JOINT FAO/WHO FOOD STANDARDS PROGRAMME

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REPORT
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EXECUTIVE SUMMARY

The Commission:


b) Agreed to hold the draft MRLs for rbSTs at Step 8 to provide further time to facilitate a possible consensus.

c) Approved items for new work, including priority lists of veterinary drugs and pesticides for evaluation or re-evaluation by JECFA and JMPR, respectively.

d) Approved proposals for discontinuation of work and proposals for revocation of existing standards and related texts.

e) Agreed to the timeline for scoping Phase 1 (Secretariat-led internal) review of the Codex work management and functioning of the Executive Committee, which should be transparent and inclusive and with strong engagement of the Codex Members.

f) Endorsed the recommendations of CCEXEC70 regarding the revitalisation of FAO/WHO Coordinating Committees.

g) Noted the Codex budget reports for the 2014-2015 and 2016-2017 biennia and asked to ensure that the Codex budget continue to be protected within FAO. Encouraged the Codex Secretariat to adopt a more effective and realistic process when developing the budget. Expressed appreciation for the contributions of host governments and governments seconding staff to the Codex Secretariat.

h) Expressed appreciation to FAO and WHO for the scientific support provided. Supported the option that scientific advice to Codex be funded by the regular programmes of FAO and WHO as the most feasible (long-term) option to securing addressing the chronic shortage of funds for scientific advice and encouraged Codex Members to take necessary action to ensure appropriate finding of scientific support to Codex in the short, medium and long term.

i) Expressed its appreciation to FAO/WHO and the CTF Secretariat for the effective management of CTF1, and acknowledged the important financial and in-kind contributions made by the CTF1 donors. Expressed full support for CTF2 and agreed with the design of the project proposal including the concepts of the multi-year funding and tailor-made support, noting that the eligibility criteria for CTF2 were yet to be finalised.

j) Re-elected as Chairperson Mrs Awilo Ochieng Pernet (Switzerland), and as Vice-Chairpersons: Mr Guilherme Antonio da Costa Jr. (Brazil), Ms Yayoi Tsujiyama (Japan) and Mr Mahamadou Sako (Mali); elected the seven Members of the Executive Committee elected on a geographical basis, i.e. Nigeria, Malaysia, Norway, Mexico, Lebanon, Canada (re-elected) and New Zealand (re-elected) and appointed the six regional coordinators, i.e. Kenya, India, the Netherlands (re-appointed), Chile, Iran and Vanuatu.

k) Reactivated the Committee on Cereal, Pulses and Legumes, hosted by the United States, to start new work on a standard for quinoa.

l) Agreed to consider at the next Session several agenda items that could not be discussed at the present session due to lack of time.
INTRODUCTION

1. The Codex Alimentarius Commission (CAC) held its Thirty-eighth Session in Geneva, Switzerland, from 6 to 11 July 2015. Awilo Ochieng Pernet (Switzerland), Chairperson of the Commission presided over the session, assisted by the Vice-Chairpersons Guilherme Antonio da Costa Jr. (Brazil), Yayoi Tsujiyama (Japan) and Mahamadou Sako (Mali). The session was attended by delegates from 140 Member countries and one Member Organisation, and 33 international governmental and non-governmental organizations, including UN agencies. A list of participants, including FAO, WHO and the Codex Secretariat, is given in Appendix I.

OPENING

2. Dr Margaret Chan, Director-General of WHO, and Dr Ren Wang, Assistant Director-General, Agriculture and Consumer Protection Department, FAO (who spoke on behalf of the Director General of FAO) opened the meeting. The Chairperson also addressed the Commission.

3. The Commission observed a minute’s silence in memory of the late David H. Byron who had for many years served in the Codex Secretariat and later in International Atomic Energy Agency (IAEA) in the Joint FAO/IAEA Division.

Division of Competence

4. The Commission noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission, as presented in CRD1.

ADOPTION OF THE AGENDA (Agenda Item 1)²

5. The Commission adopted the Provisional Agenda as its Agenda for the session with the following additions under Agenda item 13:
   a) Food integrity/authenticity, proposed by Islamic Republic of Iran (CRD29).
   b) Visa issue for attendance at Codex meetings, proposed by Cameroon.
   c) Revision of the Codex specifications of Gum Arabic, proposed by Sudan (CRD30).
   d) Update on Halal food, proposed by Egypt.

REPORT BY THE CHAIRPERSON ON THE 70TH SESSION OF THE EXECUTIVE COMMITTEE (Agenda Item 2)³

6. In accordance with Rule V.7 of the Rules of Procedure, the Chairperson reported on the outcome of the 70th Session of the Executive Committee (CCEXEC70) noting that the recommendations on specific items would be considered under the relevant Agenda items e.g. the critical review for texts presented for adoption at different steps and for new work; Codex work management; revitalisation of FAO/WHO Coordinating Committees; financial and budgetary matters; the update on the Codex communication strategy; and the successor initiative to the Codex Trust Fund (CTF).

7. CCEXEC70 had undertaken the Critical Review for the monitoring of standards development and made a number of recommendations to different committees. CCEXEC70 had also discussed applications from international non-governmental organizations for observer status in Codex and made relevant recommendations to the Directors-General of FAO and WHO.

REPORTS OF THE FAO/WHO COORDINATING COMMITTEES (Agenda Item 3)⁴

8. The Six Regional Coordinators reported on the outcomes of the last session of their respective FAO/WHO Coordinating Committees (RCCs).

¹ Audio recordings available here: http://www.codexalimentarius.org/meetings-reports/audio/en/
² CX/CAC 15/38/1 Rev.1
³ REP15/EXEC
⁴ REP15/AFRICA, REP15/ASIA, REP15/EURO, REP15/LAC, REP15/NASWP, REP15/NEA; Comments of Costa Rica (CRD14)
PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL (Agenda Item 4)\(^5\)

9. The Commission adopted the proposed amendments without changes except the one below (Appendix II).

Committee on General Principles (CCGP)

Procedures for the Elaboration of Codex Standards and Related Texts\(^6\)

10. The Commission considered a proposal to add a footnote to the proposed amendment. The intention of this footnote was to make clear that members who wanted to submit project documents were not burdened with the requirement to consider other on-going Codex work.

11. The Secretariat said that members could always refer to the Secretariat for assistance when preparing project documents and proposed to add a footnote “Countries could seek the assistance of the Codex Secretariat to provide information on other on-going work in Codex” to the sixth bullet of the first paragraph of the proposed amendment.

Conclusion

12. The Commission agreed to this proposal and adopted the amendment with this addition.

DEVELOPMENT OF CODEX STANDARDS AND RELATED TEXTS (Agenda Item 5)

Final adoption (at Steps 8, 5/8 and 5A) (Agenda Item 5(a))\(^7\)

13. The Commission adopted the draft and proposed draft standards and related texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5/8 with a recommendation to omit Steps 6 and 7), as well as other standards and related texts submitted for adoption as endorsed by the relevant general subject committees, taking into account the critical review of CCEXEC70 (Appendix III).

Additional comments and decisions

Committee on Processed Fruits and Vegetables (CCPFV)

Standard for Ginseng Products\(^8\)

14. The Delegation of Thailand raised concern on the wording of the optional labelling requirements (section 7.5). The Delegation proposed that it be clarified that while this provision was optional in the standard, it should be complied with by industry, when required by governments. They said that it would be clearer if, while keeping section 7.5 optional, “may” were replaced with “should”, to indicate that “the products should have a clear marking to indicate that they are not intended for medicinal purposes”.

15. The Chairperson of CCPFV indicated that the current provisions in the standard, including section 7.5, had been discussed thoroughly at the last session of the Committee and they were a compromise agreement to accommodate different country practices and regulations in view of the extension of the territorial application of the standard. The Chairperson also recalled that CCFL42 had endorsed the labelling provisions, including section 7.5, as proposed by CCPFV.

16. The Secretariat noted that Codex standards were of a voluntary nature but when applied by members and incorporated into national legislation became mandatory. Therefore, it was up to the competent authority to decide how to formulate and enforce them.

\(^5\) CX/CAC 15/38/2: Comments of Brazil, Costa Rica, Cuba and Kenya (CX/CAC 15/38/2-Add.1); Comments of Uruguay (CRD8), Ghana (CRD12), Cameroon (CRD13), Gambia (CRD19), Senegal (CRD21), Tanzania (CRD23), Guinea (CRD24), Philippines (CRD25) and El Salvador (CRD36)
\(^6\) REP15/PS para. 49, Appendix IV.
\(^7\) CX/CAC 15/38/3: Comments of Argentina, Brazil, Bangladesh, Canada, Costa Rica, European Union, Japan, Peru, Singapore and ISDI (CX/CAC 15/38/3 Add.1), Comments of Costa Rica, European Union, Kenya, Papua New Guinea, Peru, Philippines and United States (CX/CAC 15/38/3 Add.2); CRD2 (Correction to the GSFA provisions forwarded for adoption and discontinuation, prepared by the Codex Secretariat); Comments of Benin (CRD3), Sudan (CRD7), Chile (CRD10), Panama (CRD11), Ghana (CRD12), Guatemala, St. Vincent and the Grenadines and Consumer International (CRD15), Health for Animals (CRD16), Indonesia (CRD17), ISDI (CRD18), Gambia (CRD19), Senegal (CRD21), Mexico (CRD22), Tanzania (CRD23), Guinea (CRD24), Philippines (CRD25), Nigeria (CRD26), Mali (CRD27), National Health Federation (CRD28), Thailand (CRD31), Dominica (CRD32), Dominican Republic (CRD33), El Salvador (CRD36) and Costa Rica (CRD37)
\(^8\) REP15/PFV, Appendix IV
Conclusion

17. The Commission agreed to adopt the Standard at Step 5/8 without the sampling plan, as recommended by CCEXEC70.9

*Amendments to the Standard for Pickled Fruits and Vegetables (CODEX STAN 260-2007) (provisions for packing media for pickled vegetables and provisions for food additives for pickled fruits and vegetables)* 10

18. The Delegation of the European Union noted that the inclusion of a reference to the GSFA implied the approval of many food additive provisions that were not technologically justified for use in the products covered by the standard. This could impact on the quality and safety of the product. They preferred maintaining a separate list of food additives in the standard. This view was shared by Norway.

Conclusion

19. The Commission adopted the draft standard at Step 8 noting the reservations of the European Union and Norway.

**FAO/WHO Coordinating Committee for Asia (CCASIA)**

*Regional Standard for Non-Fermented Soybean Products* 11

20. One delegation proposed to refer the method of analysis for the determination of protein content to CCMAS for clarification as to the appropriateness of a conversion factor of 5.71, noting that a factor of 6.25 was used in food trade and in some other Codex texts. The Secretariat clarified that the section on methods of analysis had been endorsed by CCMAS34, as proposed by CCASIA. The Secretariat further noted that CCASIA in response to a request from CCMAS to review the use of the factor of 5.71 for the determination of protein content in the *Regional Standard for Tempe*, had agreed to retain the conversion factor noting that scientific literature indicated that this factor was appropriate for soybean.12

21. Several delegations supported the proposal of the Secretariat to ask CCMAS to consider the appropriateness of the use of the conversion factor of 5.71 to determine protein content in soybean products in general.

Conclusion

22. The Commission agreed to:

- Adopt the draft regional Standard at Step 8, subject to the endorsement of the food labelling provisions by CCFL as recommended by CCEXEC70.13
- Ask CCMAS to assess the appropriateness of the use of the conversion factor of 5.71 to determine protein content in soybean products in general.

**Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)**

*General Principles for the Addition of Essential Nutrients to Foods* 14

23. The Delegation of Chile, supported by Brazil, South Africa, Ecuador and Togo, while not opposed to the adoption, expressed their reservation to paragraph 3.3.2 of these Principles, noting that it would have been preferable to have included the proposal of Norway, as presented to CCNFSDU36, that nutrient addition to energy-dense and nutrient-poor foods should be avoided unless such addition is nutritionally justified to meet national public health goals.

24. The Delegation of Norway, while not opposing the adoption expressed the opinion that clearer Codex guidance on the addition of nutrients to energy-dense and nutrient-poor foods would have been preferred. The main reason was that from a public health perspective, nutrient addition to foods like desserts, chocolates and chips should be avoided because of the negative impact on public health. The Delegation also underlined that WHO had in the global strategy on diet, physical activity and health made decisions and strategies which had highlighted the important role of Codex in promoting a healthy diet and preventing obesity and diet related non-communicable diseases. It was regrettable that the outcome of discussions in CCNFSDU had not lead to a more specific guidance in line with WHO recommendations.

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9 REP15/EXEC, para. 6
10 REP15/PFV, Appendix VI
11 REP15/ASIA, Appendix IV
12 REP15/ASIA, para. 7
13 REP15/EXEC, para. 7
14 REP15/NFSDU, Appendix III
25. The Representative of WHO took note of the reservations expressed by Delegations on section 3.3.2, that the Codex text should support the implementation of relevant WHO guidelines and global strategies to protect public health. The Representative called on the Commission to give due consideration to the contribution Codex could make to the prevention of non communicable diseases.

26. The Representative of WHO informed the Commission that the parent organisations were examining the issue of how best and in what way Codex could support or interact with the policies, strategies and guidelines of the parent organisations and that an analysis of the issue was being conducted by technical and legal units of WHO and FAO. Resulting recommendations would be presented to the Commission at a later stage at its next session through the Executive Committee as appropriate.

**Conclusion**

27. The Commission adopted the Principles at Step 8, and noted the reservations of Brazil, Chile, Ecuador, South Africa and Togo on paragraph 3.3.2, as well as the concerns expressed by Norway.

List of Food Additives in CODEX STAN 72-1981

28. The Delegation of Sudan, supported by some countries from the Africa region, supported inclusion of gum arabic for use in infant formula. They further informed the Commission that they would provide data to CCFA for the reassessment of the specifications by JECFA.

29. The Secretariat clarified that gum arabic was not for adoption at this session of the Commission, but had been retained on the CCNFSDU wish list of food additives for future consideration for use in infant formula and formulas for food for special medical purposes.

**Conclusion**

30. The Commission adopted the food additive provisions proposed by CCNFSDU and endorsed by CCFA, noting the reservations of the European Union and Norway to the inclusion of starch sodium octenyl succinate (INS 1450) as in their view there was no technological justification for this additive in infant formula.

Committee on Methods of Analysis and Sampling (CCMAS)

Principles for the Use of Sampling and Testing in International Food Trade – Explanatory notes

31. The Commission agreed to remove footnote 2 as recommended by CCEXEC70 and with this amendment adopted the Principles for the Use of Sampling and Testing in International Food Trade – Explanatory Notes.

Committee on Contaminants in Foods (CCCF)

Maximum Levels for Deoxynivalenol (DON) in Cereal-Based Foods for Infants and Young Children; in Flour, Meal, Semolina and Flakes Derived from Wheat, Maize or Barley; and in Cereal Grains (Wheat, Maize And Barley) Destined for Further Processing Including Sampling Plans and Performance Criteria for Methods of Analysis

32. There was support for the Maximum Level (ML) for cereal grains (wheat, maize and barley) destined for further processing, while reservations were expressed about the ML for DON in cereal-based foods for infants and young children; and in flour, meal, semolina and flakes derived from wheat, maize or barley.

33. The Delegation of the Russian Federation opposed the adoption of the ML of 0.2 mg/kg for cereal-based foods for infants and young children on dry matter basis, as in their view, the ML for DON at 0.1 mg/kg on a dry matter basis was more appropriate to protect infants and young children. Scientific studies had shown that DON had a damaging effect on the genome even at the lowest levels, which justified the proposal to reduce the proposed ML.

34. The Delegations of the European Union, Norway, Jordan and the Russian Federation indicated that due to the high level of consumption of these products, a lower level would be preferable. The Delegation of the European Union supported by Norway indicated that the European Food Safety Authority (EFSA) had identified a potential public health risk caused by increased exposure to DON as a result of the draft ML which was higher than the current ML applicable in the European Union.

35. The Commission noted that the MLs as proposed by CCCF had been under discussion for many years and still presented the best compromise to ensure public health protection, food security and a minimum negative impact on trade.

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15 REP15/NFSDU, Appendix VI
16 REP15/MAS, Appendix IV
17 REP15/EXEC, para. 10
18 REP15/CF, Appendix VI
Conclusion

36. The Commission adopted the MLs at Step 8 subject to endorsement of the sampling plans and performance criteria for methods of analysis by CCMAS, as recommended by CCEXEC70\(^\text{19}\). The Commission noted the reservations of the Russian Federation to the ML for cereal-based foods for infants and young children and the reservations of the European Union, Norway, Jordan and the Russian Federation to the ML for flour, meal, semolina and flakes derived from wheat, maize or barley.

Committee on Food Additives (CCFA)

Food Additive Provisions of the General Standard for Food Additives (GSFA)\(^\text{20}\)

37. The Commission adopted the food additives provisions of the GSFA with the corrections proposed by the Secretariat in CRD2.

Committee on Pesticide Residues (CCPR)

MRLs for Pesticides\(^\text{21}\)

38. The Delegations of the European Union and Norway reiterated their reservations put forward at CCPR47 on different combinations of pesticides/commodities for the reasons given in CX/CAC 15/38/3/Add.2.

Committee on Residues of Veterinary Drugs in Foods (CCRVDF)

MRLs for Derquantel (sheep tissues), Emamectin Benzoate (salmon and trout tissues) and Monepantel (sheep tissues)\(^\text{22}\)

39. The Commission adopted the proposed draft Maximum Residue Limits (MRLs) for derquantel, emamectin benzoate and monepantel.

40. The Delegations of the European Union and Norway reiterated the reservation made at CCRVDF22 on the adoption of the MRLs for monepantel, which were equivalent to 118% of the European Union Acceptable Daily Intake (ADI) when the consumer exposure was calculated using the Theoretical Maximum Daily Intake (TMDI) approach. The Delegation of Switzerland expressed the same reservation.

RMRs for Dimetridazole, Ipronidazole, Metronidazole and Ronidazole\(^\text{23}\)

41. The Commission adopted the proposed draft Risk Management Recommendations (RMRs) and noted the following reservations:

- The Delegation of Brazil stated that in their view the language of the RMRs did not clearly distinguish between the role of Codex and that of the national authority.

- The Delegation of the United States shared the reservation of Brazil, and in particular to the inclusion of the last sentence “This can be accomplished by not using [name of compound] in food producing animals” in the RMRs, because in their view it poorly communicated risk management advice to competent authorities. They expressed the view that the sentence that preceded it: “For this reason competent authorities should prevent residues of [name of compound] in food”, was sufficient. They felt there should be a clear distinction between the role of Codex and the role of national competent authorities as risk managers.

- The Delegation of Philippines stated their reservation for the reasons presented in CRD25.

Committee on Sugars (CCS)

Standard for Non-centrifuged Dehydrated Sugar Cane Juice\(^\text{24}\)

42. The Chairperson drew the attention of the Commission to the recommendation of CCEXEC70\(^\text{25}\) to adopt the standard at Step 8 subject to endorsement of the labelling and methods of analysis provisions by the relevant committees. The recommendation also stated that if consensus could not be reached, consideration should be given either to convening a physical meeting of CCS or to discontinuing work on the standard.

\(^{19}\) REP15/EXEC, para. 11
\(^{20}\) REP15/FA, Appendix VII Parts A-E; CRD2 (Correction to the GSFA provisions forwarded for adoption and discontinuation, prepared by the Codex Secretariat)
\(^{21}\) REP15/PR, Appendix III
\(^{22}\) REP15/RVDF, Appendix IV
\(^{23}\) REP15/RVDF, Appendix VII
\(^{24}\) CL2015/16-CS
\(^{25}\) REP15/EXEC, para. 14
Several delegations indicated that although much progress had been made on the development of the standard, there still remained a number of key provisions related to the identity and quality of the product that needed to be addressed in order to make the standard inclusive and applicable worldwide. These delegations favoured a physical meeting of CCS in order to finalize the pending issues in the standard.

Other delegations, while favouring further revision of the standard, did not support a physical meeting of CCS as most of producing countries were developing countries that might not have the resources to attend such a meeting. These delegations also noted that it would be possible to address the technical issues through correspondence and that the difficulties were not as such the mode of work, but rather the lack of comments received during the drafting process.

The Delegation of Brazil indicated that the revised standard should encompass all different non-centrifuged dehydrated sugar cane juices, including the possible expansion of the product definition and physico-chemical characteristics with other similar products not closely related to the one currently covered by the scope of the standard.

The Delegation of Colombia, as host country of CCS, proposed that the standard be retained at Step 8 and to identify those key provisions in the standard that required further consideration for discussion by correspondence with a view to the final adoption of the standard at the next session of CAC. The Delegation noted that these provisions mainly referred to: the name of the product, scope, chemical characteristics (in particular protein content and reducing sugars), labelling and methods of analysis. The Delegation encouraged Codex members interested in the development of the standard to submit their comments on time so that they could be duly considered in further revision of the standard. The Delegation also noted that Colombia was not in a position to host a physical meeting of CCS and that the agreement of CAC had been to reactivate CCS to develop a worldwide standard working by correspondence.

The Secretariat clarified that given the number of provisions that required further consideration by the Committee the standard should be returned to Step 6 while concentrating on the key areas where agreement had not yet been reached.

**Conclusion**

The Commission agreed to return the standard to Step 6 for comments on aspects related to: name of the product, scope, chemical characteristics, labelling and methods of analysis. Based on the comments submitted at the present session of CAC and at Step 6, the CCS, working by correspondence, would prepare a revised draft standard for adoption at Step 8 at CAC39. If no consensus could be reached on final adoption, consideration should be given either to convening a physical meeting of CCS or to discontinuing work on the standard.

**Standards and related texts held at Step 8 by the Commission**

*Draft MRLs for Bovine Somatotropins*²⁶

49. The Secretariat recalled the history of the discussion of draft MRLs for recombinant bovine somatotropins (rbSTs) in the Commission.

50. The JECFA Secretariat provided a summary of the outcome of the re-evaluation of rbSTs by the 78th JECFA and of the replies to the specific questions posed by the CAC35, in which it was concluded that if rbSTs are used in accordance with Good Veterinary Practice (GVP) they do not pose a human health concern. No new data and evidence had been put forward to challenge the conclusion of JECFA.

51. Delegations in favour of adoption of the draft MRLs at the present session of the Commission indicated that:

- The draft MRLs had been held at Step 8 since 1995.
- JECFA had evaluated rbSTs three times, at 40th (1993), 50th (1999) and 78th (2013) meetings.
- Based on all data available in the public domain, those previously submitted to JECFA, and those submitted in response to a public call for data for the 78th JECFA, JECFA had concluded that the use of rbSTs did not constitute a public health risk if used according to GVP. No new data and evidence had been put forward to challenge the conclusion of JECFA.
- An ADI “not specified” established by JECFA indicated that the margin of safety was extremely high.
- The 78th JECFA had addressed all issues raised by CAC35.
- Mastitis was a common feature of high-yielding dairy cows and antimicrobials were one of the tools that could be used for treating mastitis.

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²⁶ ALINORM 95/31 Appendix II
²⁷ REP12/CAC paras 79-85
g) Antimicrobial resistance (AMR) was a multifaceted, multifactorial problem that should not be reduced to the issue of the draft MRLs for rbSTs. JECFA had examined the issue of AMR and found no link to the use of rbSTs.

h) There was a much more substantial database and experience to support rbSTs than generally existed for standards adopted by Codex.

i) The use of rbSTs had no impact on the nutritional quality and safety of milk.

j) Codex had an obligation to develop standards for products, which contributed to increase the availability of agriculture products and thus contribute to food security.

k) Codex had to base its decisions on science. Delay in approval of the MRLs for rbSTs would undermine the role of FAO/WHO expert bodies (which underpinned Codex decisions), would undermine the credibility of Codex and would discourage countries from participating in the work of Codex.

l) Countries who did not support adoption could record reservations, as had been done in the case of many other standards.

52. Delegations not supporting the adoption of the draft MRLs or requesting discontinuation of work at the present session indicated that:

a) The use of rbSTs increased the risk of mastitis, which might lead to an increased use of antimicrobials, some of which were critically important for human health. The increased use of antimicrobials was a factor contributing to the development of AMR.

b) The use of rbSTs had a negative impact on animal health and welfare and veterinary drugs should not be used in the absence of a therapeutic purpose (e.g. to increase animal production).

c) Reevaluation by JECFA had shown that there were insufficient data to exclude the link between the use of rbSTs and the induction of AMR and thus didn’t prove that there was no association.

d) The risk of AMR could not be ignored and long-term studies should be conducted before considering the adoption of the draft MRLs.

e) AMR was an important issue which needed to be tackled with urgency as highlighted in the resolutions recently adopted by the parent organisations of Codex (FAO and WHO) and the WHO Global Plan of Action. These resolutions called for a united and determined action to be taken to stem the threat of AMR and placed particular emphasis on the One Health approach, which called for action in both the human and animal health fields.

f) In the WHO Global Action Plan, which was adopted in May 2015, a simple request to reduce infection was made to all Codex members. Preventing infections was vital given the subsequent need to use antimicrobials to fight such infection.

g) Codex should adopt standards that enjoy consensus and support, thus allowing for better use of Codex resources. If Codex failed to proceed on the basis of consensus this would undermine the credibility of Codex and the legitimacy of its standards.

h) It was important to recognise the separation between the risk assessment and the risk management and the Commission should find the RM option that all could all agree with.

i) There was no pressing need for a standard for rbSTs from a trade point of view as rbSTs had been used for a long time in 21 countries without any reported problems.

j) It would be unwise to proceed with setting an international standard for a substance where a vital part of the analysis remained unavailable.

53. Other delegations highlighted the importance for Codex to base its decisions on sound science and consensus. However, noting that there were no compelling safety and trade issues, they were of the opinion that there was no need to force a decision to adopt the draft MRLs at this time as this could have negative consequences on the credibility of Codex. It was also noted that forcing a decision would highlight the attention on this issue and thus might create problems in trade. Therefore, these delegations proposed to hold the MRLs at Step 8 until such a time that consensus could be reached or a need arose to take a decision.

54. It was noted that countries were always able to set measures to protect consumers, as they deemed appropriate, based on available risk assessments including those conducted by JECFA.

55. It was also noted that in the absence of a Codex standard, countries seeking guidance could refer to the recommended MRLs in the JECFA reports.
56. The Chairperson, noting that delegations were divided between those in favour and those against the adoption of the draft MRLs for rbSTs, highlighted that the common element of the discussion was the strong support for the pillars of Codex work, i.e. the scientific basis of Codex work and striving for the highest level of consensus. The discussion had also recognised the role of JECFA as the independent scientific body, whose advice underpinned Codex decisions and the validity of the JECFA risk assessment of rbSTs.

57. The Chairperson also noted that consensus had not been reached neither on the decision to adopt the draft MRLs nor to discontinue the work and that there were no compelling trade or safety issues to force taking a decision on the draft MRLs for rbSTs.

58. Noting that consensus and inclusiveness were mentioned by all delegations and in an attempt to find a compromise and resolve the issue in an acceptable way for all sides, the Chairperson invited the delegations to consider the proposal to postpone discussion until consensus could be reached.

59. One delegation presented a proposal stating “As some members still question the current scientific basis concerning AMR and mastitis, the Commission should agree to hold this standard at Step 8 to provide time for those members to present the necessary scientific information to JECFA in two years. If by 2017 the information is not considered sufficient to change the current JECFA recommendations, the Commission shall consider the adoption of the proposed recommendation related to rbSTs”. The proposal was supported by some delegations, which were in favour of the adoption.

60. In response to the request of some delegations to have a road map or specific actions to be completed in order to take a decision, the Chairperson noted that it was not possible to put a timeframe on holding the draft MRLs at Step 8 as this might raise false expectations that the issue could be solved in a certain period of time while there were no compelling trade or safety issues to force such a decision. It was also noted that keeping the draft MRLs on the agenda of the Commission would give flexibility and opportunities to Codex members to reopen the discussion on rbSTs.

61. Some delegations noting that the Commission did not have a procedure for handling standards held at Step 8 called for the need to establish such a procedure. Another delegation proposed that the Codex Secretariat document all other external factors that could potentially influence Codex decisions based on scientific evidence, which could then be included in the Codex Procedural Manual.

Conclusion

62. The Commission recognized the validity of JECFA’s risk assessments as the sound scientific basis for its deliberations on rbSTs. Nevertheless, the Commission, as the international risk management body recognized that consensus had not been reached on the adoption of the draft MRLs. In light of this, the Commission agreed to hold the draft MRLs for rbSTs at Step 8 to provide further time to facilitate a possible consensus. The draft MRLs would continue to be on the agenda of the CAC and open to discussion.

63. The Delegation of Cuba expressed its reservation to this decision as it did not give a specific deadline by which a decision would be taken as to the adoption of the draft MRLs for rbSTs.

Adoption at Step 5 (Agenda Item 5(b))

64. The Commission adopted the proposed draft standards and related texts submitted by its subsidiary bodies at Step 5 and advanced them to Step 6 noting that technical comments should be resubmitted at Step 6 for consideration by the relevant committees, taking into account the critical review of CCEXEC70 (Appendix IV).

Additional comments and decisions

Committee on Fats and Oils (CCFO)

Standard for Fish Oils

65. Several delegations from the Latin America region did not support the adoption of the proposed draft standard at Step 5 as in their view:

- The fatty acid range proposed for the anchovy oil profile would overlap with those of other species making it more difficult to identify the products;
• The fatty acid profiles for farmed salmon oil and that of other farmed fish were not representative and did not allow differentiating between oils from wild and farmed salmon and other fish;
• Criteria other than fatty acid profiles should be used to define the authenticity and the origin (e.g. catch area) and the source of fish oils (i.e. differentiate between pure and mixed oils).

66. The need to consult CCFFP in defining the species from which the named fish oils were obtained was also pointed out.

67. The Chair of CCFO informed the Commission that CCFO24 had made substantial progress on the proposed draft Standard and noted that additional information and data on the fatty acid profiles for anchovy and krill oil as well as proposals for alternative texts in Section 7.3 "Other Labelling Requirements" had been requested with CL 2015/5-FO (Part B, point 4). The Chairperson encouraged members to provide the data and information requested in a timely manner to allow the finalization of the Standard at the next session of CCFO in February 2017.

68. The Delegation of Switzerland, lead country of the electronic Working Group (eWG) established by CCFO23, pointed out that in CL 2013/7-FO, distributed in March 2013, Codex members and observers had been requested to submit information (trade data, analytical data and other quality or compositional factors that were significant for a named fish oil) that would allow for identification of named fish oils. However, in the work of the eWG no agreement had been reached on proposed criteria other than fatty acid profiles. The Delegation informed the Commission that at CCFO24 consensus had been reached on the use of fatty acid profiles as the criteria to identify named fish oils and further stressed the need to strengthen the standard through submission of more information on fatty acid profiles including those for anchovy and krill oils.

Conclusion

69. The Commission:
• Adopted the proposed draft Standard for fish oils at Step 5;
• Noted that if CCFO had specific questions these could be directed to CCFFP.

70. The Delegations of Chile, Peru and Panama expressed their reservations to this decision.

Committee on Contaminants in Foods (CCCF)

Maximum Level for Inorganic Arsenic in Husked Rice

71. The Delegation of the European Union reiterated the reservation made at CCCF9 that the ML of 0.35 mg/kg for inorganic arsenic in husked rice was too high (based on representative sampling performed within the European Union on rice from global origin) and therefore, the proposed ML would not lead to a significant reduction in consumer exposure. The Delegation of Norway also shared this reservation.

72. The Delegation of Egypt indicated that inorganic arsenic was a highly poisonous contaminant that could lead to serious threats to human health, especially for populations where rice was a staple, and therefore exposure to sources of inorganic arsenic should be reduced as much as possible. In view of this, the Delegation expressed its reservation to the proposed ML of 0.35 mg/kg.

Conclusion

73. The Commission, while noting no further comments in this regard, agreed to adopt the ML at Step 5 and noted the reservations of the European Union, Norway and Egypt.

Committee on Pesticide Residues (CCPR)

MRLs for Pesticides

74. The Commission noted that MRLs for Fenamidone (264) for mustard greens (VL 0485) and spinach (VL 0502) were erroneously listed in REP15/PR, Appendix IV for adoption at Step 5 as CCPR had agreed to retain these MRLs at Step 4.

75. The Delegations of the European Union and Norway reiterated their reservations put forward at CCPR47 on the MRLs Fenpropathrin (185) on cherries (FS 0013), peaches (FS 2001) and pome fruits (FP 0009) for the reasons explained in CX/CAC 15/38/4-Add.2

76. The Commission adopted the MRLs for different combinations of commodities/pesticides at Step 5 noting the reservations of the European Union and Norway.

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30 REP 15/CF, Appendix V
31 REP 15/PR, Appendix IV
Committee on Milk and Milk Products (CCMMP)

General Standard for Processed Cheese

77. The Delegation of New Zealand introduced the work on the proposed draft General Standard for Processed Cheese for adoption at Step 5 explaining the process used for the development of the Standard. The Delegation noted the substantive progress made on the scope and product definition, on the use of gelatin and starches, on stabilisers and emulsifiers, as well as on food labelling provisions and consumer information. They noted, however, that there were unsolved issues such as the minimum cheese content. The Delegation proposed to adopt the proposed draft standard at Step 5. The Delegation said that they were prepared to facilitate further work in a physical Working Group (pWG) to address the outstanding issues and to complete the standard within the timeframe as agreed by the Commission.

78. There were divergent views on whether to adopt the proposed draft standard at Step 5.

79. Those in favour of adoption highlighted the importance of the standard, especially for developing countries; the considerable progress made over the last year; and that the outstanding issues could still be addressed in the following steps.

80. Those against adoption at Step 5, acknowledged the progress made but said that it was premature to adopt the standard without agreeing on fundamental issues, such as the scope and minimum cheese content without which the standard would not be meaningful. In addition, further work was needed on issues such as the development of a list of appropriate food additives. The long history of work in CCMMP (including eWG and pWG) had not led to any agreement and the chances of reaching consensus appeared to be low.

81. These Delegations proposed that the standard be returned to Step 3 or be discontinued or, if the standard were adopted at Step 5, the Commission should reaffirm the timeframe for completion.

82. A Delegation also raised concern with the scope of the standard and specifically on the non inclusion of spices in the list of permitted ingredients. The Delegation, therefore, requested that consideration be given to including flavoured process cheese in the scope.

83. Other delegations indicated that there was a need for clarification with regard to the outstanding issues as outlined in CL 2015/2-MMP.

Conclusion

84. The Commission, taking into account the recommendation of the CCEXEC70 and recognizing the progress made, agreed to adopt the proposed draft Standard for Processed Cheese at Step 5, noting the reservations of Egypt and the European Union.

85. The Commission requested New Zealand to convene a pWG and to consider hosting a physical meeting of CCMMP to look at the outstanding issues as outlined in the Circular Letter, CL2015/15-MMP, issued in May 2015. The Commission confirmed the timeframe for the completion of work, i.e. 2016, as outlined in the Project Document presented to CAC37.

Revocation (Agenda Item 5(c))

86. The Commission agreed to revoke the texts proposed as presented in CX/CAC 15/38/5 and the Regional Standard for Ginseng Products (CODEX STAN 295R-2009) due to its conversion to an international standard (Appendix V).

Proposals for New Work (Agenda Item 5(d))

87. The Commission approved the elaboration of new standards and related texts taking into account the critical review of CCEXEC70 (Appendix VI).

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32 CL 2015/15-MMP, Annex 1 and Annex 2
33 REP15/EXEC, para. 19
34 CX/CAC 14/37/10 Add.1
35 CX/CAC 15/38/5: Comments of Benin (CRD3), Kenya (CRD5), Ghana (CRD12), Cameroon (CRD13), Indonesia (CRD17), Senegal (CRD21), Tanzania (CRD23), Guinea (CRD24), Philippines (CRD25) and Mali (CRD27)
36 CX/CAC 15/38/6: CX/CAC 15/38/6 Add.1: Comments of Benin (CRD3), Kenya (CRD5), Singapore (CRD6), Ghana (CRD12), Cameroon (CRD13), Indonesia (CRD17), Gambia (CRD19), Senegal (CRD21), Tanzania (CRD23), Guinea (CRD24), Philippines (CRD25), Nigeria (CRD26), Mali (CRD27), Dominica (CRD32) and El Salvador (CRD36)
Additional comments and decisions

Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

**Definition on Biofortification**

88. The Commission approved the new work on the definition for biofortification and endorsed the recommendation of the CCEXEC70\(^{37}\) to request CCNFSDU to clarify how the definition would be used and where it would be best placed.

FAO/WHO Coordinating Committee for Africa (CCAFRICA)

**Regional Standard for Dried Meat**

89. The Commission endorsed the recommendation of CCEXEC70\(^{40}\) that Botswana in collaboration with the Coordinator for CCAFRICA revise the project document and clarify the outstanding issues for consideration by CCEXEC71.

Committee on Milk and Milk Products (CCMMP)

**Standard for Dairy Permeate Powders**

90. The Commission approved new work on a standard for dairy permeate powders to be developed.

91. The Commission agreed to establish an eWG, led by Denmark, and working in English only, to prepare the proposed draft Standard for circulation at Step 3. The proposed draft Standard and comments submitted at Step 3 would be considered by a pWG, led by Denmark and working in English, French and Spanish.

Committee on Cereals, Pulses and Legumes (CCCPL)

**Standard for Quinoa**

92. The Commission approved new work on an international Standard for Quinoa and agreed to reactivate CCCPL to work by correspondence within the time frame allocated to the completion of the standard as presented in the Project Document i.e. four years (consistent with the recommendation of CCEXEC70\(^{43}\)). Work by correspondence should proceed through the Uniform Codex Step Procedure for the Elaboration of Codex Standards and Related Texts which applies to active committees working by correspondence or meeting regularly.

93. The Commission also agreed to establish an eWG, chaired by the Plurinational State of Bolivia and co-chaired by the United States, working in English and Spanish, to proceed with the development of the initial draft. The Commission further agreed to limit the work of CCCPL to the development of the Standard for Quinoa and after completion of such work it should be adjourned *sine die*.

94. The Commission expressed its appreciation to the United States and the Plurinational State of Bolivia for facilitating this work.

**Proposals for Discontinuation of Work (Agenda Item 5(e))**

95. The Commission approved discontinuation of the work (Appendix VII) on:

- The items presented in CX/CAC 15/38/7; and
- The three food additive provisions of the GSFA as presented in CRD2 Part B.

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\(^{37}\) REP 15/NFSDU, Appendix VII

\(^{38}\) REP15/EXEC, para. 26

\(^{39}\) REP 15/Africa, Appendix II

\(^{40}\) REP15/EXEC, para. 30

\(^{41}\) CX/CAG 15/38/6 Annex 1

\(^{42}\) CX/CAG 15/38/6 Add. 1

\(^{43}\) REP15/EXEC, para. 32

\(^{44}\) CX/CAC 15/38/7; CRD2 (Correction to the GSFA provisions forwarded for adoption and discontinuation, prepared by the Codex Secretariat); Comments of Benin (CRD3), Kenya (CRD5), Ghana (CRD12), Cameroon (CRD13), Indonesia (CRD17), Gambia (CRD19), Senegal (CRD21), Tanzania (CRD23), Guinea (CRD24), Philippines (CRD25) and Mali (CRD27)
Amendments to Codex Standards and Related Texts (Agenda Item 5(f))\(^{45}\)

*Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods (CAC/GL 21-1997) (amendments to Sections 4.5, 4.8 and 4.9)*

96. The Commission agreed to the proposed amendments.

*Standard for Mozzarella (CODEX STAN 262-2006)*

97. The Secretariat informed the Commission that in the table listing the technological functions of food additives in the *Standard for Mozzarella*, two entries for the use of preservatives and anticaking agents for surface treatment of mozzarella with high moisture content had been left blank. It had not been possible to find a clear CCMMP decision on how these entries should be completed in the reports (i.e. whether these two functional classes of food additives were technologically justified).

98. In order to take an informed decision on the course of action to follow, the Commission agreed to:

- Defer consideration of this matter until its next session.
- Issue a circular letter asking for information on the technological justification of the use of preservatives and anticaking agents for surface treatment of mozzarella with high moisture content.
- Take a decision, at CAC39, on the appropriate course of action to follow on the basis of an analysis, prepared by the Secretariat, of the replies to the circular letter.

**MATTERS REFERRED TO THE COMMISSION BY CODEX COMMITTEES (Agenda item 6)**

*Codex Work Management and Functioning of the Executive Committee (Agenda Item 6(a))\(^{46}\)*

99. The Secretariat introduced the item and reminded members of the background of the topic: discussions at CCGP28 (2014), CCEXEC69 (2014) and CAC37 (2014); the informal discussion at CCGP29 (2015); the comments received by 18 members (including the European Union) and three observers and the discussion at CCEXEC70 (2015).

100. The Secretariat further outlined the roadmap that had been agreed by CAC37 to define the scope for a Secretariat-led internal review (Phase 0) followed by the implementation of this review (Phase 1) and eventually by an external review (Phase 2)\(^{47}\) if appropriate. He said that at the present session the task before the Commission was to move towards finalising Phase 0 and thus clearly scoping Phase 1.

101. Delegations made the following considerations:

- The work leading to a definition of the scope for the evaluation of work management should focus on the goals of the Codex Strategic Plan 2014-2019.
- The work should seek to enhance efficiency and effectiveness in the standard setting process and focus on those areas where members could productively make progress and reach consensus and not reopen proposals, which had been rejected in the past.
- The process for designing the review and evaluation and for identifying priorities for further consideration should be inclusive, member-driven, transparent and efficient.
- This discussion was also an opportunity for members to contribute to the continuous improvement of Codex work management.
- Other aspects than those included in the Secretariat paper could also be considered.

102. Delegations also made the following suggestions in setting priorities for the evaluation:

- Include emerging issues in the programme of work;
- Implement more transparent budget planning;
- Make use of eWGs and new technologies to improve communications, workflow and management and to improve member participation;

\(^{45}\) CX/CAC 15/38/8; CX/CAC 15/38/8 Corrigendum; Comments of Kenya (CRD5), Ghana (CRD12), Cameroon (CRD13), Indonesia (CRD17), Gambia (CRD19), Senegal (CRD21), Tanzania (CRD23) and Guinea (CRD24)

\(^{46}\) CX/CAC 15/38/9; CX/CAC 15/38/9 Add 1; Comments of Australia, Costa Rica, Dominican Republic, India, Iran, Japan, Kenya, Malaysia, Uruguay, IOBA and IFAH (CX/CAC 15/38/9 Add 2); Comments of European Union, Jordan and ICGMA (CX/CAC 15/38/9 Add 3); Comments of Brazil (CX/CAC 15/38/9 Add 4); Comments of Kenya (CRD5), Ghana (CRD12), Cameroon (CRD13), Gambia (CRD19), Senegal (CRD21), Guinea (CRD24) and El Salvador (CRD36)

\(^{47}\) REP14/CAC, para. 103
d) Ensure timely distribution of documents in working languages;

e) Preserve Codex core values to ensure Codex remains the preeminent international food standard setting body;

f) Consider the six key areas identified by CCEXEC70, especially strategic governance and consensus;

g) Identify precisely which problems needed to be addressed;

h) Ensure that the roles of CCEXEC and CAC are in line with the Strategic Plan;

i) Carry out a strategic assessment also considering emerging/long-term issues e.g. climate change as it could affect agriculture practices and food safety;

j) Support improved processes for cross-Committee communication and collaboration;

k) Focus on what was achievable within the time frame of the Strategic Plan.

103. The Secretariat proposed, as a way forward, to extend Phase 0 for another year and to create a new document in cooperation with FAO and WHO taking into account the working document and all comments and discussions to date (CCGP28, CCEXEC70, written comments), and to have this document reviewed by a special session of the CCEXEC as well as at the next session of CCGP in order to take a decision on the form of Phase 1 at CAC39.

104. Members supported this approach in general but did not support holding a special session of CCEXEC before CCGP as they did not see an added value in discussing the document in a group with limited participation. It was also mentioned that the CCEXEC might have a conflict of interest as the issue was of direct concern to it. A number of delegations said that more time was needed to reflect on the proposals of CCEXEC70 and suggested issuing a circular letter to request comments.

105. The Representative of WHO stated that FAO and WHO were responsible for ensuring effective and efficient operation of its programmes of which the joint FAO/WHO Food Standards Programme (Codex) was one and that the periodic evaluation of subsidiary programmes was an essential function of WHO and FAO. He confirmed the willingness of FAO and WHO to take into account the different aspirations of the Codex membership in conducting the forthcoming review so that the review would prove to be as useful as possible. He further stated that the conduct of a review of good quality, even small scale and Secretariat-led, would require a considerable amount of resources from the Secretariat, FAO, WHO and Member States, and that for this reason a simple process was desirable.

Conclusion

106. The Commission:

a) Agreed that the process to define the scope of Phase 1 should be transparent and inclusive with strong engagement of Codex members.

b) Noted the contents of CX/CAC15/38/9; the informal discussion at CCGP29; the comments submitted by members and observers; and the discussion of CCEXEC70.

c) Noted that the Strategic Plan 2014-19 should be the basis for designing the work management evaluation.

d) Agreed the timeline and process for scoping Phase 1 as follows:

(i) Send a circular letter in July 2015 requesting comments on the outcome of CCEXEC70 (deadline for comments: 15th September 2015);

(ii) The Secretariat with FAO and WHO create a new document taking into account the working document and all comments and discussions in the process up to now (CCGP29, CCEXEC70, written comments, replies to the circular letter on the outcome of CCEXEC70).

(iii) Circulate the new document for comments by the end of October with a deadline of 15 February 2016.

(iv) Discuss the document and comments at CCGP30 (May 2016) and create a new consolidated version of the document.

(v) Consider the document at CCEXEC71 and take a final decision on the scope of Phase 1 at CAC39.

(vi) Start Phase 1 after CAC39.
Revitalisation of FAO/WHO Coordinating Committees (Agenda Item 6(b))

107. The Secretariat explained that the proposals had been developed by the Codex Secretariat with FAO and WHO with the intention to recognise the importance of RCCs as regional fora for food safety and quality. The proposals had been discussed and welcomed by all RCCs. He introduced the four main proposals, namely (i) RCCs as improved food safety and quality fora: aligning the agendas of RCCs; (ii) Platform for information sharing on food control systems and roles and responsibilities in food safety; (iii) Identification of needs and priorities in regions; and (iv) Regional Strategic planning and specific recommendations on these proposals on the next step for the RCC revitalization. It was also noted that it was timely to agree on the next steps so that these recommendations could be implemented in the next round of RCCs (2016-2017), starting in September 2016.

108. The Chairperson recalled the conclusions of the CCEXEC70.

109. Delegations expressed unanimous support for the overall revitalisation process.

110. In addition Delegations expressed support for a generic yet flexible agenda; for the inclusion of a keynote address (which was welcomed as a reactivation of the Food Safety Regulators Fora of the 1990s); and for the online platform for information sharing - hoping that it would become a useful database for relevant national food safety information.

111. The importance of maintaining the possibility to develop, present and adopt regional positions was stressed.

112. Some Delegations questioned the usefulness of regional strategic plans while others saw them as necessary tools for addressing regional priorities and for supporting the global strategic plan. The need for regional plans to be coherent with the global one was broadly appreciated. Some delegations were of the view that regional plans enabled the practical implementation of the wider global plan.

113. The need was stressed to prepare Regional Coordinators for their tasks in order for them to be effective. The Secretariat said that several activities for assisting the new Coordinators were already envisaged also in cooperation with the initiative of the Chairperson to hold meetings with the Coordinators.

114. The Representative of FAO explained that the purpose of the keynote address, as an item of the agenda of the RCCs, should be seen in the context of the collective vision of the RCCs. They should be seen as the premium food safety/quality events in the region and a forum for dynamic discussion on the issues of greatest concern to the region. FAO, WHO and the Secretariat would engage closely with each of the Regional Coordinators to identify priority issues of interest to the region in order to prepare for a keynote address or for a round-table with authoritative speakers. She considered that this would constitute a useful enhancement of the RCCs, which could contribute: to building high-level political awareness of Codex; to driving involvement of key members of the “food safety” community; and to improving the ability of the Codex system to pick up on emerging food safety and quality issues. It would also support prioritisation of capacity building needs; commitment to improved food safety management; and more effective engagement of countries in the work of Codex.

115. The Representative of WHO emphasized that the purpose of a keynote address or round-table discussion was two-fold: to raise awareness on the importance of Codex and to discuss a topic of importance of the region, thereby also going beyond standard setting work. The RCCs would become more forward-looking in the identification of issues relevant to the region and also use this opportunity to tackle overarching issues.

116. The Representative further noted that it was important to monitor the strategic planning and therefore it would be important not to have too many parallel efforts reducing the amount of resources needed for this. In the context of the discussion on an electronic platform to replace circular letters, she emphasized that it was important that the initiative was not duplicating existing efforts and built on the identified information needs of countries. It was also important to assure that relevant information was actually provided, and this that could then be analysed and used in the work of the Regional Committees.

117. Some delegations indicated the importance of the input and support from the regional offices of FAO and WHO for the reactivation of the RCCs so that the work of RCCs could be conducted in a wider perspective (regarding food safety and trade in the regions) than in the current practices.

Conclusion

118. The Commission:

a) Welcomed the revitalization of RCCs as a useful process and endorsed the recommendations of the CCEXEC70 and the work developed by the Secretariat FAO/WHO in this regard;

48 CX/CAC 15/38/10; REP15/EXEC (paras 56-67); Comments of Cameroon (CRD13) and El Salvador (CRD36)
49 REP15/EXEC, para. 67
b) Recognized the importance of the platform for information sharing on food control;

c) Noted the importance of interregional cooperation as an opportunity to exchange experience;

d) Recognized that regional strategic plans should be aligned with the global strategic plan but acknowledged the need to include specific regional issues and regional strategic plans that could usefully complement the global plan;

e) Noted that capacity building activities for Regional Coordinators were useful in preparing them for their role.

Other Matters (Agenda Item 6(c))

119. The Commission noted that several matters arising from Committees were presented for information only.

Additional comments and decisions

FAO/WHO Coordinating Committee for Europe (CCEURO)

Language regime of CCEURO

120. The Delegation of the Netherlands, as Coordinator of CCEURO, summarized the discussion in relation to the use of Russian as a fourth working language in CCEURO. The Coordinator noted that several members, who were new or relatively new to Codex, used Russian as an official language or as a first language of communication. Therefore, the addition of Russian as a working language in CCEURO would greatly improve cooperation among members and participation in the Committee.

121. The Secretariat explained the language regime for subsidiary bodies of CAC established under Rule XI.1(b)(ii) i.e. RCCs are regulated by Rule XIV.4 by which the language of subsidiary bodies shall include at least two languages of CAC. He noted that the Codex Secretariat currently provided translation and interpretation services in three official languages of CAC i.e. English, French and Spanish in CCEURO. The inclusion of a fourth official language (Russian) could not be ensured on a regular basis. The provision of interpretation and/or translation services for a fourth official language in subsidiary bodies of CAC could be supported by interested Member country(ies) or the Coordinator.

122. The Secretariat noted that Member countries of CCEURO could consider this issue further at their next session, and explore possible ways forward to ensure the provision of Russian on a regular basis. To facilitate the discussion, the Coordinator could prepare a paper in collaboration with the Secretariat.

123. The Delegations of Belarus and the Russian Federation urged the Commission to look into this issue with a view to identifying possible solutions for Russian. They stressed the importance of using Russian as a working language in CCEURO to achieve the strategic objective 3.1 of the Codex Strategic Plan 2014-2019 to increase effective participation of developing countries in Codex. They noted that 16 countries in CCEURO used Russian as a first or second language, several being developing countries from the Caucasus and the central Asia region whose participation in Codex work would greatly benefit from the use of Russian. It was further noted that Russian was an official language in FAO and WHO regional meetings as well as in meetings of the United Nations Economic Commission for Europe and the same should therefore apply to CCEURO.

124. The Delegation of the European Union recognized the importance of effective participation of all members of the region and the efforts made by the Coordinator to provide interpretation and translation services in Russian in CCEURO and hoped this matter could be resolved in a timely manner in CCEURO.

125. The Delegation of Lebanon noted that the issue of language was extremely important to facilitate the effective participation of all members of the region and the efforts made by the Coordinator to provide interpretation and translation services in Russian in CCEURO and hoped this matter could be resolved in a timely manner in CCEURO.

126. The Representative of FAO was pleased to note that there was an on-going reflection within CCEURO on the ways of improving the effectiveness of language coverage in light of the needs of the region and the need to make the most judicious use of resources provided by the parent Organizations. The Representative noted the Secretariat's guidance on the language coverage being assured for three languages with the regular Codex budget and she looked forward to following the progress of the on-going reflection on this matter within CCEURO.

50 CX/CAC 15/38/11; Comments of Chile (CRD10), Philippines (CRD25) and El Salvador (CRD36)
51 REP15/EURO paras 80-86
Conclusion

127. The Commission agreed that the Coordinator in collaboration with the Secretariat would prepare a paper in order to assist CCEURO in its deliberation on ways forward to accommodate Russian as a working language in CCEURO.

Committee on Methods of Analysis and Sampling (CCMAS)

Biological and Functional Methods to Determine Paralytic Shellfish Toxicity in the Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008)

128. The Commission recalled its request to CCMAS to review the typing of the methods in section I-8.6.2. Noting the completion of this review, the Commission adopted the methods contained in section I-8.6.2 Biological and functional methods to determine paralytic shellfish toxicity in the Standard for Live and Raw Bivalve Molluscs. The Commission further encouraged CCMAS to complete with urgency the work on development of criteria for biological methods and its work on development of a preamble to CODEX STAN 234 that would assist in clarifying the use of Type IV methods for the purposes of control, inspection and regulation as expressed in the report of CCMAS (REP15/MAS, paragraph 56).

CODEX STRATEGIC PLAN 2014-2019: GENERAL IMPLEMENTATION STATUS (Agenda Item 7)

129. This agenda item was not discussed due to time constraints.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 8)

Codex Secretariat (Agenda Item 8(a))

130. The Secretariat presented the budget report for the 2014-15 (Expenditure 2014 and outlook for 2015) and 2016-17 (projected contribution and expenditure).

131. The improved management of resources and more timely distribution of the budget document was noted, and the importance of the Secretariat evolving towards target-based budgets in line with the requirements of the Strategic Plan was underlined. A more detailed presentation of resource management and system of accounting in order to guarantee clearer and more transparent budget planning was also highlighted.

132. The Secretariat stated that they would work towards a more detailed presentation of resource management and a clearer, more transparent system of accounting in order to improve budget planning. The Secretariat noted further that this was also included in proposals for improving Codex work management.

Conclusion

133. The Commission endorsed the conclusions of CCEXEC70:

a) Expressed appreciation for the continued financial support from FAO and WHO, contributions from Codex Host countries and in-kind contribution of the Governments of Japan and Republic of Korea;

b) Encouraged the Codex Secretariat to adopt a more effective and realistic process when developing the budget;

c) Recommended that CAC seek to ensure that Codex Budgets continue to be protected within FAO.

FAO/WHO Scientific Support to Codex (Agenda Item 8(b))

134. The Representative of WHO noted that the budget figures for 2012/13 were based on actual expenditures, whilst the figures for the 2014/15 biennium were estimates. She emphasized that the majority of funds for scientific advice, activities and staff, came from voluntary contributions and also acknowledged the countries that had contributed. She raised concern that after years of discussion in CCEXEC and CAC regarding the lack of funding for scientific advice, the donor base for 2014/15 had actually decreased, with fewer countries contributing now than for the 2012/13 biennium.
135. The Representative of FAO explained that CX/CAC 15/38/14 outlined the actual expenditures for the period 2012-2013 and the estimated budget for the period 2014-2015. Unlike the situation for WHO, most of the resources used for the Scientific Advice Programme were provided from the FAO Regular Programme. This level of funding had been protected over the last few biennia and it covered all staff costs and on average about 75% of activity costs. She explained that the shortfall in the activity costs had been consistently met by a small number of donors and she thanked the United States, Australia and Sweden for their contributions. She also recognized the important in-kind contributions through which countries released experts to participate in the work of the Expert Committees. She stressed that the FAO regular programme allocation was critically important to the stability of the Scientific Advice Programme although the level of funding was not enough to allow for on-going “maintenance” and updating. This would be further discussed under Item 8(c).

136. The Representatives acknowledged the significant in-kind contribution to the program by members and their technical experts, and called on members to continue to support the participation of national experts in this program.

Conclusion

137. The Commission endorsed the conclusion of CCEXEC70\(^{57}\) as follows:
   
a) Expressed appreciation to FAO and WHO for the scientific support provided.
b) Acknowledged the extra budgetary contributions by members.
c) Stressed the importance of funding to ensure provision for the scientific advice that is crucial and critical to the setting of standards.
d) Noted with great concern the funding gap, which might delay the provision of scientific advice to Codex.
e) Requested that Codex members commit to taking necessary actions for fund raising.
f) Noted that an increased visibility of Codex and clear high-level message from FAO/WHO to Codex members could contribute to raising funds for scientific advice.
g) Encouraged FAO and WHO to continue supporting and continue funding Codex and related scientific advice activities.

Sustainability of Scientific Support to Codex (Agenda Item 8(c))\(^{58}\)

138. The Chairperson recalled that CAC37 had decided to pursue the examination of the three options given in CX/CAC 14/37/12-Add.2 at its present session (CAC38). Codex members had been invited to study the three options, their feasibility and implications in the time between CAC37 and CAC38.

139. The Chairperson also informed the Commission of the conclusions of CCEXEC70\(^{59}\) and proposed that in considering this matter it would be important that members examined both short and long term solutions to the challenge of how to make scientific support to Codex sustainable.

140. The Representative of WHO provided additional information on the proposals in CX/CAC 14/37/12 Add.2 on possible funding mechanisms for scientific advice: For Option 2 he noted that intergovernmental consultations on the draft WHO framework on engagement with non-state actors had continued during the 68\(^{60}\)th Session of the World Health Assembly and that while consultations had not been concluded, there were indications that Member States were not yet in favour of allowing resources from the private sector to the normative activities of WHO such as the provision of scientific advice. He also informed the Commission that CX/CAC 15/38/15 contained lessons learnt from the operations of GIFSA\(^{60}\) as well as additional fund raising initiatives and described the current situation. For Option 3 he noted the proposal made at CCEXEC to include trade values of food import in the calculation of indicative amounts of voluntary contributions and said that producing such variant calculations was possible, but Option 3 required clear support from Codex members before it could be pursued further.

141. The Commission was reminded of some differences in the situations in FAO and WHO: in FAO, all current staff costs and approximately 75% of activity costs for scientific advice were covered by the Regular Budget; in WHO the core funding of the Organization (i.e. the assessed contributions and voluntary contributions that were not earmarked) did not cover total staff costs and activity costs were heavily dependent on the earmarked voluntary contributions from a very few donor countries.

\(^{57}\) REP15/EXEC, paras 81-82  
\(^{58}\) CX/CAC 14/37/12 Add.2; CX/CAC 15/38/15  
\(^{59}\) REP15/EXEC, paras 95-99  
\(^{60}\) Global Initiative for Food-related Scientific Advice, subsequently renamed Global Fund for Food-related Scientific Advice (GIFSA)
142. The Representative of FAO said that efforts had been made to raise awareness in FAO Governing Bodies on the critical need for increased and stable funding for the FAO/WHO Scientific Advice Programme. This issue had been presented to the FAO Committee on Agriculture (COAG) in October 2014 which had recognized the urgent need and encouraged the FAO Food Safety Programme to intensify efforts to mobilise extra-budgetary funds. Recommendations for the re-allocation of Regular Programme funds had not been considered.

143. The Representative of FAO clarified that (as for WHO) it was not possible for FAO to accept funding from private sector sources for the provision of scientific advice (see CX/CAC 15/38/15 Rev.1). FAO could consider receiving funds from other non-state actors but every potential donor would have to be carefully evaluated according to the relevant policies and procedures of FAO.

144. The Representative of FAO referred to Table 2 of CX/CAC 15/38/15 Rev.1 which outlined what was needed to enhance the FAO/WHO Scientific Advice Programme, both to respond to the demands for advice and to continuously review and update its processes. She noted that this required additional staff resources (as estimated in Table 3 of the document) as well as funding for activities. She underlined that urgent attention was needed to find both short and long-term solutions for the adequate and stable funding of the programme.

145. Delegations underlined the importance of scientific advice to the work of Codex and stressed the need for evolving both short and long term strategies that would sustain funding in this area. Proposals made included: developing a communication strategy that would target high level policy makers in governments; innovation within FAO and WHO on the acceptance of funds from non-government sources and reallocation of funds to support scientific advice programmes; adopting modern communication technologies like teleconferences, and convening shorter physical meetings if possible. They also indicated that the CTF might serve as a model.

146. The Representative of WHO emphasised the cost saving measures and use of IT technology in the preparation and conduct of expert meetings that had already been introduced and while further cost saving measures could be considered for expert meetings, care should be taken not to undermine the quality and integrity of work of the expert committees which were under increasing public scrutiny. Greater fungibility (ease of exchange) of funds between the Codex and scientific programmes of FAO and WHO could offer some ad hoc benefits, especially in the event that these programmes became integrated under a single entity in the future, such as the Joint FAO/WHO Food Standards Programme, but this could not be seen as a sustainable and predictable solution.

147. In regard to the three options mentioned in CX/CAC 14/37/12-Add.2, the majority of delegations that intervened were in favour of Option 1 as they considered it the most viable. However they noted that its realisation required policy changes in FAO and WHO and the identification and reallocation of funds.

148. Delegations opposed to Option 3 noted that it might not be practical as it would be seen as instituting new “taxes” on food export, to be levied by governments. This might require elaborate approval processes at the national level.

149. A variation to Option 2 was proposed, which would involve working through inter-governmental organizations, such as OIRSA 61, IICA 62, African Union and other regional inter-governmental organisations, so that these organizations could contribute to supporting FAO/WHO activities on scientific advice, while reducing the risks of conflict of interest.

150. All of these options should also be complemented by an awareness raising strategy aimed at governments to provide greater visibility for Codex with active participation from FAO and WHO.

151. The Representative of WHO stated that the funds that could be offered from the World Bank would come from the Global Food Safety Partnership, which was receiving resources from food industry, and so could not be accepted by WHO. Furthermore, despite intensive efforts carried out by WHO over a number of years to enlarge the donor base for scientific advice, only one new governmental donor had been found.

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61 Organismo Internacional Regional de Sanidad Agropecuaria
62 Inter-American Institute for Cooperation on Agriculture
152. The Representative of WHO recalled that the discussion on the sustainability of scientific advice had been taking place for many years. Regardless of the choice between Options 1, 2 and 3, all of which could only serve as a long-term solution, there was an urgent need to find solutions for the short- and medium-term. She highlighted that the many current requests for scientific advice coming from several Codex committees could not be addressed in a timely manner and that there would be a direct impact on the standard setting work. She appealed to members to join the very small group of countries that continuously supported the scientific advice programme, and work with FAO and WHO to find solutions for any administrative and other hurdles they may encounter for the release of funds. She clarified that funds could only be accepted by foundations sufficiently distant from the interested industry to assure the independence and integrity of the scientific advice program, which was clearly in the interest of the whole Codex program.

153. The Representative of FAO noted the preference expressed by several of the members for Option 1 as the solution for the sustainable funding of the Scientific Advice Programme. She noted that this could be a long-term solution and would require concerted advocacy efforts by members. She highlighted that solutions in the short term were urgently required. In this regard, she welcomed the intervention of the United States to work to convince other countries to provide funds and assured them of FAO’s assistance in promoting this. She also recognized the efforts initiated by Costa Rica to identify new donors.

154. The Representative of WHO, noting the preference expressed by the majority of delegations for Option 1 as contained in the working documents, clarified the implications of Option 1 as follows:

- Covering the costs of FAO/WHO scientific committees exclusively by the assessed contributions of Member States was a major policy decision and would require a decision by the relevant governing bodies of WHO and FAO; and
- Preparation and adoption of such governing body decisions would require sustained effort from Member States and a member state-driven consultation process between their capitals and Rome/Geneva-based missions. If any policy changes were to be expected for the 2018-19 biennium, Member State consultation needed to be initiated without delay.

**Conclusion**

155. The Commission:

- Supported Option 1 as the most feasible, long-term solution and encouraged Codex members to make every effort to take action immediately after CAC38, which would lead to a favourable decision by the FAO and WHO governing bodies. It was also stressed that FAO and WHO would provide support to Codex members in this effort as required; and
- Acknowledged the urgency of the situation and urged delegations to bring the matter to the attention of their governments in an attempt to mobilise more extra-budgetary funding for the provisions of scientific advice in the short and medium term.

**MATTERS ARISING FROM FAO AND WHO (Agenda Item 9)**

Scientific Advice to Codex and Member States (Agenda Item 9(a)) 63

156. This agenda item was not discussed due to time constraints.

Capacity Building Activities of FAO and WHO (Agenda Item 9(b)) 64

157. This agenda item was not discussed due to time constraints.

FAO/WHO Project and Trust Fund for Enhanced Participation in Codex (Agenda Item 9(c)) 65

158. The Representative of WHO introduced the agenda item by calling attention to the documented success of the current CTF and the need to ensure that there would be no time gap between the end of the current Codex Trust Fund (CTF1) and the initiation of the successor initiative (CTF2). Given time available, delegations were invited to focus discussion on the report of the final evaluation (CX/CAC 15/38/18-Add.3) and the project proposal (CX/CAC 15/38/18-Add.5). Two presentations were made and followed by questions and discussions.

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63 CX/CAC 15/38/16; CX/CAC 15/38/16 Add.1; CAC/38 INF/9; CRD34; CRD35
64 CX/CAC 15/38/17; CAC/38 INF/9; Comments of Papua New Guinea (CRD4); CRD35
65 CX/CAC 15/38/18; CX/CAC 15/38/18 Add.1; CX/CAC 15/38/18 Add.2; CX/CAC 15/38/18 Add.3; CX/CAC 15/38/18 Add.4; CX/CAC 15/38/18 Add.5; CX/CAC 15/38/18 Add.6; CAC/38 INF/10; Comments of Cameroon (CRD13), Uruguay (CRD20) and El Salvador (CRD36)
The presentation on the final evaluation, made by the evaluator, Mr Brian MacKay, reiterated the objectives of the evaluation and gave information on the methodology that had been used, the summary results and recommendations. The objective of widening participation in Codex had been fully demonstrated whereas it was found that 30-35% of countries were struggling to maintain their participation in Codex. The attainment of the objective of strengthening participation was partially demonstrated while the attainment of the objective of increasing scientific evidence could not be evaluated as the final results from the mycotoxins in sorghum project were not yet available by the time the evaluation took place. The evaluation made ten recommendations, such as the need to: develop a promotional and engagement strategy; ensure that programme objectives could be redefined in light of the evolving needs of eligible countries; assess both individual delegate and country conditions needs and; develop strategies and plans to increase predictability of funding. Mr MacKay noted that many of the recommendations had already been taken on board in CTF1 reporting, in discussions on the Codex communications strategy, and in the design of the successor initiative.

The Representative of WHO called attention to the FAO/WHO management response to the evaluation contained in CX/CAC 15/38/18-Add.4. FAO/WHO had agreed with most of the findings and had taken maximum advantage from the evaluation in the shaping of CTF2.

In their comments member countries welcomed the results of the evaluation which gave a specific and objective report of what CTF1 had been able to achieve. They highlighted and gave examples of positive impacts that had been recorded in many countries as a result of CTF1 support. In many cases CTF1 had had a “multiplier effect”. They called attention to the need to maintain the gains recorded in CTF1 in the successor initiative. Mr MacKay, in his reply, referred members to the finding on institutional strengthening at national level which had been supported by many of the comments made. The eligibility criteria used by CTF1 were not evaluated as such, but had been found to be transparent and be established following a clear and open process. The WHO Representative called the attention of member states to Graphs 7, 8 and 9 in the 2014 Monitoring Report (CX/CAC 15/38/18-Add.1) which clearly indicated the latent but sustained impact of CTF1 support by tracking continued participation of graduates in the years following graduation.

The Codex Trust Fund Administrator gave a presentation on the key elements of the successor initiative. The final project evaluation on CTF1 had highlighted CTF1’s importance as a catalyst in exposing countries to the Codex process and underlining the importance of Codex for their countries. Both the evaluation and the analysis of FAO/WHO called attention to the fact that barriers to full and effective engagement in Codex persisted and that the majority of these barriers were found at national level. Based on this analysis, it had been decided to launch a new initiative (to take up where CTF1 was leaving off) to address these barriers, while at the same time continuing to maintain the gains made in CTF1. In making the shift from focusing on wide participation to going deep into building capacity in countries to address barriers to effective participation at national level, FAO/WHO were proposing a more tailored approach to develop sustained capacities. Countries/groups of countries would carry out a self-diagnosis of their capacity for effective participation in Codex to understand strengths and weaknesses and use the results of the diagnosis to guide the preparation of individual country or group applications for multi-year support for key activities to address priority barriers. These efforts would be accompanied by support from FAO/WHO Codex training courses and workshops for further capacity building. Initial ideas on criteria for eligibility were shared with delegations. One possible scenario would be to grant:

- Eligibility for all areas of support (i.e. eligibility to apply for individual country support or group support) to a group comprising Least Developed Countries, Low Income Countries and Small Island Developing States;
- Eligibility to apply for support to a group of countries for Lower Middle Income Countries;
- Eligibility to apply for support to a group of countries with a resource engagement (in-kind or financial) for Upper Middle Income Countries.

The results based framework for the programme was explained, as were accountability mechanisms for country level and for the overall programme. A timeline of activities to be carried out between July 2015 and July 2016 was outlined.

Delegations agreed with the overall direction and approach of CTF2 and focus on addressing persisting barriers at national level to effective engagement in Codex which was seen as the logical continuation of CTF1, while maintaining the gain achieved by CTF1.

Delegations called attention to a number of issue areas. These included the need to:

a) Have clear distinction between the regular capacity building activities of FAO and WHO, and the targeted Codex capacity building being supported by CTF2.
b) Maintain support for physical participation in order to maintain gains made in CTF1.

c) Ensure that there was some support for building capacities on scientific aspects of Codex standard
development, including the collection and submission of scientific data into the Codex process.

d) Ensure that sufficient time was given for final project document for CTF2 to be reviewed through national
consultations.

e) Give consideration to regional specificity, countries in crisis and/or emerging situations in countries.

f) Provide support for the implementation of Codex standards at national level.

166. One Regional Coordinator expressed grave concerns on the eligibility criteria. Entry level requirements were
still based on economic indicators that did not necessarily reflect the reality in many countries. Criteria might
need to take into consideration the economic burden of participating in Codex for small developing
economies with small populations. Additional criteria would be needed to capture the readiness of a country
to participate in Codex, their level of commitment and the viability of projects. Criteria for eligibility needed to
be developed in a participatory way. Including conditions on financial support as part of the eligibility criteria
was not seen as being in line with the requirements of Codex. It was suggested that a mechanism for further
consultation on the eligibility criteria might be needed.

167. Several delegations stated that, in addition to the above, further work might be needed in the project
document on prioritization of countries, determination of success and accountability. It was requested that
broad consultation with countries on CTF2 should continue. One delegation suggested that the governance
of the CTF2 might include broadening of the CGTF\textsuperscript{66} to include representatives of donor and beneficiary
countries.

168. The Representative of FAO acknowledged the high level of satisfaction that had been expressed by
members on what had been achieved by CTF1. She welcomed the rich input of ideas on where the CTF2
should be going, with emphasis on consolidation at national level, capitalizing on the “multiplier effect”, using
South-South and North-South cooperation, and drawing on the expertise available in the Codex community.
She called attention to the importance of measuring impact at national level and the key role of countries in
making the linkages between different initiatives to ensure synergies and avoid duplication.

Conclusion

169. The Commission:

a) Expressed its appreciation to FAO/WHO and the CTF Secretariat for the effective management of
CTF1, and acknowledged the important financial and in-kind contributions made by the CTF1 donors.

b) Noted that CTF1 had led to an increase in developing country participation in Codex work and that it had
also resulted in more visibility about Codex in many countries.

c) Recognised that due to CTF1, developing countries had succeeded in raising awareness about Codex
and food safety work at national and regional levels and that beneficiaries of CTF1 had developed their
national food safety legislation and food safety management.

d) Expressed full support for CTF2 and agreed with the design of the project proposal including the
concepts of the multi-year funding and tailor-made support, noting that the eligibility criteria for CTF2
were yet to be finalised.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL
ORGANIZATIONS (Agenda Item 10)\textsuperscript{67}

170. The Commission noted the information provided by international intergovernmental and non-
governmental organisations as presented in their respective information documents. In particular the following additional
points were noted.

World Organisation for Animal Health (OIE)\textsuperscript{68}

171. The Director-General, Dr Vallat, informed the Commission that his third five-year term of office as Director-
General of the OIE would finish at the end of 2015 and that he had chosen not to stand for another term of
office. He announced that the OIE World Assembly of Delegates had recently elected Dr Monique Eloit, the
current Deputy Director-General, as the new Director-General with effect from January 2016.

\textsuperscript{66} Consultative Group of the Trust Fund
\textsuperscript{67} CX/CAC 15/38/19
\textsuperscript{68} CAC/38 INF/2
172. He highlighted the many mechanisms that had helped to improve the coverage by official standards of the whole food production continuum, including the establishment of the OIE Working Group on Animal Production Foods Safety; and the fact that secretariats of OIE and Codex and nominated experts regularly participated in each other’s standards development work. He further emphasized that the OIE continued to collaborate with WHO and FAO through the Tripartite approach to minimise the development and spread of antimicrobial resistance.

173. He concluded by informing the Commission that this would be the last time that he would address the Commission as the Director-General of OIE and wished to thank all of those that had contributed to strengthening the relationship between OIE and Codex in order to provide a better guarantee of the safety of foods of animal origin worldwide.

174. The Chairperson, on behalf of the Commission, expressed her gratitude and appreciation to the Director-General of OIE for his tremendous efforts which had resulted in the establishment of an efficient collaboration between Codex and OIE. The Commission appreciated the OIE’s active involvement in the work of the Commission and also extended its appreciation for the participation in the OIE Animal Production Food Safety Working Group alongside FAO and WHO experts.

International Atomic Energy Agency (IAEA)69

175. The Representative of IAEA highlighted activities of the Joint FAO/IAEA Division relevant to Codex work, in particular (i) food irradiation; (ii) food authenticity and traceability; (iii) trace amounts of veterinary residues, pesticides and contaminants in foods (including promoting the development and application of Codex standards and hosting analytical methods database to support national residue monitoring programmes) and; (iv) nuclear emergency preparedness and response.

176. The Representative also highlighted the continued collaboration with member states and other organizations on radionuclides in food and water as well as interpretation of standards post Fukushima Daiichi. In this regard, the Representative informed the Commission that an IAEA technical document entitled “Guidance on Radionuclide Activity Concentrations for Food and Drinking Water” would assist countries in developing national radionuclide reference levels for food and drinking water that were consistent with the approach provided in the General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995) for the derivation of Codex Guideline Levels (GLs) for application in international trade.

177. In view of the possible discussion on food authenticity as an emerging issue in Codex, the Representative drew the attention to the key activities in the area of analytical methods and laboratory techniques including certified reference materials to verify the authenticity of food products, to detect adulteration, to indicate food origin and therefore support food safety, food quality and combat food fraud.

178. The Delegation of Japan expressed its appreciation to IAEA for the continuous support in response to the Fukushima Daiichi nuclear accident and indicated that updated information in this regard could be found in CRD9 and CAC/38 INF/7. The Delegation of Iran welcomed the work of IAEA on food authenticity and its impact on food safety, quality and origin of the product and reiterated the relevance of this topic as explained in CRD29.

World Trade Organisation (WTO)70

179. The Representative of WTO reminded delegations that Codex standards were recognized in the Sanitary and Phytosanitary Measures (SPS) agreement as the relevant international standard for food safety. She explained how the SPS Committee functioned and commented on recent and on-going discussions at the SPS of relevance to Codex. She also described briefly activities of relevance to Codex that had been brought to the Technical Barriers to Trade (TBT) Committee over the past year. The Commission was informed about the new Trade Facilitation Agreement concluded at the WTO’s Ministerial (December 2013) which deals with the simplification of trade procedures in order to move goods in cross-border trade more efficiently. It also aims to cut red tape, increase transparency, and avoid unnecessary delays, which can be very costly, especially when the traded products are perishable. The Agreement consists of three main parts: Section I, which sets out the substantive obligations on facilitating customs and other border procedures; Section II, which contains special and differential treatment on provisions for developing and least-developed country members; and Section III, which contains provisions that establish a permanent committee on trade facilitation at the WTO.

69 CAC/38 INF/7; Comments of Japan (CRD9)
70 CAC/38 INF/3
International Organisation for Standardisation (ISO)\textsuperscript{71}

180. The Representative of ISO informed the Commission of the new ISO strategic plan which was currently under development and would be presented to the ISO Assembly in September. One of the issues covered in the Strategic Plan was the importance of its partner and stakeholder engagement, including with Codex. The Representative indicated ISO’s willingness to participate in the work under discussion in the Committee on Food Hygiene on the possible revision of the General Principles on Food Hygiene and its annex on HACCP and at the same time encouraged Codex to participate in the revision of ISO 22000. The Representative concluded his remarks by highlighting the importance of collaboration at not only the international level, but also at the national level and in particular in those countries where the membership of the two organisations were not the same.

Conclusion

181. The Commission thanked the international organizations for the information provided on their activities and for their collaboration with Codex programme.

182. The Commission noted the support for strengthened cooperation between Codex and IPPC (especially the online commenting system), which was a good way to maximise use of resources; thanked the Secretariat for its continued participation in the meetings of the other international governmental and non-governmental organisation; and in line with the Strategic Plan encouraged members especially those that chair committees to strengthen cooperation.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS AND MEMBERS ELECTED ON A GEOGRAPHICAL BASIS AND APPOINTMENT OF THE COORDINATORS (Agenda Item 11)\textsuperscript{72}

Chairperson and vice-chairpersons

183. The Commission re-elected the following persons to hold office from the end of its present session to the end of the next regular session of the Commission, which is scheduled for CAC39 (2016).

Chairperson: Ms Awilo Ochieng Pernet (Switzerland)

Vice-Chairpersons: Mr Guilherme Antonio da Costa Jr. (Brazil)
Ms Yayoi Tsujiyama (Japan)
Mr Mahamadou Sako (Mali)

Members of the Executive Committee Elected on a geographic basis

184. The Commission elected/re-elected the following members of the Executive Committee on a geographic basis for the period from the end of the current session to the end of the second succeeding regular session of the Commission, which is scheduled for CAC40 (2017).

Africa: Nigeria
Asia: Malaysia
Europe: Norway
Latin America and the Caribbean: Mexico
Near East: Lebanon
North America: Canada (re-elected)
South-West Pacific: New Zealand (re-elected)

\textsuperscript{71} CAC/38 INF/6
\textsuperscript{72} CX/CAC 15/38/20 Rev.1
Regional Coordinators

185. In accordance with Rule IV.2 of the Commission’s Rules of Procedure, and on the basis of the nominations made by the Coordinating Committees, the following members of the Commission were appointed as Coordinators to hold office from the end of CAC38 until the end of the first regular session of the Commission (scheduled for CAC40 (CAC2017)) which follows the next session of the relevant Coordinating Committee.

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DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES AND TASK FORCES AND SCHEDULE OF SESSIONS 2016-2017 (Agenda Item 12)

186. The Commission recalled its earlier decision on reactivation of the Committee on Cereals, Pulses and Legumes (CCCPL) hosted by the United States (see Agenda Item 5(d)) and confirmed the designation of the Host Governments as listed in the Appendix VIII to this report.

OTHER BUSINESS (Agenda Item 13)

Update on the Codex Communication Strategy

Food integrity/authenticity

Visa issue for attendance at Codex meetings

Revision of the Codex specifications of Gum Arabic

Update on Halal food

187. This agenda item was not discussed due to time constraints.

188. The Commission noted that these and other agenda items that have not been discussed at the present session due to lack of time could be discussed at the next session and that CCEXEC70 had provided guidance on some follow-up action that could be taken before CAC39 on some relevant items.
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### AMENDMENTS TO THE PROCEDURAL MANUAL

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<td>CCGP</td>
<td>Terms of Reference of the Committee on General Principles</td>
<td>REP15/GP para. 41, Appendix III</td>
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<td>Procedures for the Elaboration of Codex Standards and Related Texts</td>
<td>REP15/GP para. 49, Appendix IV</td>
<td>Adopted with modification (See para. 12)</td>
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<td>CCPR</td>
<td>Guidance to facilitate the establishment of Maximum Residue Limits for pesticides for Minor Crops (for inclusion as an Annex to the Risk Analysis Principles applied by the Codex Committee on Pesticide Residues)</td>
<td>REP15/PR para 155, Appendix XI, Part A</td>
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<tr>
<td>Standard for Certain Canned Fruits (general provisions)</td>
<td>REP 15/PFV para. 29, Appendix II</td>
<td>N20-2011</td>
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<td>Annex on Canned Mangoes (Standard for Certain Canned Fruits)</td>
<td>REP 15/PFV para. 29, Appendix II</td>
<td>N20-2011</td>
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<td>Standard for Quick Frozen Vegetables (general provisions)</td>
<td>REP15/PFV para. 76, Appendix III</td>
<td>N19-2011</td>
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<td>Annex on Canned Pears (Standard for Certain Canned Fruits)</td>
<td>REP15/PFV para. 42, Appendix II</td>
<td>N20-2011</td>
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<td>Standard for Ginseng Products</td>
<td>REP 15/PFV para. 87, Appendix IV</td>
<td>N04-2013</td>
<td>Adopted without the sampling plan (see para. 17)</td>
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<td>Regional Standard for Non-Fermented Soybean Products</td>
<td>REP15/ASIA para. 44, Appendix IV</td>
<td>N06-2005</td>
<td>Adopted (subject to the endorsement of the labelling provisions by CCFL)</td>
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<td>Sections “Food Additives” and “Methods of Analysis And Sampling” of the Regional Standard for Tempe (CODEX STAN 313R-2013) (Amendments)</td>
<td>REP 15/ASIA para. 8, Appendix II</td>
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<td>Hygiene Sections in Meat Commodity Standards (Standards for Luncheon Meat (CODEX STAN 89-1981); Cooked Cured Ham (CODEX STAN 96-1981); Cooked Cured Pork Shoulder (CODEX STAN 97-1981); and Cooked Cured Chopped Meat (CODEX STAN 98-1981); Corned Beef (CODEX STAN 88-1981)) (Amendments)</td>
<td>REP 15/FH para. 12, Appendix III</td>
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<td>Guidelines for the Control of <em>Trichinella</em> spp. in Meat of Suidae</td>
<td>REP 15/FH para. 33, Appendix IV</td>
<td>N07-2011</td>
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<td>Code of Hygienic Practice for Low-Moisture Foods</td>
<td>REP 15/FH para. 44, Appendix V</td>
<td>N06-2013</td>
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<td><em>General Principles for the Addition of Essential Nutrients to Foods</em> (CAC/GL 9-1987) (Revision)</td>
<td>REP 15/NFSDU para. 53, Appendix III</td>
<td>N02-2010</td>
<td>Adopted</td>
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<td>Additional or Revised Nutrient Reference Values for Labelling Purposes in the <em>Guidelines on Nutrition Labelling</em> (CAC/GL 2-1985)</td>
<td>REP 15/NFSDU para. 82, Appendix IV Part 1</td>
<td>N04-2010</td>
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<td>List of Food Additives in the <em>Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants</em> (CODEX STAN 72-1981) (Revision)</td>
<td>REP 15/NFSDU para. 152, Appendix VI Part 1</td>
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<td>Inclusion of Zinc Citrates in the <em>Advisory Lists of Nutrient Compounds for Use in Foods for Special Dietary Uses Intended for Infants and Young Children</em> (CAC/GL10-1979)</td>
<td>REP 15/NFSDU para. 188, Appendix VIII</td>
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<td><em>Standard for Foods for Special Dietary Use for Persons Intolerant to Gluten</em> (CODEX STAN 118-1979), to Add the Term “Khurasan wheat” (Amendments)</td>
<td>REP 15/NFSDU para. 193, Appendix X</td>
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<tr>
<td>Methods of Analysis and Sampling in Codex Standards</td>
<td>REP 15/MAS para. 42, Appendix III</td>
<td>Ongoing</td>
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<td>Principles for the Use of Sampling and Testing in International Food Trade – Explanatory notes (Revision of CAC/GL 83-2013)</td>
<td>REP 15/MAS para. 83, Appendix IV</td>
<td>N11-2011</td>
<td>Adopted with amendments (see para. 31)</td>
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<td>Maximum Levels for Lead in Fruit Juices and Nectars (excluding juices exclusively from berries and other small fruits), Ready-to-drink; Canned Fruits (excluding berries and other small fruits); Canned Vegetables (excluding canned brassica, canned leafy vegetables and canned legume vegetables); Berries and Other Small Fruits (excluding cranberry, currant and elderberry); Cranberry; Currant; Elderberry; Brassica Vegetables; Legume Vegetables; Fruiting Vegetables, Cucurbits; Fruiting Vegetables, Other than Cucurbits (excluding fungi and mushrooms) (for inclusion in the Codex General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995))</td>
<td>REP 15/CF paras 49 and 50, Appendix IV</td>
<td>N04-2012</td>
<td>Adopted</td>
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<td>Maximum Levels for Deoxynivalenol (DON) in Cereal-based Foods for Infants and Young Children; in Flour, Meal, Semolina and Flakes Derived from Wheat, Maize or Barley; and in Cereal Grains (wheat, maize and barley) Destined for Further Processing Including Sampling Plans and Performance Criteria for Methods of Analysis (for inclusion in the Codex General Standard for Contaminants and Toxins in Food and Feed (CODEX STAN 193-1995))</td>
<td>REP 15/CF para. 91, Appendix VI</td>
<td>N10-2010</td>
<td>Adopted (sampling plans and performance criteria for methods of analysis to be endorsed by CCMAS)</td>
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<td>Specifications for the Identity and Purity of Food Additives (CAC/MISC 6) (Revision)</td>
<td>REP15/FA para. 36, Appendix IV Part A</td>
<td>Ongoing</td>
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<td>International Numbering System for Food Additives (CAC/GL 36-1989) (Revision)</td>
<td>REP15/FA para. 122, Appendix XII</td>
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<td>Food Additives Section of the Standard for Bouillons and Consommés (CODEX STAN 117-1981) (Revision)</td>
<td>REP15/FA para. 58, Appendix VI</td>
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<td>Food Additives Provisions of GSFA Food Category 12.5 “Mixes for soups and broths” and its sub-categories (Revision)</td>
<td>REP15/FA para. 58, Appendix VII (Part F)</td>
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<td>Food Additive Provisions of the GSFA Related to the Alignments of the Five Meat Commodity standards (Correction)</td>
<td>REP15/FA para. 58, Appendix VII (Part G)</td>
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<td>MRLs for Pesticides</td>
<td>REP 15/PR para 118, Appendix III</td>
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<td>MRLs for Derquantel (sheep tissues), Emamectin Benzoates (salmon and trout tissues) and Monepantel (sheep tissues)</td>
<td>REP15/RVDF paras 70, 75 and 90, Appendix IV</td>
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<td>RMRs for Dimetridazole, Ipronidazole, Metronidazole and Ronidazole</td>
<td>REP15/RVDF paras 92, Appendix VII</td>
<td>N10-2012</td>
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<td>Biological and Functional Methods to Determine Paralytic Shellfish Toxicity (Section I-8.5.2) in the Standard for Live and Raw Bivalve Molluscs (CODEX STAN 292-2008)</td>
<td>REP 14/MAS, para. 23, Appendix II REP15/MAS paras 44 – 59</td>
<td>N15-2011</td>
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## LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5

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<td>Standard for Fish Oils</td>
<td>REP15/FO para. 47, Appendix III</td>
<td>N02-2010</td>
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<td>Maximum Level for Inorganic Arsenic in Husked Rice</td>
<td>REP 15/CF para. 69, Appendix V</td>
<td>N12-2011</td>
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<tr>
<td><em>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</em></td>
<td>REP 15/CF para. 104, Appendix VII</td>
<td>N13-2014</td>
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<td>MRLs for Pesticides</td>
<td>REP 15/PR para 118, Appendix IV</td>
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## LIST OF REVOKED STANDARDS AND RELATED TEXTS

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<th>Standards and Related Texts</th>
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<tr>
<td><strong>Standard for Canned Pears</strong> (CODEX STAN 61-1981), <strong>Standard for Canned Mangoes</strong> (CODEX STAN 159-1987); <strong>Standard for Quick Frozen Carrots</strong> (CODEX STAN 140-1983); <strong>Standard for Quick Frozen Corn-on-the-Cob</strong> (CODEX STAN 133-1981); <strong>Standard for Quick Frozen Leeks</strong> (CODEX STAN 104-1981); and <strong>Standard for Quick Frozen Whole Kernel Corn</strong> (CODEX STAN 132-1981)</td>
<td>REP15/PFV, paras 29, 42, 76)</td>
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<td><strong>Regional Standard for Ginseng Products</strong> (CODEX STAN 295R-2009)</td>
<td>REP 15/PFV, para. 86</td>
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<td>Maximum Levels for Lead in the GSCTFF Namely: Canned Grapefruit, Canned Mandarin Oranges, Canned Mangoes, Canned Pineapples, Canned Fruit Cocktail, Canned Tropical Fruit Salad, Canned Asparagus, Canned Carrots, Canned Mature Processed Peas, Canned Mushrooms, Canned Palmito (palm hearts) and Canned Sweet corn</td>
<td>REP 15/CF para. 51, Appendix IV</td>
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<td><strong>Food Additive Provisions of the GSFA</strong></td>
<td>REP 15/FA para. 113, Appendix VIII</td>
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<td><strong>Specifications for the 2,5-dimethyl-3-acetylthiophene (No. 1051)</strong></td>
<td>REP15/FA Para. 36, Appendix IV, Part B</td>
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<td>CCFICS</td>
<td>Principles and/or Guidelines for the Exchange of Information (including questionnaires) Between Countries to Support Food Import and Export</td>
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<td>Guidance for Monitoring the Performance of National Food Control Systems</td>
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<td>Guidelines for the Exchange of Information between Countries on Rejections of Imported Food (CAC/GL 25-1997) (Revision)</td>
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<td>Definition for Biofortification</td>
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<td>NRV-NCD for EPA and DHA long chain omega-3 fatty acids</td>
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<td>Addition of Palm Oil with High Oleic Acid (OxG) to the Standard for Named Vegetable Oils (CODEX STAN 210-1999) (Revision)</td>
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<td>Revision of Fatty Acid Composition and Other Quality Factors of Peanut Oil to the Standard for Named Vegetable Oils (CODEX STAN 210-1999) (Revision)</td>
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<td>CCCF</td>
<td>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Spices</td>
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<td>CCFA</td>
<td>Sections 4.1.c and 5.1.c of the General Standard for the Labelling of Food Additives When Sold as Such (CODEX STAN 107-1981) (Revision)</td>
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<td>CCPR</td>
<td>Establishment of Codex Schedules and Priority List of Pesticides for Evaluation by JMPR</td>
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<td>CCRVDF</td>
<td>Priority List of Veterinary Drugs Requiring Evaluation or Re-evaluation by JECFA</td>
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<td>CCMMP</td>
<td>Standard for Dairy Permeate Powders</td>
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<td>Regional Standard for Ayran (Proposed Draft)</td>
<td>REP15/EURO para. 37</td>
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<td>CCNFSDU</td>
<td>Standard for Processed Cereal-Based Foods for Infants and Young Children (CODEX STAN 74-1981) to Include a New Part B for Underweight Children (Proposed Draft Amendment)</td>
<td>REP 15/NFSDU para. 89</td>
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<td>CCFA</td>
<td>Food Additive Provisions of the GSFA (Draft and Proposed Draft)</td>
<td>REP 15/FA para. 114, Appendix X (Parts A and B)</td>
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<td>CCRVDF</td>
<td>MRLs for Derquantel (sheep tissues), and Monepantel (sheep tissues) (recommendations of the 75th JECFA) (Draft and Proposed Draft)</td>
<td>REP15/RVDF para. 66, Appendix VI</td>
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<td>CCFH</td>
<td>Annex on Statistical and Mathematical Considerations to the Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods (CAC/GL21-1997)</td>
<td>REP15/FH, para. 37</td>
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<td>CCPR</td>
<td>Maximum Residue Limits for Pesticides (Draft and Proposed Draft)</td>
<td>REP15/PR para 119, Appendix VIII</td>
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### CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES
established under Rule XI.1(b)(i)

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<td>Committee on Cocoa Products and Chocolate</td>
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¹ Working by correspondence