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# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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**ALINORM 08/31/3**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX ALIMENTARIUS COMMISSION**  
**31<sup>st</sup> Session**

**Geneva, Switzerland, 30 June – 5 July 2008**

**REPORT OF THE SIXTIETH SESSION OF THE  
EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION**

*FAO Headquarters, Rome, Italy, 4-7 December 2007*

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## INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its Sixtieth Session at FAO Headquarters, Rome, from 4 to 7 December 2007, under the chairmanship of Dr Claude J. S. Mosha (United Republic of Tanzania), Chairperson of the Codex Alimentarius Commission. A complete list of participants is attached as Appendix I to this report.

2. The Session was opened by Mr José M. Sumpsi, Assistant Director-General, Agriculture and Consumer Protection Department, FAO, and Dr Jorgen Schlundt, Director, Department of Food Safety, Zoonoses and Foodborne Diseases, WHO, who welcomed the delegates on behalf of the parent organizations. Both representatives emphasized continued strong commitment of their organizations to assisting the Commission to fulfil its objectives in order to ensure better and safer food.

## ADOPTION OF THE AGENDA (Agenda Item 1)<sup>1</sup>

3. The Executive Committee adopted the Provisional Agenda as the Agenda for the session and agreed to discuss the following matters under Agenda Item 11 (Other business) if time allowed: 1) Inclusion of Article XII of the General Rules of the FAO in the Procedural Manual (proposed by Argentina)<sup>2</sup>; 2) Codex provisions governing the convening of joint working groups and sessions of committees (proposed by New Zealand); 3) Length and content of session reports of the Codex Alimentarius Commission and its subsidiary bodies (proposed by the Chairperson of the Commission)<sup>3</sup>; and 4) Implementation of Codex standards at the national level (proposed by the Coordinator for the Near East).

## MATTERS ARISING FROM THE REPORTS OF THE COMMISSION AND THE EXECUTIVE COMMITTEE (Agenda Item 2)

### DRAFT PROCEDURES AND CRITERIA FOR STREAMLINING THE COMMISSION'S WORK ON DEVELOPMENT OF REGIONAL STANDARDS AND THEIR CONVERSION INTO WORLDWIDE STANDARDS (Agenda Item 2a)<sup>4</sup>

4. The Committee recalled that the 30<sup>th</sup> Session of the Commission had adopted, on a temporary basis, a procedure for the conversion of regional standards into international standards pending the outcome of the review of a study undertaken by the Chairperson and Vice-Chairpersons (Bureau) of the Commission to identify a set of draft procedures and criteria for use by the Executive Committee in its Critical Review to assist in streamlining its work on development of regional standards as opposed to international standards and their conversion into worldwide standards.

5. The Committee considered a document produced by a meeting of the Bureau of the Commission (Rome, September 2007) containing the proposed criteria and procedures set out in Parts A and B respectively and made the following comments and decisions:

#### Part A – Guidelines on the Application of the “Criteria for the Establishment of Work Priorities applicable to Commodities”

6. A member suggested that development of regional standards should be kept to a minimum as the primary objective of Codex was to develop international standards that were recognized by the WTO SPS and TBT Agreements as international reference points for harmonization of national regulations. Other members expressed concern on the need to provide justification against all the criteria and the availability of information associated with them which might make the Guidelines overly prescriptive. In this regard, it was noted that the listing of the criteria should not indicate any hierarchical order among them or the need to equally satisfy all of them as, depending on the nature and origin of the product, some of the criteria might be more relevant than others. It was understood, therefore, that a certain degree of flexibility should be allowed when applying these criteria.

7. In regard to criterion (f), a member indicated the need for a proposer of a project document to provide information on the nature of processing associated with the semi-processed or processed product as the name for the same food might vary across regions. Another member noted that consideration of alternative means (e.g. by improving labelling provisions in existing standards) other than developing full commodity

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<sup>1</sup> CX/EXEC 07/60/1 Rev.1.

<sup>2</sup> CRD 6 (submission from Argentina).

<sup>3</sup> CRD 4 (prepared by the Codex Secretariat).

<sup>4</sup> CX/EXEC 07/30/2 Part A.

standards needed to be included under these criteria if they could achieve the same objectives of consumer protection and/or facilitation of trade.

8. The Committee acknowledged that the Guidelines were not meant to amend or replace the Criteria for the Establishment of Work Priorities in the Procedural Manual but aimed at providing further guidance to members of the Executive Committee when performing the Critical Review on proposals for new or revised commodity standards so that an evidence-based decision on the need for a regional or international standard could be made while ensuring the good quality of the information presented in project documents. The Committee further noted that these criteria should be applied in a flexible way based on the information provided in the project document.

9. The Committee agreed that the Guidelines should be kept as a support document primarily for use by the Executive Committee to perform the Critical Review. It further agreed to append the Guidelines to the report (Appendix II) in order to make them widely available and that, in order to assist Codex Members and Codex subsidiary bodies when preparing project documents that will be evaluated against these new Guidelines, it is important that they be made as widely available as possible, such as clearly accessible on the Codex website, as well as featured in the chairpersons' briefing notes so that chairs of subsidiary bodies clearly convey the importance of these new Guidelines to members who are preparing new work proposals.

### **Part B – Proposed procedures for conversion of regional standards into worldwide standards**

10. A member was of the opinion that conversion of regional standards into international standards should not need to wait until adoption at Step 8 as, if the volume of inter-regional trade of the product rapidly increased during the elaboration process of the standard, there might be room for an earlier decision to move towards the elaboration of an international standard instead of a regional standard. In this regard, the Committee noted that the appropriate conduct of the Critical Review for new work proposals (regional or worldwide) and the adherence to the timeframe for standards development (usually 5 years maximum) would reduce delays in the finalization of a draft regional standard.

11. A member stressed the need to keep the process of developing regional standards transparent for all Codex members in order to facilitate their subsequent conversion into international standards. In this regard, the Committee noted that work on regional standards by coordinating committees was open to Codex members outside the Region concerned who could participate in the development process as observers. It was also noted that working documents and reports, including those for coordinating committees, were circulated to all Codex members and Observers. Furthermore, the proposed procedure allowed for the commodity committee, where active, to take initiative for the conversion of a regional standard into an international standard and thus giving all Codex members the same opportunity to determine the need for an international standard. Moreover, the proposed procedure allowed for conversion of regional standards into worldwide standards under the Accelerated Procedure to avoid unnecessary delays in the process of conversion.

12. The Committee agreed to append the Proposed Procedures for Conversion of Regional Standards into Worldwide Standards to the report (Appendix III) and to request approval of the Commission for their inclusion in Part 5 of the Elaboration Procedure of the Procedural Manual.

### **REVIEW OF CODEX COMMITTEE STRUCTURE AND MANDATES OF THE CODEX COMMITTEES AND TASK FORCES (Agenda Item 2 (b))<sup>5</sup>**

13. The Committee recalled that consideration of proposals on the Committee structure and mandates of Codex Committees and Task Forces as contained in Circular Letter (CL 2006/29-CAC) had been put on the agendas of the 59<sup>th</sup> Session of the Executive Committee and the 30<sup>th</sup> Session of the Commission and that, due to time constraints, the discussion had not been conclusive with the exception of Proposals 1, 2, 3, 4 and 8 (see Item 2(a)).

14. As requested by the 30<sup>th</sup> Session of the Commission, the Committee considered the remaining proposals (Proposals 5, 6, 7, 9, 10 and 11) at its present Session, taking into account comments submitted from members and observers and views provided by the FAO/WHO Coordinating Committees on these proposals, which were presented in ALINORM 07/30/9C Part II, ALINORM 07/30/9C-Part II-Add I and several Conference Room Documents tabled at the 30<sup>th</sup> Session of the Commission.

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<sup>5</sup> CL 2006/29-CAC, ALINORM 07/30/9C Part II, ALINORM 07/30/9C-Part II-Add.1, CAC/30 LIM11, CAC/30 LIM 14, CAC/30 LIM 16, CAC/30 LIM 20.

15. Discussion held and recommendation/decision made by the Committee are as follows:

**Proposal 5 (Use of *ad hoc* Task Forces)**

16. Noting that the comments submitted were in support of Proposal 5, the Committee agreed to recommend that the Commission at its 31<sup>st</sup> Session should endorse this Proposal, reproduced as follows:

*The Commission should consider, on a case by case basis, the advantages and disadvantages of using an ad hoc task force or a commodity committee in developing or revising commodity standards, while giving priority to the establishment of a Task Force rather than a Committee when the establishment of a new subsidiary body is required.*

17. The Committee noted that, in certain instances, adjourning a Committee *sine die*, rather than dissolving it, allowed the Committee to continue to undertake some revision work by correspondence or to be re-activated in a relatively short period of time when needed.

**Proposal 6 (Consideration of merging or dissolving existing committees)**

18. The Committee noted that comments submitted were generally in support of Proposal 6 but did not provide concrete suggestions on how to merge or dissolve some of the existing committees.

19. With regard to the four examples of merging committees as presented in paragraph 18 of the Circular Letter, one member expressed the view that the Commission should consider merging or dissolving of existing committees on a case by case basis, depending on the status (active or adjourned *sine die*) of subsidiary bodies as well as their current and future workload.

20. Another member pointed out that the matter had some political dimensions and that, in practice, it would be difficult to merge two committees both with a heavy workload even if the terms of reference of these committees were inter-related.

21. Another member, generally supporting the Proposal, expressed its view that the primary avenue for better management of commodity work should be to carefully consider prioritization of work rather than to address the structure of committees and that the Commission should consider a more pragmatic approach to deciding on how new work could be undertaken when relevant committees were adjourned.

22. After some discussion, the Committee agreed not to take any decision on this Proposal at this stage and to request the Secretariat to prepare a more detailed discussion paper on this matter, containing examples of merging committees, taking into account current as well as possible work plans of commodity committees in the future. The discussion paper would be sent to the host countries of subsidiary bodies concerned for comments and be discussed, together with the comments received, by the Committee at its next session.

**Proposal 7 (Next comprehensive review)**

23. The Committee agreed that the next comprehensive review of the Codex committee structure and mandates of committees and task forces should not be limited to commodity committees but also cover general subject committees. The Committee agreed to recommend that the Commission at its 31<sup>st</sup> Session should endorse Proposal 7 with minor amendments, as follows:

*The Commission should conduct a next comprehensive review of the committee structure and mandates of subsidiary bodies of the Commission after 2011 and consider whether changes would be desirable, in particular in regard to the re-organization of commodity work of the Commission in the light of an assessment of the effect of the Critical Review in streamlining the commodity work of the Commission.*

**Proposal 9 (Relation between committees)**

24. The Committee recognized that Proposal 9 presented in the Circular Letter had partly become obsolete since relations between commodity committees and general subject committees had evolved to some extent at 30<sup>th</sup> Session of the Commission, with the amendments to “Format of Codex Commodity Standards” and “Relation between Commodity Committees and General Committees”,<sup>6</sup> following the decision by the 29<sup>th</sup> Session of the Commission to split the Committee on Food Additives and Contaminants into two committees.

25. As follow-up to the above amendments, the Committee agreed to recommend that:

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<sup>6</sup> ALINORM 07/30/REP paragraphs 29, 36-38 and Appendix III

- i) all commodity committees should align contaminant provisions in commodity standards to the standard language set out in the Procedural Manual;
- ii) when deviations from the standard language were needed, such text should, in principle, be submitted to relevant subject committees for endorsement, while allowing for certain flexibility, where justified;
- iii) the Secretariat should conduct an overall analysis on the content of, and relationship between “Format of Codex Commodity Standards” and “Relation between Commodity Committees and General Committees” from the viewpoint of streamlining working relations between committees and report the result to the Executive Committee, with recommendations to amend provisions in the Procedural Manual as necessary.

26. The Committee noted that the forthcoming session of the Committee on Contaminants in Foods was expected to develop necessary provisions for contaminants in “Relation between Commodity Committees and General Committees” on the basis of a draft to be prepared by the Secretariat.

#### **Proposal 10 (Tasks related to nutrition)**

27. The Committee noted that the comments submitted generally recognised the importance of work on nutrition in Codex, currently undertaken by the Committees on Nutrition and Foods for Special Dietary Uses and on Food Labelling.

28. Some members expressed the view that it might be beneficial for FAO/WHO Coordinating Committees to discuss nutrition-related matters of regional interest, particularly in relation to the WHO Global Strategy on Diet, Physical Activity and Health.

29. In this regard, the Representative of WHO stated that the WHO Global Strategy should be followed and supported worldwide and be addressed in appropriate international fora. The Representative cautioned the Committee against the risk of a global momentum being lost if the Global Strategy was taken down to the regional level.

30. The Committee noted that, from the procedural point of view, it was open for Coordinating Committees to discuss any matter of regional interest, in accordance with their terms of reference and the recommendation of the 28<sup>th</sup> Session of the Commission to encourage Coordinating Committees to consider any particular items of regional interest within the terms of reference of the Committees.

31. In relation to the mechanism to ensure adequate provision of scientific advice to the Committee on Nutrition and Foods for Special Dietary Uses, the Representative of WHO informed the Committee that currently discussion was ongoing between WHO and FAO with a view to establishing a joint expert body on nutrition.

#### **Proposal 11 (Role of private standards)**

32. The Committee recognised that the issue of private standards had been being discussed in the WTO Committee on Sanitary and Phytosanitary Measures (WTO/SPS Committee) and some other international fora recently. The Committee also noted that a document that contained in-depth analysis on the implications of private standards had been presented at the latest session of the WTO/SPS Committee held in October 2007<sup>7</sup>.

33. The Committee noted that this issue would remain on the agenda of the forthcoming meeting of WTO/SPS Committee (March 2008).

34. In view of ongoing discussion on this matter in WTO and other international fora, the Committee agreed not to make any decision/recommendation on Proposal 11 at this moment and requested the Secretariat to monitor developments of the subject in WTO and elsewhere and keep the Committee informed.

#### **OTHER MATTERS (Agenda Item 2c))<sup>8</sup>**

35. The Committee recalled that the 30<sup>th</sup> Session of the Commission had noted that the definition of consensus and how the concept was handled in practice in Codex was considered an important issue by many members, to be further discussed within the Committee on General Principles. In order to prepare for discussion at the next session of the Committee on General Principles, the Commission had agreed that the issue be discussed by the current session of the Executive Committee, including how to request chairpersons

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<sup>7</sup> G/SPS/GEN/802

<sup>8</sup> CRD 5 (prepared by the Secretariat)

of Codex subsidiary bodies to provide their input on the matter and especially their experiences with the application of the Measures to Facilitate Consensus. The Committee was therefore invited to provide comments and observations on the draft questionnaire contained in document EXEC/60 CRD/5. The comments would be taken into account in the final questionnaire to be circulated soon to Codex Chairpersons.

36. One member stated that the questionnaire should be aimed at collecting responses from Codex Chairpersons on their experience with respect to the criteria they used to determine whether consensus had been reached or not. After some discussion, the Committee agreed that a new question “Describe, in practical terms, when you understand that a consensus has been reached in your committee” be added to the questionnaire, with the understanding that the intent of this question was not to invite the Codex Chairpersons to define the concept of consensus, but to provide practical information on how they were interpreting and applying the concept.

37. The Committee also agreed that the use of a numerical scale in Questions 1 and 2 would not be helpful and that these questions should rather be answered in narrative. In this connection, the Committee noted that a question had specifically been included in the questionnaire to collect case studies on reaching consensus. The Committee noted the view of a member that variability in responses to the questionnaire would probably provide richness, rather than confusion, to the discussion at subsequent steps.

### **CRITICAL REVIEW FOR THE ELABORATION OF CODEX STANDARDS AND RELATED TEXTS – MONITORING PROGRESS OF STANDARDS DEVELOPMENT (Agenda Item 3)<sup>9</sup>**

38. The Secretariat informed the Committee that the working documents presented the updated status of work resulting from the decisions of the Commission and the meetings of the Committees and Task Forces held after the 30<sup>th</sup> Session of the Commission, and included the comments of several Chairpersons or host country secretariats.

39. One member expressed the view that the Committee on Contaminants in Foods (CCCF) should consider the application of measures to facilitate consensus in order to finalise the maximum level for ochratoxin A and aflatoxins in the light of the JECFA evaluation. The Committee noted that the report of the 68<sup>th</sup> JECFA held in June 2007 would be considered by the next session of the CCCF in April 2008.

40. Another member expressed the view that the Committee on Fats and Oils should ensure that the Standard for Olive Oils and Olive Pomace Oils was applicable to olive oils produced in all regions of the world in order to ensure harmonisation at the international level and to prevent barriers to trade resulting from differences in fatty acid composition. The Committee did not pursue this matter further, noting that technical issues would be best addressed in the Committee on Fats and Oils.

41. The Secretariat informed the Committee that the FAO/WHO Coordinating Committee for Asia, initially scheduled from 17 to 20 November 2008, would probably need a five-day session to complete its work as its agenda included several regional commodity standards at various steps in the Elaboration Procedure.

42. The Committee noted that the FAO/WHO Coordinating Committee for the Near East would consider the elaboration of several items of new work at its next session (January 2009). The Committee also noted the status of preparations for the 8<sup>th</sup> Session of the Committee on Natural Mineral Waters, which had been reactivated at the 30<sup>th</sup> Session of the Commission.

### **FINANCIAL AND BUDGETARY MATTERS (Agenda Item 4)<sup>10</sup>**

#### **CONSIDERATION OF ALTERNATIVE FUNDING MECHANISMS (Agenda Item 4a)**

43. The Secretariat introduced document ALINORM 07/30/9-Add.1 and recalled that this matter had been discussed at the 59<sup>th</sup> Session, but that, due to time constraints and the late availability of the document, it had been decided to consider this matter further at the present session.

44. The Secretariat explained that document ALINORM 07/30/9-Add.1 looked at three different funding mechanisms (i.e. mandatory assessed contribution, voluntary assessed contribution, and funding through regular budgets of FAO and WHO) from two angles, viz. the sustainability and predictability of budgeting processes and the legal implications associated with each of the three cases presented in the document.

<sup>9</sup> CX/EXEC 07/60/3, CX/EXEC 07/60/3-Add.1

<sup>10</sup> ALINORM 07/30/9-Add.1

45. The Representative of the World Health Organization expressed the view that in addition to the three funding methods presented, an additional option, the use of un-earmarked extra-budgetary funds in the operation of the Codex programme, could be considered. The Representative indicated that 75% of WHO funds were extra-budgetary and were also used to finance normative activities of the WHO. It was further pointed out that should this option be further explored it would require the amendment of Article 9 of the Statutes of the Commission.

46. Some members cautioned that voluntary as well as mandatory assessed contributions could lead to greater uncertainty of income and might place an additional financial burden on member countries. It was further cautioned that mandatory assessed contributions could lead countries that have not fulfilled their obligations to lose their voting rights in the decision-making process within Codex.

47. Several members supported the continued funding of the Codex programme through the regular budgets of FAO and WHO, since this mechanism provided for a certain level of certainty, but also expressed the view that Codex should continue to explore additional cost-saving measures, especially with regard to outsourcing of services for translation and interpretation and reiterated the importance of the critical review process to ensure that only necessary work is undertaken by Codex. The members further pointed out that there was already a significant level of extra-budgetary contributions by members through the hosting of subsidiary bodies of the Commission and cautioned that dependence on extra-budgetary contributions could result in some uncertainty and that more information would be needed on their effect on Codex funding. The Committee also noted that in-kind contributions of members also included the secondment of professional officers to the secretariat.

48. A member suggested that a review of logistic requirements, including the contract of interpreters and translators, for the holding of meetings of subsidiary bodies over the next two years might identify room for cost-savings on the part of host governments.

49. The Representative of FAO further brought to the attention of the Committee the recent Independent External Evaluation of FAO to improve its administrative procedures and efficiency and the fact that the outcome of this evaluation could affect the funding mechanisms of programmes and that in future, it was possible that the main-stream programmes of FAO could be funded increasingly by un-earmarked extra-budgetary funds which would affect future discussions on this matter.

50. In view of the discussion, the Committee agreed to request the FAO and WHO to prepare a discussion paper to explore the legal, financial and other implications of an amendment to Article 9 of the Statutes to allow the use of extra-budgetary resources, in addition to funds from the Regular Budgets for funding of Codex, for discussion by the next session of the Committee.

51. The Committee expressed its appreciation of the high priority the parent organizations accorded to the Codex programme as well as to the member governments for their in-kind contributions in support of the Codex programme.

#### **OTHER MATTERS (Agenda Item 4b))**

52. The Executive Committee was informed that the working document for this item had not been issued as work was ongoing in the FAO budget unit to define the exact figures for the 2008-09 Codex budget following the decision of the FAO Conference in November 2007 on the overall budget level. The budget level for the Codex programme was expected to be set at a level that would preserve the purchasing power of the 2006-07 biennium. In the working document on the budget estimate submitted to the 30<sup>th</sup> Session of the Commission<sup>11</sup>, the amount needed for this had been estimated as 7.6 million US\$ but this amount had now been increased to 8.4 million US\$ due to the recent developments in exchange rates between the US dollar and the Euro. The Secretariat mentioned that while the increase of 1.5 million US\$ in nominal terms from the 2006-07 budget (6.9 million US\$) might seem significant, this covered the loss of value of the US dollar against the Euro and cost increases.

53. Within the Codex Budget for 2008-09, the ratio of contributions between FAO and WHO was still to be determined through bilateral consultations. It was mentioned that the total estimated budget of 8.4 million US\$ did not include provisions for the Russian language to be used in the Commission and the Coordinating Committee for Europe (for interpretation and translation of documents) nor for the Portuguese language to be used in the Coordinating Committee for Africa (for interpretation only).

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<sup>11</sup> ALINORM 07/30/9



54. The Representative of the FAO stated that FAO was going through a challenging period due to the Independent External Evaluation of FAO but that the recent meetings of the governing bodies considered the Codex programme as a priority area in FAO with a protected budget. He informed the Committee that as a result of the special session of the FAO Conference in 2008 priorities might be reviewed which could lead to a change in the budget for 2009; however, because of the high priority that FAO members accorded to Codex, any change was expected to be positive.

55. The Representative of the WHO informed the Committee that in the WHO budget for 2008-09 adopted by the 60<sup>th</sup> Session of the World Health Assembly in May 2007, the same amount as in the 2006-07 biennium had been set aside for Codex (1.25 million US\$).

56. Some members were of the opinion that it could be interesting to know the complete, global cost for the Codex operations which, in addition to the expenditure by the Codex Secretariat for the standard setting operations and by FAO and WHO for scientific advice and capacity building related to Codex, included the in-kind contributions of host countries for the operation of subsidiary bodies.

57. Other members were of the opinion that evaluating the operating costs of Codex subsidiary bodies would put an unnecessary administrative burden on host countries and that the results would be difficult to interpret because of very different situations and costing structure among host countries.

58. In reply to a question from a member, the Secretariat clarified that for all Codex subsidiary bodies established under Rule XI. 1 (b)(i) (Codex committees and task forces) all major operating costs including translation and interpretation were borne by the host country (in accordance with Rule XIII.4) whereas for coordinating committees those costs were borne by the Codex secretariat.

59. As regards the budget of FAO and WHO for Codex-related activities, the Committee was informed that the budget for the provision of scientific advice was approximately 2.5 million US\$ (with at least the same amount of staff costs) and that an equivalent amount was used for Codex-related technical assistance to countries.

60. The Executive Committee noted the information provided on the budget process for 2008-09 and urged FAO and WHO to establish, as soon as possible, the final Codex budget for planning purposes and not only protect the Codex budget from reductions but to increase it to allow for accommodation of additional language coverage.

#### **PROPOSED SCHEDULE OF CODEX MEETINGS 2008-2009 (Agenda Item 5)<sup>12</sup>**

61. The Executive Committee noted the updated Proposed Schedule of Codex Meetings 2008-2009, with the understanding that the dates and venues were still indicative; they would become definitive only when the Directors-General of FAO and WHO issued official Invitations.

62. The Executive Committee noted that the members hosting a Codex session should expedite the conclusion of a Letter of Agreement (LoA) and a Memorandum of Responsibilities (MoR) with FAO because any significant delay at this step would result in delays for issuing a formal invitation, which would lead to reduced participation due to problems related to visas issuance and travel arrangements.

63. The Executive Committee was informed that the Committee on Natural Mineral Waters might need to hold a session in 2009 depending on the outcome of its 2008 session and that the Committee on Nutrition and Foods for Special Dietary Uses would change the venue of its 2008 session from Germany to South Africa.

64. In response to a question regarding how often the LoA and MoR should be concluded, the Secretariat clarified that the LoA and MoR should usually be signed to cover a series of meetings of a subsidiary body, to avoid repetition of time-consuming administrative processes. However, when a host government wished to hold a Codex session outside its territory, it was necessary to establish a LoA and MoR with the government of the country where the meeting took place.

65. The Executive Committee noted that the Committee on Fresh Fruits and Vegetables should hold a six-day session preceded by one or two working groups and noted a view that the Coordinating Committee for Latin America and the Caribbean should have a five-day session because of its rich agenda.

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<sup>12</sup> CX/EXEC 07/60/5

66. The Executive Committee, noting examples of difficulties encountered by some members to obtain visas in time to attend Codex meetings, emphasized the need for the early conclusion of LoA/MoR and early circulation of formal invitations.

**MATTERS ARISING FROM THE REPORTS OF THE COMMISSION, CODEX COMMITTEES AND TASK FORCES (Agenda Item 6)<sup>13</sup>**

67. The Committee noted the issues presented in document CX/EXEC 07/60/6, most of which were for information only. In particular, the Committee commented on the following matter:

***Ad hoc* Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)**

68. The First Session of the *ad hoc* Task Force on Antimicrobial Resistance had agreed to forward to the 31<sup>st</sup> Session of the Codex Alimentarius Commission an amendment to the section “Objectives” of its Terms of Reference to clarify that the Task Force should attempt to put into perspective the risk of increase of antimicrobial resistance in human beings and animals generated by different areas of use of antimicrobials, such as veterinary applications, plant protection or food processing, without adding a reference to human medicine<sup>14</sup>.

69. One member expressed concern that the proposed amendment could expand the scope of work of the Task Force and consequently affect the ability of the Task Force to complete its work within the timeframe assigned by the Commission. Another member, while noting that the proposed amendment did not change the specific terms of reference of the Task Force, recalled that it was the Executive Committee’s role to ensure that the Task Force did not embark on activities that could not be completed within its timeframe. The Committee noted another view that the proposed amendment to the “Objectives” would allow the Task Force to examine antimicrobial resistance in a more holistic manner and would also facilitate the provision of scientific advice on a broader basis that might be requested by the Task Force at a later stage.

70. The Committee could not come to a conclusion on this matter and noted that more time was needed to consider in detail the report of the Task Force. Therefore, the Committee agreed to reconsider the matter at its next session and, where possible, to provide its advice to the Commission.

**RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 7)**

**APPLICATIONS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS FOR OBSERVER STATUS IN CODEX (Agenda Item 7a)<sup>15</sup>**

71. The Executive Committee was invited, in accordance with Rule IX.6 of the Rules of Procedure, to provide advice regarding the applications for observer status of two international non-governmental organizations neither having status with FAO nor official relations with WHO. Information from the applicant organizations was included in Annexes 1 and 2 of document CX/EXEC 07/60/7 Part I and CRD 2 and 3.

**EFBW (European Federation of Bottled Waters)**

72. The Secretariat introduced the application which had been reviewed by the Codex Secretariat and the legal office of WHO and informed the Committee that EFBW had taken up all legal and administrative functions of the Codex observer GISENEC (Groupement international des Sources d'Eaux Naturelles et d'Eaux Conditionées). Because of a change in the statutes of the organization a re-application of the new body had been requested. If granted observer status the EFBW would replace the GISENEC as Codex observer.

73. The Secretariat highlighted that in their application the EFBW stated that it was an active member of the CIAA (European Food and Drink Federation) which was also a Codex observer and that in a joint letter provided by the two organisations the mutual responsibilities were clarified so that there was no issue of double representation.

74. In addition the Secretariat indicated that a global organization ICBWA (International Council of Bottled Waters Associations), which among others has as members the EFBW and the existing Codex

<sup>13</sup> CX/EXEC 07/60/6; EXEC/60 CRD/07 (Proposed amendment to the Terms of Reference of the *ad hoc* Codex Intergovernmental Task Force on Antimicrobial resistance)

<sup>14</sup> ALINORM 08/31/42, paras 6-9 and Appendix II

<sup>15</sup> CX/EXEC 07/60/7, Part I

observer IBWA (International Bottled Water Association) had on two occasions (2004 and 2007) applied for observer status with the Codex Alimentarius Commission. On both occasions the Secretariat had sought clarification on the issue of double representation from the applicant. So far no such clarification had been received.

75. The Committee noted the imminent upcoming session (February 2008) of the Codex Committee on Natural Mineral Waters (CCNMW) and the importance for industry expertise to be made available to the Committee. The Committee also noted the information provided by the Secretariat that after the Executive Committee's advice was given to the Directors-General of FAO and WHO, the administrative procedures to obtain their final decisions might take several months. The Committee therefore decided to defer discussion on the application for observer status of EFBW to its next session and to discuss it in connection with any new information available from ICBWA. The Committee recommended that EFBW could participate as observer in the CCNMW under the denomination GISENEC-EFBW until the issues above were resolved.

#### **IPA (International Probiotics Association)**

76. The Secretariat introduced the application which had been reviewed by the Codex Secretariat and the legal office of WHO and had been found to be complete.

77. The Executive Committee agreed to recommend to the Directors-General of FAO and WHO to grant IPA observer status with the Codex Alimentarius Commission.

#### **OTHER MATTERS (Agenda Item 7 b))<sup>16</sup>**

78. The Executive Committee recalled that the 30<sup>th</sup> Session of the Commission had adopted an amendment to the *Principles Concerning the Participation of International Non Governmental Organizations* (INGOs) which had provided a basis for reviewing the status of the current observers in the light of the present criteria set out in the *Principles*, instead of the conditions that applied at the time of their admission. The Committee noted that in order to conduct a review in a prompt and objective manner, emphasis had been placed on two criteria: i) Paragraph a) under the third bullet point of Section 3 of the *Principles* (i.e. INGOs must have members and carry out activities in at least three countries) and ii) Paragraph 2, Section 6 of the *Principles* (i.e. attendance at Codex meetings and/or submission of written comments in the last four years). For practical reasons, the scope of this review was limited to those INGOs neither having Status with FAO nor Official Relations with WHO. Further review would be conducted, in coming years, on INGOs in other categories.

79. The Committee was invited, in accordance with Paragraph 3, Section 6 of the *Principles*, to provide advice regarding the termination of observer status for 38 INGOs listed in tables in document CX/EXEC 07/60/7 Part II (Table 4) and CX/EXEC 07/60/7 Part II Corr.1 (Tables 1, 2 and 3). The Executive Committee noted that 25 INGOs did not have the evidence to meet the conditions set forth in Paragraph 2, Section 6 while meeting the conditions set forth in Paragraph (a), Section 3 (Table 1); 5 INGOs did not have the evidence to meet the conditions set forth in Paragraph (a), Section 3 while meeting the conditions set forth in Paragraph 2, Section 6 (Table 2); (iii) 4 INGOs neither met the conditions set forth both in Paragraph 2, Section 6 and nor those in Paragraph (a), Section 3 (Table 3), and 4 INGOs were not in existence or in activity any more (Table 4).

80. The Executive Committee, in formulating its advice on each of the listed INGOs, agreed on the following criteria:

- to recommend termination of observer status for INGOs that had been dissolved (Table 4);
- to recommend termination of observer status for INGOs that had expressed lack of interest in Codex (Table 1);
- to recommend termination of observer status for INGOs that had neither responded to the enquiry made by the Secretariat nor to the subsequent reminders (Tables 1, 2, and 3);
- to recommend termination of observer status for INGOs that are members of umbrella INGOs enjoying observers status or whose interest could be represented by another observer organization (Tables 1 and 2);

- to recommend termination of observer status for INGOs that did not identify a relevant field of activities for collaboration with Codex (Table 1);
- to recommend continuance of observer status for INGOs that had provided sound evidence of meeting the criteria used for the review process (Table 2);
- to recommend continuance of observer status for INGOs whose field of activities corresponded to that of a Codex subsidiary body that had been adjourned sine die, as well as for INGOs that had indicated that there was currently no specific work items in the Codex subsidiary bodies (Table 1);
- to recommend the granting of a two-year delay (until 2009) before terminating of observer status for INGOs that had imminent opportunities to participate in forthcoming sessions or activities of Codex subsidiary bodies (Table 1);
- to recommend the re-examination of observer status at the 61<sup>st</sup> Session of the Committee for INGOs on which additional information was requested (Table 2).

81. The Committee applied the criteria above to the INGOs listed in Tables 1, 2, 3 and 4, and provided its advice to the Directors-General of FAO and WHO, as summarised in Appendix IV.

#### **FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 8)<sup>17</sup>**

82. The Committee noted, with thanks to the WHO Secretariat for the Trust Fund, the information contained in the progress report and held discussions as follows.

83. Some members expressed their concern on the indicators used for the grouping of countries for the purpose of determining eligibility for the Trust Fund. One member requested further clarification on the terminology used in the working document and observed that the grouping of beneficiary countries obtained with the current criteria did not reflect the real economic situation and needs of certain developing countries. In response to this concern, the Representative of WHO clarified that the Secretariat of the Trust Fund had been using economic and socio-economic indicators developed by other United Nations Organizations, considered as the best objective references available. While expressing its willingness to consider any concrete proposal to improve the current classification, the Representative emphasized the need for consistent application of criteria in order to guarantee a transparent and impartial operation of the Fund.

84. One member expressed the view that provision of support by the Trust Fund according to the established classification distorted the regional balance of members participating in a Codex meeting and eventually brought bias to the conclusions thereof. In this regard, the Representative of WHO indicated that the Trust Fund was expected to influence the conclusions for the better by bringing more voices of developing countries, and that meetings for which countries were granted support were decided solely according to the priorities identified by the beneficiary countries themselves, as expressed in the applications submitted to the Secretariat for the Trust Fund. While the member was also of the view that many developing countries in the Latin American and Caribbean Region whose economies were based on agriculture did not receive sufficient support from the Trust Fund, the Committee noted that Codex work was relevant not only for food exporting countries but also importing countries.

85. One member questioned the need for the Trust Fund to carry out capacity building activities given that there were many other opportunities for technical cooperation including those provided by FAO, while several members supported the activity as a means to improve national Codex structures. The Committee noted that the capacity building by the Trust Fund was, unlike conventional capacity building activities that would entail significant interventions at national levels, focused on improving preparation before, and follow-up after, Codex meetings. The Committee further noted that an electronic training course for enhanced participation in Codex activities had been available on the FAO website.

86. Some members suggested that the impact of the Trust Fund on recipient countries at national level be measured and included in the progress reports. The Committee noted that the issue of impact evaluation at national level was one of the themes to be discussed in a FAO/WHO brainstorming session on the Trust Fund scheduled in conjunction with the present session of the Committee and that the matter was also

developed in a recent study commissioned by the Swedish International Development Cooperation Agency (SIDA).

87. The Committee expressed its appreciation of the financial contributions made so far to the Trust Fund, encouraged current donors to continue to provide funds and invited other countries to consider contributing to the Fund in order to ensure its sustainability, while requesting more responsibility and commitment by the recipient countries. The Committee also welcomed the willingness of the FAO and WHO to take on board any concrete proposals to improve the management and operation of the Trust Fund.

#### **OTHER MATTERS FROM FAO AND WHO (Agenda Item 9)<sup>18</sup>**

##### **Statement by FAO and WHO**

88. The Representative of FAO informed the Committee that as a result of the views expressed by member countries in the governing bodies of FAO and WHO and of management consultations, FAO and WHO had agreed on a joint statement presented as CRD 8. The Representative pointed out that Codex was going through a period of change and that Member States of FAO and WHO continued to express their wish for improvements in the way the two organisations operated, including in Codex, and especially in the following areas:

- more speed in the development and adoption of Codex texts
- fewer Committees and fewer meetings
- improved efficiency, including use of electronic means of communication
- more emphasis on health related issues
- support for the Global Strategy on Diet, Physical Activity and Health
- shorter reports of Codex sessions
- new meeting forms using modern communication technology
- establishment of a duration for the terms for hosting Codex Committees
- clearer rules to help chairs manage meetings

89. The Representative emphasised that FAO and WHO intended to provide strategic guidance to Codex, while recognizing its mandate and respecting its autonomous nature, and expected that the Executive Committee would carry out management discussions in order to proceed with the improvement of the Codex process. The Representative expressed concern with the reluctance to introduce the necessary changes that appeared in the discussion on some of the areas concerned and expressed the hope that FAO and WHO would be able to report to their governing bodies about a positive outcome regarding the improvement of the Codex process.

90. The Representative of WHO stressed the need to carry out the required changes in order to ensure improvement in Codex and to set aside the arguments that prevented progress, especially as regards shorter session reports and the smaller number of committees, and also emphasized the priority of health and safety issues over work on commodity standards.

91. Some members pointed out that it was difficult to have an in-depth discussion on certain important issues raised, as the statement had not been made available prior to or at the start of the meeting. The Secretariat recalled that the statement would be identified as CRD 8 and would be distributed with other CRDs to all Codex Contact Points through the E-mail distribution lists according to current practice for all Codex meetings.

92. Several members welcomed the position of FAO and WHO as it emphasised the need for continued progress on several issues which were already under consideration in the Executive Committee in order to improve working procedures and the overall standard-setting process. They also indicated that the areas for change identified by FAO and WHO should be carefully considered in order to provide concrete replies, as was expected by FAO and WHO, and in accordance with the role of the Executive Committee to provide strategic guidance and clear advice to the Commission.

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<sup>18</sup> CX/EXEC 07/60/9, CRD 8 (Joint FAO/WHO Statement at the 60<sup>th</sup> Session of the Executive Committee, 6 December 2007)

93. One member expressed the view that these issues should be discussed in the meeting of Codex Chairpersons and that Coordinating Committee could also provide useful contributions to the improvement in Codex work.

94. As regards specific areas identified for consideration, one member expressed the view that shorter reports could not provide a clear understanding of the discussions held in Codex sessions for the members who could not participate, and noted that this was especially important for developing countries that could not participate in all meetings and had to rely on the reports.

95. The Secretariat recalled the status of the discussions on the areas identified by FAO and WHO: some general issues had been regularly considered by the Executive Committee and the Commission since the Joint FAO/WHO Evaluation in 2002, especially the need for expediting the elaboration process, and the emphasis on health related issues; cost saving efficiency was discussed on an ongoing basis in relation to budgetary matters; specific proposals concerning the number of committees, shorter reports and the issue of consensus were under consideration at the present session and would be discussed further at the next session of the Executive Committee or at the Commission. It was noted that the proposals concerning new forms of meetings had been considered in the framework of the Evaluation, while limiting the duration of the terms for hosting Codex Committees was a new proposal that had not been considered so far.

96. After some discussion, the Committee agreed that further discussion was necessary in order to consider these proposals in detail and that FAO and WHO in cooperation with the Secretariat would provide a more detailed document providing management guidance to the Executive Committee in the areas identified by FAO and WHO, including proposals for concrete action, for consideration by the next session of the Executive Committee.

#### **Partnership for the Provision of Scientific Advice: Implementation of the Global Initiative for Food-Related Scientific Advice (GIFSA)**

97. The Representatives of WHO and FAO informed the Committee that FAO and WHO had established the Global Initiative Food-Related Scientific Advice (GIFSA) in order to address the increasing demand for scientific advice from Codex and member states, with the objective of contributing to sustainable funding of the FAO/WHO Programmes on the Provision of Scientific Advice. The Representative of WHO indicated that the contributions would be accepted from governments, organisations and foundations not having conflict of interest, in accordance with FAO and WHO rules.

98. Some members supported this initiative in view of the growing need for scientific advice in food safety and nutrition and increased focus on health related issues in Codex, and expressed the view that alternative sources of funding could be considered, provided the impartiality of the scientific advice was ensured.

99. The Committee welcomed the establishment of the Global Initiative, while reasserting the need for the impartiality of scientific advice, and agreed to recommend that the Commission encourage members to contribute to the funding of this initiative.

#### **Use of Scientific Advice by Codex**

100. The Representative of FAO pointed out that in some cases the purpose of the request for scientific advice was not entirely clear, especially as to how the advice, once provided, would be used by the Committee concerned in the development of MRLs or other provisions; in other cases, when scientific advice had been provided, it was not always used by the Committee concerned, or it happened that the Committee could not reach a decision on the use of this advice for the purpose of risk management.

101. Some members pointed out that FAO/WHO risk assessments were essential to developing countries, as their resources did not allow them to carry out research or collect data and they relied on the FAO/WHO scientific advice when participating in different Codex Committees. One member pointed out that MRLs or maximum levels should be based on scientific risk assessment and should not be set at the limits of detection, as methodology constantly evolved. It was stated that some Codex Committees did not take into account the scientific advice provided by FAO/WHO and it was proposed that Committees give more importance to such advice.

102. The Representative of FAO indicated that specific capacity building activities were carried out in several countries in order to allow developing countries to generate data that could be used for the purpose of exposure assessment, and that the participation of experts from developing countries in FAO/WHO expert bodies was also actively encouraged.

103. One member requested some clarification concerning the FAO recommendation to the effect that governments should not use the results of the risk assessments since they were based on confidential data and asked for clarification in this respect in the light of the WTO provisions. The Representative of FAO indicated that this applied only to the JECFA publications that are based on confidential data provided by the manufacturer, but that the outcome of the risk assessment, which was the basis of the decisions of the Committee on Residues of Veterinary Drugs in Foods, could be used by governments.

104. Some members noted that in some Codex committees the use made of FAO/WHO scientific advice did not always allow these committees to reach a conclusion due to difference of views between members concerning risk management aspects, or to other factors. The Representative of WHO expressed the view that an inordinate proportion of industry representatives in working groups of Codex Committees could give a negative impression of exercising undue influence. One member proposed to consider further how a balanced representation could be achieved within working groups.

105. The Representative of FAO pointed out that when Codex committees decided to take a risk management decision that was not based on the scientific advice provided by FAO/WHO, they should fully document the rationale for their decision in the report of the session, in order to ensure transparency. It was also important for FAO and WHO to report to their governing bodies on the impact of the provision of scientific advice on Codex decisions.

106. The Secretariat recalled that the need for effective communication between risk assessors and risk managers was recognized in the Codex Strategic Plan 2008-2013<sup>19</sup> and that useful guidance had also been developed by several committees when describing their policies for risk analysis, including the establishment of priorities and interaction with FAO/WHO expert committees.

107. The Committee expressed its appreciation to FAO and WHO for the provision of scientific advice and agreed that requests for scientific advice should be clearly formulated and documented, including the purpose of the request and the intended use of the scientific advice by the Committee or Task Force concerned.

108. The Committee noted that the Global Minor Use Summit, currently held in FAO, was likely to have implications for the work on risk assessment of pesticide residues carried out by JMPR and the work of the Committee on Pesticide Residues. It was agreed that information on the outcome of the Summit would be provided to the Commission under FAO activities.

#### **DRAFT PROVISIONAL AGENDA OF THE 31<sup>st</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 10)<sup>20</sup>**

109. The Executive Committee noted that the draft Provisional Agenda for the 31<sup>st</sup> Session of the Commission had been prepared following the same format as in the past sessions of the Commission and was presented to the current session of the Executive Committee in accordance with Rule VII.1 of the Rules of Procedure.

110. The Executive Committee was informed that the duration of the session (five days or six days) would be determined soon, taking into account the volume of the items to be discussed. The 31<sup>st</sup> Session of the Commission would be preceded by the 61<sup>st</sup> Session of the Executive Committee, to be held on the WHO premises.

111. The Executive Committee noted that, if the option of a five-day session was chosen, the adoption of the report would most likely take place in the afternoon of the fifth day (Friday) and that the final dates/time of the session would be included in the Invitation and the Provisional Agenda to be issued by the Directors-General.

#### **OTHER BUSINESS (Agenda Item 11)**

##### **Inclusion of Rule XII of the General Rules of the FAO in the Procedural Manual<sup>21</sup>**

112. The Member for Latin America and the Caribbean drew attention to the situation that took place at the 30<sup>th</sup> Session of the Codex Alimentarius Commission during the discussion of the *Draft Revised Standard for*

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<sup>19</sup> Goal 2, Activity 2.3 “Enhance communication among relevant Codex subsidiary bodies and the FAO/WHO scientific expert bodies”

<sup>20</sup> CX/EXEC 07/60/10

<sup>21</sup> EXEC/60 CRD/6

*Emmental*, when reference was made to the FAO Rules that apply *mutatis mutandis* to Codex Rules. The document EXEC/60 CRD/6 highlighted the importance of making Rule XII of the General Rules of FAO available to delegates in a Codex meeting which, according to Rule VIII.7 of the Rules of Procedure, applied to matters which were not specifically dealt with under Rule VIII of the Rules of Procedure. This would enable a better understanding of the procedures followed in Codex sessions and improve transparency. The Member suggested including this Rule in an annex to the Procedural Manual of the Commission.

113. The Executive Committee noted various clarifications provided by the Legal Office of FAO and, in particular, that it was essential that all members should be fully aware of applicable rules. While the usual decision-making method of work of Codex was consensus and the Commission was required to make every effort to reach agreement on the adoption of standards or amendments to standards by consensus, rules on voting were still necessary. Together, consensus and voting constituted instruments for decision-making.

114. A member noted that knowledge of Rule XII of the General Rules of FAO, as well as of other Rules, was very helpful not only to ensure transparency in the Codex process but also to provide guidance for better managing Codex meetings and facilitating consensus. Another member, while noting the need for transparency, expressed concern that including Rule XII of the General Rule of FAO in the Codex Procedural Manual could send a message contradictory to the spirit of Rule XII.2 of the Rules of Procedure of the Codex Alimentarius Commission, which stated that “*The Commission shall make every effort to reach agreement on the adoption or amendment of standards by consensus*”. The importance of making available these Rules to delegates attending Codex meeting was stressed by other members.

115. The Executive Committee noted that the General Rules of FAO were available on the FAO website<sup>22</sup> and that there was no impediment to making them available at Codex meetings. It was also noted the FAO Guide on Conduct of Plenary Meetings, available on FAO website<sup>23</sup>, provided useful information on the General Rules of FAO as these relate to the conduct of meetings, and that it had become a practice to make the Guide available to chairpersons of meetings.

116. In view of the additional costs for making available in printed forms the General Rules of FAO, some members suggested to make them available in electronic form.

117. The Executive Committee agreed that Rule XII of the General Rules of FAO and/or the FAO Guide on Conduct of Plenary Meetings should be made available to all Codex Members and Observers through the Codex e-mail distribution lists and that a relevant link to the FAO ftp server would be included in the Codex website to enable download. The Executive Committee noted that the Legal Office of FAO, in cooperation with the Codex Secretariat and the Legal Office of WHO, would explore possibilities to address the concerns expressed and accommodate any further needs identified by the Commission.

#### **Other matters**

118. Due to time constraints, the Executive Committee did not discuss the other three matters agreed upon at the adoption of the Agenda (see para. 3). Therefore, the Committee agreed to consider these matters under the Item “Matters Arising from the Report of the Commission and the Executive Committee” at its 61<sup>st</sup> Session.

#### **Date and Place of the Next Meeting**

119. The Executive Committee noted that its 61<sup>st</sup> Session would be held in Geneva, Switzerland, at the WHO Headquarters, from 24 to 27 June 2008, subject to further confirmation.

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<sup>22</sup> [http://www.fao.org/docrep/009/j8038e/j8038e02.htm#P6\\_2](http://www.fao.org/docrep/009/j8038e/j8038e02.htm#P6_2)  
<sup>23</sup> [ftp://ftp.fao.org/unfao/bodies/conf/c2005/GuideConduct\\_en.pdf](ftp://ftp.fao.org/unfao/bodies/conf/c2005/GuideConduct_en.pdf)



## APPENDIX I

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LISTE DES PARTICIPANTS  
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## APPENDIX II

**GUIDELINES ON THE APPLICATION OF THE CRITERIA FOR THE ESTABLISHMENT OF  
WORK PRIORITIES APPLICABLE TO COMMODITIES**

1. These Guidelines provide guidance on what kind of information needs to be examined by the Executive Committee while performing the Critical Review, in accordance with points (a) through (g) in the “Criteria applicable to commodities” for the establishment of work priorities.

2. In principle, an evidence-based approach that addresses multiple factors shall be taken when the Executive Committee examines proposals of new work to develop or revise commodity standards. Therefore, project proposals (project documents) for commodity standards should contain information indicated below.

***(a) Volume of production and consumption in individual countries and volume and pattern of trade between countries.***

Information should be provided on:

- volume of production and consumption in individual countries expressed in monetary terms, tons, proportion of GDP<sup>1</sup>, etc.;
- volume and patterns of trade, including trends in trade volume and patterns, expressed in monetary terms, tons, proportion of GDP<sup>1</sup>, etc.:
  - between countries,
  - in intra-regional trade, i.e., between or among countries of a region,
  - in inter-regional trade, i.e., between or among regions.
- credible sources or citations of information and/or references in order to support credibility of the above information, if possible.

**Note:** When proposing to develop a regional standard, the coordinating committee concerned should provide well-documented and objective evidence that there is significant intra-regional trade, and that there is no trade, or no significant trade, between or within other regions. This requirement will help to avoid the development of more than one standard for the same (or similar) product in different regions.

***(b) Diversification of national legislation and apparent resultant or potential impediments to international trade.***

Information should be provided on:

- existence of diverse national legislation that may lead to potential or actual impediments to international trade. Evidence of impediments may be provided as quantitative information on volume and/or frequency of rejection of consignments, as expressed, for example, as absolute numbers or as rates of rejection.

***(c) International or regional market potential.***

Information should be provided on:

- international and/or regional market potential; and, where necessary;
- potential of regional products to enter international trade, including an analysis of current production trends as well as market potential in the foreseeable future.

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<sup>1</sup> Information on the volume or percentage of trade (import/export) in the commodity may be useful to demonstrate that trade in the commodity represents a significant proportion of the domestic economy of the relevant country or countries.

***(d) Amenability of the commodity to standardisation.***

Information should be provided on:

- which quality factors are essential for the identity of the product e.g. definition, composition, etc.;
- characteristics of the commodity (e.g. differences in definition, composition, and other quality factors that may vary across countries and regions) that would have to be accommodated in the standard.

***(e) Coverage of the main consumer protection and trade issues by existing or proposed general standards.***

Information should be provided on:

- whether there are overlaps or gaps with existing standards. If gaps or overlaps are identified, the new work proposal should explain why revision of the existing standard is not sufficient to meet the need for a standard.

**Note:** This information is required in order to identify whether there are gaps between the proposed new work and existing standards or standards under elaboration. This analysis is necessary to avoid the elaboration of new standards when revision of existing standards, or of certain provisions in existing standards, would adequately address the concern.

If overlaps are identified, it may be possible to propose that new work should be started, while suggesting that existing standards should also be considered for revision to avoid inconsistency or overlap.

***(f) Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.***

- Commodity standards should preferably be developed in a generic manner to cover the relevant products concerned. Information should be provided on the rationale for the need to develop separate standards indicating whether raw, semi-processed, or processed.

***(g) Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).***

Information should be provided on:

- activities that have been already undertaken by other relevant international organizations, including an analysis of areas of potential complementarities, gaps, duplication, or conflict with the above activities.

**Note:** Even when standards exist outside Codex, a rationale for new work in Codex should be provided, based on information presented in the above analysis.

## APPENDIX III

**PROPOSED PROCEDURES FOR CONVERSION OF REGIONAL STANDARDS INTO  
WORLDWIDE STANDARDS**

(for inclusion in Part 5 of the *Procedures for the Elaboration of Codex Standards and Related Texts*)

- a) A request to convert a regional standard into a worldwide standard may arise immediately after adoption of the regional standard at Step 8, or some time thereafter.
- b) The conversion of a regional standard into a worldwide standard may contemplate the following situations as per status of the relevant commodity committee:

- (i) When the relevant commodity committee is active:

Requests for conversion of a regional standard into a worldwide standard should preferably be made by the commodity committee concerned, substantiated by a Project Document. This Project Document will be reviewed by the Executive Committee in the framework of the Critical Review Process, taking into account the programme of work of the commodity committee concerned. If the Codex Alimentarius Commission approves the proposal, taking into account the outcome of the Critical Review by the Executive Committee, the regional standard usually enters the Uniform Accelerated Procedure at Step 3, for consideration at Step 4 at the subsequent session of the commodity committee concerned.

- (ii) When the relevant commodity committee is not active:

When the commodity committee concerned is not active (i.e., not holding physical sessions), the proposal for conversion of a regional standard into a worldwide standard should preferably come through the originating coordinating committee, substantiated by a Project Document; it may also come from Codex members in the form of a Project Document for consideration by the Executive Committee in the framework of the Critical Review process. If the Codex Alimentarius Commission approves the proposal, taking into account the outcome of the Critical Review by the Executive Committee, the regional standard usually enters the Uniform Accelerated Procedure at Step 3, for consideration at Step 4 by the commodity committee concerned. In this case, the Executive Committee should give consideration to how to proceed with the work either by correspondence, or by reconvening the adjourned committee. In the latter situation, the Executive Committee should recommend to the Commission the reactivation of the committee adjourned *sine die* to undertake the new work.

## APPENDIX IV

**SUMMARY TABLE OF THE ADVICE TO THE DIRECTORS-GENERAL OF FAO AND WHO  
FROM THE EXECUTIVE COMMITTEE REGARDING THE REVIEW OF OBSERVER STATUS  
OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS**

**Table A: International Non Governmental Organizations for which the termination of observer status is recommended**

<b>Acronym</b>	<b>Full Name(s)</b>	<b>Reasons</b>
<b>AEEF</b>	Association européenne des exploitations frigorifiques	No reply.
<b>AIDA</b>	Association internationale de la distribution	No reply.
<b>AIII</b>	Association of International Industrial Irradiation	Dissolution.
<b>ASPEC</b>	Association of sorbitol Producers within the EC	Lack of interest.
<b>CICIP</b>	Confédération internationale du commerce et de l'industrie des pailles fourrages tourbes et dérivés	No reply.
<b>CIMO</b>	European Fresh Produce Importers' Association	No reply.
<b>CPIV</b>	Comité permanent international du vinaigre	Codex has revoked the regional standard for vinegar, on which the International Non Governmental Organization expected collaboration.
<b>CSPI</b>	Center for Science in the Public Interest	A member of IACFO (International Association of Consumer Food organizations), Codex observer.
<b>EAPA</b>	European Animal Protein Association	Interests represented by EFPRA (European Fat Processors and Renderers Association), Codex observer.
<b>EFA</b>	European Federation of Allergy and Airways Diseases Patients' Association	No reply.
<b>EFFCA</b>	European Food and Feed Cultures Association	No immediate contribution to Codex foreseen.
<b>EOQ</b>	European Organization for Quality	No reply.
<b>EUFIC</b>	European Food Information Council	No reply.
<b>FIC Europe</b>	Fédération des industries des sauces condimentaires, de la moutarde et des fruits et légumes préparés à l'huile et au vinaigre de l'UE	Codex has revoked the regional standard for mayonnaise, on which the International Non Governmental Organization expected collaboration.
<b>IABA</b>	Inter-American Bar Association	No reply.
<b>IATCA</b>	International Auditor and Training Certification Association	No reply.
<b>IBA</b>	International Banana Association	No reply.
<b>IBF</b>	International Biotechnology Forum	Dissolution.
<b>ICTF</b>	International Cocoa Trades Federation	Dissolution.
<b>IFGI</b>	International Federation of Glucose Industries	Dissolution.
<b>IFIS</b>	International Food Information Service	No reply.
<b>IPF</b>	International Peanut Forum	No reply.
<b>UEITP</b>	Union européenne des industries de transformation de la pomme de terre	No reply.
<b>TOTAL</b>	<b>23</b>	

**Table B: International Non Governmental Organizations for which the continuance of observer status is recommended**

<b>Acronym</b>	<b>Full Name(s)</b>	<b>Reasons</b>
<b>COLEACP</b>	Europe-Africa-Caribbean-Pacific Liaison Committee for the Promotion of Tropical Fruits, Off-Season Vegetables, Flowers, Ornamental Plants and Spices	No ongoing work on tropical fruits in the Codex Committee on Fresh Fruits and Vegetables.
<b>EUVEPRO</b>	European Vegetable Protein Federation	The Codex Committee on Vegetable Proteins is currently adjourned sine die.
<b>ICUMSA</b>	International Commission for Uniform Methods of Sugar Analysis	The activity of the Codex Committee on Sugars has been reduced in the past.
<b>IFT</b>	Institute of Food Technologists	Provided proof of meeting the criteria on the international nature of the International Non Governmental Organization.
<b>TOTAL</b>	<b>4</b>	

**Table C: International Non Governmental Organizations for which the granting of two-year delay (until 2009) is recommended before terminating observer status**

<b>Acronym</b>	<b>Full Name(s)</b>	<b>Reasons</b>
<b>AFC</b>	Arab Federation for Consumers	To leave opportunity to participate in the next session of the Coordinating Committee for Near East.
<b>EHN</b>	European Heart Network	Has a potential to contribute to Codex work in relation to the WHO Global Strategy on Diet, Physical Activity and Health.
<b>FEPALE</b>	Federación Panamericana de Lechería	To leave opportunity to participate in the ongoing work of the Codex Committee on Milk and Milk Products.
<b>OEITFL</b>	Organisation européenne des industries transformatrices de fruits et légumes	To leave opportunity to participate in the ongoing work in the Codex Committee on Processed Fruits and Vegetables.
<b>UECBV</b>	Union européenne du commerce du bétail et de la viande	To leave opportunity to participate in the ongoing work in the Codex Committee on Food Hygiene.
<b>TOTAL</b>	<b>5</b>	

**Table D: International Non Governmental Organizations for which the re-examination at the 61<sup>st</sup> session, pending additional information, is recommended**

<b>Acronym</b>	<b>Full Name(s)</b>	<b>Reasons</b>
<b>49P</b>	49 <sup>th</sup> Parallel Biotechnology Consortium	To request additional information including on its international activities.
<b>COPANT</b>	Comisión Panamericana de Normas Técnicas	To request additional information on relation with ISO (International Organization for Standardization) such as division of responsibilities.
<b>ESPA</b>	European Salt Producers' Association	FAO/WHO to further evaluate its new statutes.
<b>IBWA</b>	International Bottled Water Association	Pending the result of the recent application for observer status from ICBWA, of which IBWA is a member.
<b>OFCA</b>	Organisation des fabricants de produits celluloses alimentaires	To request additional information including on its international activities.
<b>WRO</b>	World Renderers Organization	To leave opportunity to reply to CL 2007/19-CAC concerning animal feeding.
<b>TOTAL</b>	<b>6</b>	