conclusion

13. CCGP32:
- noted the updates from FAO and WHO, including the update from CTF;
 - acknowledged and recognized FAO and WHO for providing technical guidance and tools to Members to support their response to the COVID-19 pandemic;
 - encouraged FAO and WHO to continue their preparatory work and technical inputs supporting the delivery of a successful UNFSS and to include Codex in these efforts particularly with respect to action tracks one and two;
 - expressed its satisfaction with the adoption of the World Health Assembly (WHA) resolution and looked forward to its implementation;
 - acknowledged the remarkable efforts made by the experts to ensure the continuation of the scientific advice output to support Codex work continuity during the pandemic, and encouraged the experts' employers to support these efforts and resource their participation to this important international work;
 - highlighted the ongoing importance of ensuring adequate resources for scientific advice, which underpins Codex work; and
 - appreciated the work of FAO on the study on use of Codex pesticide MRLs in rice.

⁶ CX/GP 21/32/3; CX/GP 21/32/3 Add. 1; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD12 (Comments of the African Union); GP/32 CRD13 (Comments of Ecuador)

⁷ REP21/EXEC1 Appendix II

PROCEDURAL GUIDANCE FOR COMMITTEES WORKING BY CORRESPONDENCE (Agenda item 4)⁸*Introduction*

14. The Chairperson of the Electronic Working Group (EWG) on Procedural Guidance for Committees Working by Correspondence (CWBC) introduced the item highlighting the main focus of the work. He noted that, in the light of the postponement of CCGP32 due to the COVID-19 pandemic, the EWG had proceeded to develop the draft guidance and ensured that the momentum of the work was maintained. Against the background of the pandemic and resultant disruptions to the Codex meeting schedule and mode of working, the working group had considered the question of broadening the scope of this work to include virtual meetings. Given the divergent views within the working group, this issue had been left for further consideration by CCGP32. In this context, he noted the recent discussions in CCEXEC on the issue of virtual meetings as part of its broader consideration of 'Codex and the pandemic-Strategic challenges and opportunities.' The Chairperson of the EWG referred to CRD04, which addressed a number of the comments received and was intended to facilitate discussions during CCGP32.
15. CCGP32 agreed to use the Annex of CRD04 as the basis for the discussion.

General comments/decisions

16. CCGP32:
- appreciated the work of the EWG on CWBC;
 - recognized that CWBC were conceptually different from virtual sessions of Codex committees, and that the Guidance should not cover virtual sessions of Codex committees, but rather keep to the original terms of reference; and
 - noted that CWBC would be the exception rather than the rule for Codex.
17. CCGP32 agreed to:
- delete the reference to the use of virtual sessions for a CWBC while still recognizing that CWBC may include the use of virtual technology and conference calls for informal discussions and working groups similar to other Codex committees; and
 - replace general references to the Procedural Manual (PM) with references to the relevant section of the PM, and to include cross-references to the PM rather than repeating or paraphrasing existing text in the PM.

Specific comments

18. CCGP32 discussed the draft Procedural Guidance on CWBC section by section, and in addition to editorial amendments agreed on the following:

Introductory section

- to revise the title to "introduction", include a definition of CWBC, and remove any text that was of a contextual nature rather than guidance; and
- to use the term "simultaneous presence" when referring to physical or virtual sessions.

Decision-making on CWBC and criteria

- to combine and revise these sections to focus on how the decision to assign work by correspondence should be undertaken and the specific criteria to be taken into account in doing so; and
- to delete text on "circumstances relevant to decision making on CWBC" as it was not relevant for the guidance.

Section on determining a quorum

- to retain the section as important information for CWBC;

⁸ CX/GP 21/32/4; CX/GP 21/32/4 Add 1; GP/32 CRD04 (Comments of New Zealand); GP/32 CRD08 (Comments of Senegal); GP/32 CRD05 (Comments of the Republic of Korea); GP/32 CRD06 (Comments of Thailand); GP/32 CRD07 (Comments of Japan); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD11 (Comments of El Salvador); GP/32 CRD12 (Comments of the African Union); GP/32 CRD13 (Comments of Ecuador); GP/32 CRD14 (Comments of China); GP/32 CRD16 (Comments of South Africa); GP/32 CRD17 (Comments of Malaysia); GP/32 CRD18 (Revised Section I "Introduction" and Section II "Approval of CWBC")

- to clarify what was considered “attendance” for CWBC and make specific reference to the relevant article in the Rules of Procedure of the Codex Alimentarius Commission in the PM on how to calculate the quorum; and
- to indicate that the Chairperson of the CBWC will report the absence of a quorum to the Commission for further guidance.

Section on advancement of standards and related texts

- to clarify that the options indicated when work could not be progressed may be considered by the CWBC and not only the Chairperson and that the options were non-exhaustive.

19. In this context, CCGP32 confirmed that the guidance developed did not in any way restrict the options available to the Chairperson in the PM in carrying out the work and that CWBC were not different from other committees in this regard.

Location of the guidance

20. Different options were discussed, including different sections of the PM and/or the Chairpersons’ Handbook.
21. However, due to the procedural nature of the guidance and its relevance for all Codex Members, the PM was considered the most appropriate location. It was recognized that relevant elements could also be replicated in the Chairpersons’ Handbook.
22. It was noted that the Codex Secretariat would ensure editorial consistency of the draft Procedural Guidance for CWBC (Appendix II) with the PM prior to sending out a Circular Letter to Codex Members and Observers before discussion at CAC.

Conclusion

23. CCGP32 agreed to forward the draft Procedural Guidance for CWBC (Appendix II) to CAC44 for adoption and inclusion in the PM, preferably in section III.

REVISIONS/AMENDMENTS TO CODEX TEXTS (Agenda item 5)⁹

24. The Codex Secretary introduced this item explaining that based on past experience, the Codex Secretariat was of the opinion that Codex could improve the current Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts as contained in the PM by better defining what was understood as revisions, editorial and substantive amendments and corrections to Codex texts. The related workflows and responsibilities could also be clarified and streamlined. In addition, a comprehensive version numbering system and a version history to track the changes made to Codex texts could assist both delegations and the Secretariat when working on Codex texts. The Secretary informed that presently no proposals were being made with regards to the written procedure for adjourned or abolished committees as this procedure had not yet been used extensively and more experience should be gained before proposing any changes in this respect.
25. Delegations welcomed the document and expressed their willingness to continue working on this topic following agreement of the Commission and referral to CCGP. Delegations also highlighted the need to see examples of different cases in order to better understand the implication of the limited changes that the Secretariat proposed to the procedure.
26. The following specific points were made by Delegations:
- the need to distinguish between amendments and corrections;
 - how a version history could be implemented for numerical standards;
 - substantive amendments should always be accompanied by documentation explaining the need for the change and should be proposed through a subsidiary body; and
 - the experience gained from working on relevant standards in other committees could also help further discussions on the written procedure for adjourned/abolished/dissolved subsidiary bodies.

Conclusion

27. CCGP32 supported that the Codex Secretariat would prepare a document indicating the amendments to the *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts*, recommended by the Secretariat including examples for the different changes and workflows, and the version

⁹ CX/GP 21/32/5; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD06 (Comments of Thailand); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD13 (Comments of Ecuador); GP/32 CRD15 (Comments of Indonesia); GP/32 CRD17 (Comments of Malaysia)

numbering and history, taking into account the comments made at CCGP32, for the next session of CAC for possible referral to CCGP.

FORMAT AND STRUCTURE OF THE CODEX PROCEDURAL MANUAL (Agenda item 6)¹⁰

Introduction

28. The Codex Secretariat introduced the item noting that the purpose of the proposed digital version of the PM was to have an up-to-date document, which would also facilitate a user-friendly search for content. The digital version would preserve the possibility to download the publication in a Portable Document Format (PDF).
29. The Secretariat recalled that some content of the PM, such as the list of Codex Contact Points (CCPs), had been moved to the Codex website for better and continuous management of the information and that Section V and VI could also be moved to the website for the same purpose.
30. The Secretariat further clarified that it would present a document at the next session of CAC analysing whether changes to the PM were needed, for example to resolve inconsistencies in the text and further improve clarity and readability, and that CAC could then determine which parts of the document to refer to CCGP.

Discussion

31. The following views were expressed during the discussion:
 - Delegations appreciated the proposal of having a digital, user-friendly version of the PM. It was noted that in moving Sections V and VI to the Codex website, a link to these sections should be maintained in the PM.
 - In proceeding with the development of an online version of the PM, the need to involve Members in the development of the accompanying guidance and tutorials was noted as well as the need to maintain the possibility of the current PDF download of the entire publication.
 - It was further noted that the digital version should include all relevant guidance, documents and decisions approved by the Commission but not formally included in the PM, such as criteria for conducting the critical review and the use of information documents.
32. CCGP noted:
 - that a printable PDF version of the PM would continue to be available including present sections V and VI; and.
 - that the Codex Secretariat would present a document to CAC44 on possible changes to the PM to improve the consistency and clarity of the text.

Conclusion

33. CCGP32 agreed that the Codex Secretariat proceed with the development of a digital version of the PM, which would be made available for testing and review by the Members before being published online.

DISCUSSION PAPER ON MONITORING THE USE OF CODEX STANDARDS (Agenda Item 7)¹¹

34. The delegation of France presented the discussion paper, which included a review of good practices of other organizations and a series of recommendations to improve monitoring of the use of Codex standards. The paper proposed that additional and more accurate information on the use of standards would make it possible to identify the most useful standards, to consider revocation of unused standards, to better understand the challenges encountered by Members when applying Codex standards, and, ultimately, to improve the overall effectiveness of Codex.
35. Representatives of the World Organization for Animal Health (OIE) and the International Organization for Standardization (ISO) shared approaches and experiences regarding monitoring of the use of their standards.

¹⁰ CX/GP 21/32/6; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD11 (Comments of El Salvador); GP/32 CRD12 (Comments of the African Union); GP/32 CRD13 (Comments of Ecuador); GP/32 CRD15 (Comments of Indonesia); GP/32 CRD16 (Comments of South Africa); GP/32 CRD17 (Comments of Malaysia).

¹¹ CX/GP 21/32/7; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD03 (Comments of OIE); GP/32 CRD05 (Comments of the Republic of Korea); GP/32 CRD06 (Comments of Thailand); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD10 (Comments of ISO); GP/32 CRD11 (Comments of El Salvador); GP/32 CRD12 (Comments of the African Union); GP/32 CRD13 (Comments of Ecuador).

36. The discussion paper as well as the OIE and ISO presentations were appreciated. Delegations stressed the importance of monitoring the use and impact of Codex standards and recalled that the Codex Strategic Plan (SP) adopted by CAC42 included an ambitious new goal to “increase impact through the recognition and use of Codex standards” (Goal 3) and indicators related to measuring the impact of Codex standards. In this regard, the CCEXEC Strategic planning subcommittee had been tasked with identifying suitable approaches to monitoring the SP, including Goal 3, and reporting back to CCEXEC accordingly.
37. Delegations raised a number of points during the discussion, including:
- The need for extensive resources to follow the recommendations outlined in the discussion paper, with uncertainty about the results to be gained;
 - The challenges for Members in providing data on use of Codex texts as had been observed when distributing relevant surveys through the Coordinating Committees;
 - The need to engage with Members on the approach and to address limited capacities before requesting additional data;
 - The lack of awareness of decision-makers and regulators on the benefits of adopting Codex standards at national level and the need for a more in-depth look at reasons for poor uptake of Codex standards;
 - The need to take into consideration work already being carried-out by other organizations on monitoring the use of international standards, such as the World Trade Organization (WTO) Sanitary and Phytosanitary (SPS) Committee, OIE and ISO, avoid any duplication of work, and learn from their experiences;
 - The need to take stock of existing data on the use of Codex standards, such as from the WTO SPS and Technical Barriers to Trade (TBT) Committees, and identify main gaps;
 - The need to better define what is meant by “use” of standards, as a preliminary step to monitoring use and analysing their impact; and
 - As part of the effort to monitor the use of Codex standards, additional case studies could be carried-out to look at the uptake and possible impact of a particular standard or a group of standards, such as the recently published FAO study on the international harmonization of Codex pesticide MRLs in rice.
38. Some Delegations indicated that the mandate of CCGP did not include work on monitoring Codex standards, noted that work in this area had not been referred to CCGP, consistent with the Committee's terms of reference, and supported the approach endorsed by CAC in the 2020-2025 Strategic Plan. Others were of the view that the mandate of CCGP covered possible new work as the mandate was to consider general matters referred to it by CAC, and that this would ensure broad participation in the work related to monitoring the use of Codex standards.

Conclusions

39. CCGP32:
- i. noted the interest of Members in the issue;
 - ii. noted the need to “increase impact through the recognition and use of Codex standards” at national level as articulated in the Codex Strategic Plan 2020-2025, Goal 3;
 - iii. acknowledged the experience of other standard-setting organizations and encouraged further exchanges with them; and
 - iv. agreed to forward the considerations of CCGP to the CCEXEC Strategic Planning subcommittee and CAC for further guidance.

DISCUSSION PAPER ON MONITORING CODEX RESULTS IN THE CONTEXT OF THE SUSTAINABLE DEVELOPMENT GOALS (SDGs) (Agenda item 8)¹²

40. The Delegation of France introduced the document and presented the recommendations therein for consideration by CCGP32.
41. The Codex Secretariat informed CCGP32 of its ongoing role, since 2018, in annually reporting, through FAO, to the High Level Political Forum on Sustainable Development (HLPF), which is the central platform for the

¹² CX/GP 21/32/8; GP/32 CRD02 Rev.2 (Comments of the European Union); GP/32 CRD06 (Comments of Thailand); GP/32 CRD08 (Comments of Senegal); GP/32 CRD09 (Comments of the Dominican Republic); GP/32 CRD11 (Comments of El Salvador); GP/32 CRD13 (Comments of Ecuador).

follow-up and review of the 2030 Agenda for Sustainable Development and the SDGs. This provided an opportunity to showcase Codex standards and related work of CAC and the role that Codex as an intergovernmental body plays in promoting global cooperation to ensure safe food for consumers and fair practices in food trade. The Secretariat also presented the recent publication on Codex and the SDGs¹³, highlighting case studies as examples of how Members' participation in Codex and use of Codex standards can contribute to their efforts to achieve the SDGs.

42. The Representative of ISO informed CCGP32 of its approach to highlighting which ISO standards were relevant to the achievement of each of the SDGs¹⁴, and conversely, how SDGs could be targeted through the different ISO standards.
43. There was general appreciation of the document and acknowledgement of the importance of the 2030 Agenda and the SDGs. The contribution of Codex work to country efforts in achieving the SDGs was recognized and the importance of ensuring visibility and awareness of Codex work in this context was highlighted.
44. Some Delegations noted that this issue had already been discussed in CAC; that the ongoing CCEXEC strategic planning subcommittee had a role to make linkages with the 2030 Agenda, and that CCGP had not received a mandate to work on this.
45. With regard to the information provided by the Codex Secretariat, it was noted that the annual reporting to the HLPF and the recent publication on Codex and the SDGs fulfilled the recommendations of CCEXEC74¹⁵ to the Secretariat and provided Members with information and case studies for use in their national advocacy efforts. These efforts could be complemented with further case studies related to the contribution of Codex standards to the SDGs, as envisioned by the communication workplans discussed in the Coordinating Committees.

Conclusion

46. CCGP32:
 - i. noted the discussion paper;
 - ii. noted the recent publication on Codex and the SDGs, which highlights how Codex standards can assist Members in their efforts towards achievement of the SDGs; and
 - iii. agreed to forward the results of its discussions to the CCEXEC Strategic Planning subcommittee and CAC for consideration.

OTHER BUSINESS (Agenda item 9)¹⁶

47. The delegation of Switzerland informed the Committee of the intention to prepare a discussion paper on the Codex 60th Anniversary for consideration by CCEXEC81 and CAC44 and update the CCGP33 on progress made.

DATE AND PLACE OF THE NEXT SESSION (Agenda item 10)

48. The Committee noted that CCGP33 is tentatively scheduled to be held in France in the second half of 2022, the final arrangements being subject to confirmation by the host government in consultation with the Codex Secretariat.

¹³ Available at <http://www.fao.org/fao-who-codexalimentarius/publications/en/>; additional language versions are under preparation.

¹⁴ Contributing to the UN Sustainable Development Goals with ISO Standards. Available at: <https://www.iso.org/publication/PUB100429.html>

¹⁵ REP18/EXEC1 para 5iib

¹⁶ GP/32 CRD24 (Intervention of Switzerland)

Appendix I

**LIST OF PARTICIPANTS
LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES**

Chairperson/Président/Presidenta

Mr Jean-Luc Angot
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CRITERIA AND PROCEDURAL GUIDELINES FOR CODEX COMMITTEES AND AD HOC INTERGOVERNMENTAL TASK FORCES WORKING BY CORRESPONDENCE

1. Introduction

The criteria and procedural guidelines set out herein are intended to guide the work and conduct of sessions of Codex Committees and ad hoc Intergovernmental Task Forces working by correspondence (CWBC). The Rules of Procedure of the Commission apply *mutatis mutandis* to CWBC.

1.1 Definition

Working by correspondence describes a working modality which can be assigned by the Codex Alimentarius Commission to a Codex Committee or Task Force which will not hold sessions that require the simultaneous presence of all those attending it. Committees or Task Forces working in this modality engage in formal consultations with members by correspondence over a period of time between the session of the Commission that approved the work and the session to which it reports. Committees and Task Forces that are assigned to operate under this modality are defined as “Committees working by correspondence” (CWBC) in the remainder of this document.

1.2 Codex values

An overarching consideration and guiding principle in relation to CWBC is the need to respect and adhere to the Commission’s core values of collaboration, inclusiveness, consensus building, and transparency.

2. Decision to assign work by correspondence

In deciding whether an approved new work be undertaken by a CWBC, the Executive Committee and the Commission’s assessment will take into account the following criteria.

| Criteria | Reference |
|--|-------------------------------------|
| i. Scope, objective and content | Project Document |
| ii. Nature and complexity of the work and its previous and recent history in Codex (for example, this may include, inter alia, the timeframe to develop the work) | Meeting reports Project Document |
| iii. Urgency and importance | Project Document |
| iv. Availability of adequate scientific information and/or other supporting information, including any support from expert bodies | Project Document |
| v. Potential for assigning the work to an existing committee, with relevant expertise, that is meeting physically. This should take into consideration whether the work can reasonably be expected to be completed within a set timeframe. | ToR of existing Codex committees |

3. Verification of membership and credentials for participation

The provisions that apply to physical meetings of committees and working groups shall also apply to membership¹ and representation² in CWBC.

Codex procedural rules require all official communications to Codex, including those relating to membership and participation in meetings of committees and working groups, be notified through the designated Codex Contact Point (CCP)³. Members and observer organizations are required to nominate, through their CCPs, a single representative/head of delegation. This does not prevent the head of delegation being supported by an alternate representative who can respond where the head of delegation authorises (as occurs in the physical setting).

¹ See Section I: Basic texts and definitions, Rules of Procedure of the Codex Alimentarius Commission, Rule I, Membership.

² See Section I: Basic texts and definitions, Rules of Procedure of the Codex Alimentarius Commission, Rule VI, Sessions.

³ See Section VI: Membership, Core Functions of Codex Contact Points.

The status and credentials of participants in Codex committees are subject to scrutiny and verification by the Codex Secretariat, according to official information provided by CCPs.

After new work is assigned to a CWBC, and before work commences, there shall be a defined period for registration with a clear commencement and closure date during which members and observers may register.

4. Sessions

To ensure comparability of sessions of committees meeting physically and those meeting by correspondence, sessions of CWBC are those occasions when the committee engages in formal consultations with members by correspondence, over a period of time between the session of the Commission that approved the work and the session to which the CWBC reports.

The working languages, the timeframes for implementing the work plan, and tasks for the session of the CWBC shall be clearly documented and shall be agreed to among members at the outset of the session. This includes the timeframes for preparation of working documents⁴.

Committee agenda, working documents and reports are published on the Codex website.

The work and outputs of the committee are subject to critical review by the Executive Committee prior to submission to the Commission.

Each session of the CWBC shall be concluded within the timeframe to facilitate the critical review requirements of the Executive Committee.

5. Languages

Use of languages for CWBC shall be as for other subsidiary bodies of the Commission in line with Rule XIV of the *Rules of Procedure of the Codex Alimentarius Commission*⁵.

It is the responsibility of the host government to ensure adequate funding for translation of working documents and the report.

6. Determining a quorum (before a CWBC session can begin, and make decisions)

The quorum shall be calculated on the basis of Rule VI, article 7 of the *Rules of Procedure of the Codex Alimentarius Commission*⁵, as is the case for physical meetings, however, for the purpose of CWBC, registering for the session would mean "attending the session".

In the interest of clarity and transparency, the time period for registration (the closing date for registration and period for which the registration is valid) shall be stipulated.

The absence of a quorum shall be reported to the Commission for further guidance.

7. Roles of the Chairperson and the Codex Secretariat

The role of the Chairperson

The *Guidelines to Chairpersons of Codex Committees and ad hoc Intergovernmental Task Forces*⁶ apply *mutatis mutandis* to Chairpersons of CWBC.

In particular, Chairpersons of CWBC should ensure that:

- All communications are open to all registered members and observers and are carried out in an open and transparent manner and in accordance with any guidelines or protocols that may be established by the Commission;
- All specific matters raised are fully considered by the CWBC;
- There is enough time and opportunity for members to respond or build on comments made by other members, much like a plenary conversation in real time;

⁴ See Section III: Guidelines for Subsidiary Bodies, Guidelines to host governments of Codex committees and ad hoc Intergovernmental Task Forces.

⁵ See Section I: Basic Texts and Definitions.

⁶ See Section III: Guidelines for Subsidiary Bodies.

- The reports of the committee clearly document where there are significant points of difference either in relation to the content of the work or with respect to the advancement of a standard through the step process; and
- The rules/procedures specified in the *Codex Procedural Manual* are adhered to in the CWBC setting.

The Chairperson of CWBC may be supported by one or more co-chairpersons.

The role of the Codex Secretariat

The Codex Secretariat shall perform all of the usual functions it does in support of the efficient operation of the CWBC, including verification of credentials of participants, preparing and circulating Committee reports and providing guidance and support to the Chairperson on procedural and other matters relating to the work of the CWBC.

Consensus

Chairpersons of CWBC should make every effort to promote consensus-based decision making, which may include informal discussions by using virtual technologies, and should also consider implementing measures as described in the *Guidelines to Chairpersons of Codex Committees and ad hoc Intergovernmental Task Forces*⁷ on measures to facilitate consensus building in the elaboration of standards at the Committee stage.

Interpretation of silence

Means of communication to signal support or objection shall be explicitly clarified in advance of sessions. Specifically, this means that silence, the absence of specific contrary views or objections, will be taken to mean tacit agreement or no objection to proceed. This point should be clearly communicated to all members of the committee to avoid any misunderstanding when seeking comment on specific matters under discussion including proposed conclusions on progression of a standard through the step process. Chairpersons should allow sufficient time for response to assure that silence is not the result of temporary technical problems.

8. Advancement of standards and related texts

In determining the level of consensus when progressing through the step process, Committee chairpersons typically propose a conclusion for consideration by members, which may be modified and presented as revised to achieve consensus. The same practice should be followed by CWBCs. For example, a chairperson could propose a conclusion to advance a standard by asking a specific question, such as, “*Are there objections to advancing the draft standard to Step X?*”

CWBCs may use a similar approach (or suitable variation) when determining the level of consensus on more detailed points of discussion, such as text changes.

For the avoidance of doubt in the correspondence setting, a reservation is making a statement of position, which will be recorded in the meeting report upon request⁸.

Options when a CWBC is not able to progress work

When a CWBC is not able to progress work, it may recommend to the Executive Committee/the Commission switching from working by correspondence to an alternative, for example, but not limited to:

- i. Convening a session that requires the simultaneous presence of all those attending it;
- ii. Referring the work to a committee (other than the original committee) that has relevant expertise on the topic under consideration and is meeting physically; or
- iii. Discontinuing the work.

In addition, the Chairperson has the opportunity, as part of the Critical Review process, to report on the status of work and prospects for advancement to the Executive Committee/the Commission for consideration.

Voting

While the rules of procedure of the Commission provide for voting in situations when all efforts to achieve consensus have failed, CWBC shall not resort to voting to resolve differences.

Instead, the option of alternative mechanisms (as described above) to resolve differences and advance work shall be submitted to the Commission for its consideration.

⁷ See Section III: Guidelines for Subsidiary Bodies.

⁸ See Section III: Guidelines for Subsidiary Bodies, Guidelines on the Conduct of Meetings of Codex Committees and ad hoc Intergovernmental Task Forces.

9. Reporting to the Commission

CWBC shall report to the Codex Alimentarius Commission. As with reports of physical sessions of Codex committees, reports of CWBC sessions shall be prepared by the Codex Secretariat in consultation with the Chairperson.

The conventions and practices that apply to drafting of reports of committees holding physical meetings should also be observed, to the extent relevant, by CWBC. Reports of CWBC should be objective and accurately reflect the discussions, conclusions, and recommendations.

Members of CWBC have the right to ask that their positions, including reservations, or opposition to a recommendation or decision be recorded in the report of the committee.

Members of CWBC should refrain from raising issues or seeking inclusion of comments that were not part of the deliberations, and such comments will not be included in the report of the session, consistent with the Commission's procedure and practice.

Draft reports of the CWBC should be made available to all Codex members and observers who were registered in the session within one week of the conclusion of the plenary agenda and deliberations, for review and comment within two weeks of report circulation. The procedures for review and comment should be clearly communicated to all members.

The Codex Secretariat should circulate the final report as adopted in not less than three of the working languages of the Commission within one month of conclusion of the CWBC session.