JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-nineth Session
Rome, Italy, 27 June - 1 July 2016

REPORT OF THE THIRTIETH SESSION OF THE
CODEX COMMITTEE ON GENERAL PRINCIPLES

NOTE: This report contains Codex Circular Letter CL 2016/11-GP
To: Codex Contact Points
Interested International Organizations

From: Secretariat,
Codex Alimentarius Commission,
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome, Italy

Subject: Distribution of the Report of the Thirtieth Session of the Codex Committee on General Principles (REP16/GP)

The report of the Thirtieth Session of the Codex Committee on General Principles will be considered by the 39th Session of the Codex Alimentarius Commission (Rome, Italy, 27 June - 1 July 2016).

MATTERS FOR CONSIDERATION BY THE 39TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Terms of Reference of the Secretariat-led Internal review of Codex work management (para. 39 and App. II)

Governments and international organizations wishing to submit comments on the above text should do so in writing to the Secretariat, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00153 Rome, Italy (e-mail: codex@fao.org) before 31 May 2016.
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SUMMARY AND CONCLUSIONS

Matters for adoption by the 39th Session of the Commission:
The Committee forwarded for adoption amendments to the following sub-sections of Section II of the Procedural Manual as proposed by CCMAS:
- Section “Principles for the Establishment of Codex Methods of Analysis”, sub-section “Working Instructions for the Implementation of the Criteria Approach in Codex” (para 7); and
- Section “Format for Codex Commodity Standards”, sub-section “Methods of Analysis and Sampling”. (para 7)

Matters of interest to the Executive Committee and the Commission:
The Committee:
- Forwarded the revised Terms of Reference of the Secretariat-led Internal review of Codex work management to CCEXEC71 and CAC39 (para. 39 and Appendix II);
- Recommended to the Commission that with regard to the Consistency of the Risk Analysis Texts across the Relevant Committees:
  o CCNFSDU should revise the text on nutritional risk analysis and consider how to include JEMNU as a primary source of scientific advice (para. 55); and
  o The Secretariat should address minor numbering issues in the texts for CCCF, CCRVDF and CCPR with the relevant Committees (para. 55).

Other matters of interest:
The following issues were presented:
(i) Discussion Paper on work carried out by Committees working by correspondence only (paras 59-60);
(ii) Information Paper on Emerging Issues: A proposed Risk Management Approach to Address Detection in Food of Chemicals of Very Low Public Health Concern (para. 61 ); and
(iii) concerns on the migration of the Codex website to a new domain within the FAO domain (paras 62-67).
INTRODUCTION
1. The Codex Committee on General Principles (CCGP) held its Thirtieth Session in Paris, France, from 11 to 15 April 2016 at the kind invitation of the Government of the French Republic. Professor Michel Thibier (France) chaired the session. The session was attended by delegates representing 72 member countries, one member organization, one observer country, and 9 international organizations. A full list of participants, including FAO, WHO, and French and Codex Secretariats, is attached as Appendix I.

OPENING
2. Mr Jean-Louis Gérard, Assistant Director for Food and Agricultural Markets, Ministry for the Economy, Industrial Renewal and the Digital Sector, opened the Session and welcomed the participants on behalf of the French Government. In his opening remarks, Mr Gérard reminded the Committee that although short, the agenda of the meeting contained some significant tasks such as determining the Terms of Reference for the internal review of Codex work management, as well as assessing the consistency of the Codex texts on risk analysis. He further added that a special session to address the funding of the Codex Trust Fund, open to delegates from both donor and recipient countries, would be held on Tuesday afternoon after the plenary.
3. The representatives of FAO and WHO also welcomed the participants and noted their appreciation to the Government of France for the flexibility that they have shown in having accommodated the needs of the Committee to meet annually for the last three years. They wished the participants a productive session.

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

ADOPTION OF THE AGENDA (Agenda Item 1)
5. The Committee adopted the Provisional Agenda as its Agenda for the Session and agreed to include the following matters under Agenda Item 5 “Other Business”:
- Work carried out by Committees working by correspondence only - prepared by France and Germany (CRD2);
- Emerging Issues: A proposed Risk Management Approach to Address Detection in Food of Chemicals of very low public health concern - prepared by New Zealand (CRD7);
- Migration of the Codex website domain to the FAO domain - proposed by Chile.

MATTERS REFERRED TO THE COMMITTEE (Agenda Item 2)
6. The Committee noted that several matters arising from CAC38 were for information while others would be discussed under relevant agenda items.

Committee on Methods of Analysis and Sampling, 37th Session (CCMAS37)
Section “Principles for the Establishment of Codex Methods of Analysis”, sub-section “Working Instructions for the Implementation of the Criteria Approach in Codex”; and
Section “Format for Codex Commodity Standards”, sub-section “Methods of Analysis and Sampling”.
7. The Committee endorsed the amendments to the Procedural Manual, as proposed by CCMAS37.

1 CX/GP 16/30/1.  
2 CX/GP 16/30/2; CX/GP 16/30/2-Add.1 Matters Arising from the 37th Session of the Committee on Methods of Analysis and Sampling (CCMAS37); Comments by Senegal (CRD3); Nigeria (CRD6); India (CRD16); Guinea (CRD17).
8. The Codex Secretariat provided an overview and timeline of the issue under consideration and explained the approach followed in producing the Terms of Reference (ToR) of the Secretariat-led internal review and the expected output of the Committee discussion, i.e. a revised set of ToR for consideration by the Commission.

General discussion

9. The discussion reflected different positions regarding the review of Codex work management and functioning of the Executive Committee, namely: not supporting the review; supporting an internal (Secretariat-led) and external review conducted in parallel; supporting in principle the internal review.

10. More specifically, delegations who intervened expressed the following views:

(i) While the review could be useful to improve the Codex management process, the review is not timely and may not lead to a judicious use of resources, because only seven years have passed since 2009, when the implementation of the recommendations of the 2002 Independent Evaluation of Codex (“2002 Evaluation”) was considered completed;

(ii) No gaps have been identified in the work of CCEXEC; there should be a clear justification for carrying out the review, and its purpose should be further clarified and be more specific;

(iii) The proposed review focuses on CCEXEC efficiency and there is currently no compelling evidence that inefficiencies in work management are leading to public health and international food trade being compromised;

(iv) The internal review should provide in-depth considerations on the performance of CCEXEC; the scope of the review should not be over-ambitious and concentrate on the key issues related to the enhancement of Codex efficiency and effectiveness;

(v) The review should be limited to the CCEXEC

(vi) Limiting the review to the CCEXEC would be unfortunate and not give the information relevant to considering the efficiency of Codex

(vii) More examination and analysis of the situation are necessary before carrying out the review, e.g. information on obstacles preventing the smooth running of Codex; information on meetings of Codex subsidiary bodies and working groups; interval between meetings; translation of documents;

(viii) The proposed review duplicates the work of monitoring the implementation of the Codex Strategic Plan 2014-2019 (“Strategic Plan”), which also addresses the scope of the proposed review; the Strategic Plan has measurable indicators and outputs and it might be better to focus now on the implementation of the Strategic Plan and take more time to develop and start an evidence-based and member-driven review process;

(ix) The need for a review should result from monitoring the Strategic Plan; if the review goes ahead it should be in line with Strategic Goal 4 “Implement effective and efficient work management systems and practices” of the Strategic Plan and should be based on clear evidence;

(x) The review is a costly exercise and it would be important to use existing mechanisms to monitor Codex work management; Strategic Goal 4 sets a useful framework for continuous review of Codex work and for ensuring effective implementation of the Codex programme; the Review should rather be conducted after the completion of the Strategic Plan; current efforts should focus on the implementation of the Strategic Plan, and in particular of Strategic Goal 4;

(xi) The Strategic Plan should form the basis for the review and the review should not be limited only to Strategic Goal 4;

(xii) The resources necessary for carrying out the review could be better used for other purposes, e.g. to support the implementation of Codex Trust Fund 2 (CTF2); to improve timely availability and translation of Codex working documents; to speed up the Codex standard development process;

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3 CX/GP 16/30/3; Comments by Australia, Canada, Colombia, Costa Rica, Cuba, Dominican Republic, European Union, Islamic Republic of Iran, Japan, Nicaragua, Norway, Switzerland and United States of America (CX/GP 16/30/3/Add.1); Brazil, Ghana, Kenya, New Zealand, the Philippines, Thailand and African Union (CX/GP 16/30/3/Add.2); Senegal (CRD3); Costa Rica, Dominican Republic, Ecuador, Paraguay (CRD5); Nigeria (CRD8); Malaysia (CRD10); Ecuador (CRD11); El Salvador (CRD12); Argentina (CRD13); Mali (CRD14); Uruguay (CRD15); India (CRD16); Guinea (CRD17).
The resources required by the review are minimal compared to the costs already invested in the two year discussion on this issue; the resources invested in the review would result in improved efficiency and effectiveness and thus savings in the future;

The review should focus on the six key areas identified by CCEXEC70 and noted by CAC38 in its conclusion;

The scope of the review should also consider matters related to emerging issues and cross collaboration between committees.; these are urgent operational matters that Codex is currently confronted with;

The autonomy of Codex Alimentarius in relation to the parent organizations should be preserved. The involvement of FAO/WHO Coordinating Committees (RCCs) in this discussion would allow for broad participation and inclusiveness;

The document only offers a partial view of the evaluation (i.e. the internal review). Before taking a decision on how to proceed, it would be important to have the whole picture of both the internal and external reviews;

It is important to distinguish between the scope of the internal and external reviews. The internal review should focus on operational areas of Codex and lead to an evolution, not revolution, of Codex management practices through incremental change. The external review should examine strategic aspects of Codex. The two reviews could be conducted in parallel;

There has been no decision yet on the need for an external review and this Committee should not refer to this issue as it is beyond the purview of the mandate given to it. It is important to examine the results of the internal Secretariat-led review (Phase 1) before considering whether to hold an external review (Phase 2);

There is no clear mechanism to ensure monitoring of Strategic Goal 4 and continuous improvements; the revision of the ToR of the internal review is an opportunity to achieve these goals; the timeframe proposed for the review (i.e. 8 months) is too short and mechanisms for a continuous review with full involvement of Codex membership should be considered;

The Strategic Plan contains objectives and goals for the period 2014-19 that would need to be actively addressed. The review would be an obvious means of implementing these goals.

11. The Representative of FAO, in response to requests to clarify and provide an opinion on the review as well as on the use of resources, noted that the idea of a review process relating to Codex work management had been discussed since 2014 in CCGP, CCEXEC and at the Commission and supported at each of the sessions of these Committees. She added that improving the working of the Codex system was an issue of great importance to FAO. Furthermore, the task that was given by CAC38 to this session of CCGP was to develop the ToR and the Committee should implement this task. If the Commission were then to decide to discontinue the work on the Codex work management review, this was its prerogative.

12. The Representative underlined the fact that this Session of CCGP had full freedom in revising the draft ToR that had been prepared by the Secretariat. The indicated timeframe and cost would depend on the conclusions of the Committee discussions on the content of the ToR. The Representative further noted that discussions since 2014 envisaged a two-phase process with the need and scope of the external evaluation being informed by the internal review. If this Committee wished to consider proceeding with both Phase 1 and 2 in parallel, this could be discussed.

13. The Representative further noted that funding that had been allocated for the running of Codex for this biennium could not be transferred to capacity development activities. She concluded that any discussion on a possible external evaluation needed to consider the issue of funding.

14. The Representative of WHO reminded the Committee that in general terms it was the prerogative of the Directors-General of FAO and WHO to conduct an evaluation of any given technical programme when they consider it necessary or appropriate. If an evaluation were to take place, it was in the interest of the WHO and FAO Secretariats to listen to the views of Member States to ensure that such evaluation was useful and pertinent. In this sense, the present discussion at CCGP and the guidance from the Commission was welcome. In his view, investing approximately 1% of the Codex budget and staff time of the FAO and WHO Secretariats in conducting a focused review of Codex activities appeared to be a good value for money in the attempt to increase the efficiency of the Codex Programme, while a larger review or evaluation would require prior planning including identification of resources within WHO and FAO. In conclusion the Representative recalled that the Codex Evaluation in 2001-02 had been conducted over a 18-month period and suggested that the review under preparation, even if its scope was limited, should not sacrifice quality in exchange for speed.
The Codex Secretariat clarified that CAC38 had agreed on the timeline and process for scoping Phase 1 (Secretarial-led internal review) and had tasked CCGP30 to discuss the document and comments submitted to create a new consolidated version of the document. He noted that it was not in the remit of CCGP to decide on the discontinuation of the review on Codex work management and functioning of the Executive Committee.

The Secretariat further noted that CCEXEC69 had agreed that “a two-stage process, first internal and Secretarial-led and then external, could be undertaken in order to evaluate the work management of Codex” and that “the Secretariat-led internal review will be initiated in a form to be decided and approved by the Commission at its 38th Session. The case and process for an external review will also be examined by the Commission.”

The Committee took note of the possible external review (Phase 2) under discussion in the Commission and that CCGP30 had not been mandated to deal with this matter.

The Committee also noted that the Commission had requested CCGP to prepare a revised document on the internal review (Phase 1) and not to discuss its discontinuation which is in the purview of CAC39.

**Specific consideration of the proposed Terms of Reference (ToR) of the internal Secretariat-led Review**

The Codex Secretariat explained that the structure of the Terms of Reference (ToR) followed the model developed by the FAO Office of Evaluation and included the following sections: introduction; review framework with sub-sections on purpose, key questions and scope; review criteria and issues; review methodology; organization (including subsections on roles and responsibilities, review team competencies and compositions, timetable, and budget).

The Chairperson proposed to establish an in-session PWG to discuss the ToR of the internal Secretariat-led review and report back to the plenary on Wednesday 13th April. However as there was no consensus on the ToR of this PWG, the Committee decided to discuss the ToR (Annex of CX/GP 16/30/3) of the internal Secretariat-led review in plenary.

2. Review Framework

2.1 Purpose

The Committee had an extensive debate on the purpose of the review. Delegations expressed different opinions on whether the review should focus on the implementation of the entire Strategic Plan or only on Strategic Goal 4.

One Delegation noted the review could address, in the Procedural Manual, the timing of the election of regional coordinators and members elected on a geographical basis which currently happens in the same year (with the exception of CCEURO) and thus does not facilitate continuity in the CCEXEC because new CCEXEC members cannot benefit from the experience of existing members.

The Committee noted that the Introduction section provided a clear explanation of the relationship between the review and the Strategic Plan and Strategic Goal 4. The Committee further noted the need to have clear and simple ToR and a logic flow between the introductory sentence and the related bullet points.

As it was not possible to find an agreement on whether the purpose of the internal review on Codex work management should be “according to Strategic Goal 4” only or “with particular focus on Strategic Goal 4” and the Strategic Plan (2014-2019), the Committee agreed to keep the two options in square brackets for further consideration by CCEXEC and the Commission.

2.2 Key questions and scope

The Committee agreed to delete the four draft key questions amending the title of the sub-section and the introductory paragraph of the “scope”, accordingly.

The Committee revised the introductory paragraph to indicate that the review would focus on Codex work management practices and the relationship between the Codex Alimentarius Commission and CCEXEC.

The Committee agreed to delete those elements that were not directly related to the operational aspects of the Commission and CCEXEC, i.e. purpose and principles; alignment with policies of the parent organisations FAO and WHO; visibility and relevance of Codex; and the ability of the Commission to meet the needs of all stakeholders.

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4 REP15/CAC para. 106, d
5 REP14/EXEC para.74
28. It was suggested to include two elements, i.e. cross-collaboration between Codex committees and responsiveness to emerging issues. However, as there was no consensus that the review should focus exclusively on the Strategic Goal 4, or whether these additions had an operational element, they were included in square brackets.

29. The two bullets regarding Roles and competencies of Chairs, Vice-Chairs and of CCEXEC members; Core functions and responsibilities of CCEXEC, including critical review were also included in square brackets. Several delegations noted that issues related to Strategic Governance, the Codex decision making process and the representativeness of CCEXEC could form part of a possible external review process.

30. Several other delegations indicated that they were not in agreement to include these issues (indicated in the previous paragraph). They stated there was no mechanism for taking forward a process such as this and that it was inconsistent with the mandate handed down to this Committee for this review.

2.3 Review criteria and issues

31. The Committee noted that the review criteria were based on UN evaluation criteria but that not all of these criteria were relevant to the proposed Secretariat-led review on Codex work management practices. Therefore, the Committee deleted the last two criteria (impact and equality).

3 Review methodology

3.1 Approach and tools

32. The Committee agreed that:
   i. The methodology used in the review should be in line with UN evaluation methodology;
   ii. The Codex membership should have an opportunity to be informed and provide comments on the methodology and tools used in the review;
   iii. The review should include both Codex Members and Observers;
   iv. It was in the remit of the Codex Secretariat to decide whether there was need for an external assistance.

33. The Committee noted the concerns of a number of delegations that the tools to be used in the review, such as questionnaires, should be clear, simple and not subject to different interpretation. The questions should be validated. In this regard, the Committee noted that the Codex Secretariat would develop the review with the assistance of evaluation experts from FAO and WHO. The Codex Secretariat also noted that they did not possess the required technical competency to conduct the review and therefore the recruitment of a management consultant would be necessary to ensure a high quality review.

34. With regard to the involvement of FAO/WHO Coordinating Committees (RCCs) in the early phase of the internal review, the Committee noted that:
   - Comments on the proposed ToR of Phase-1 had been sought from all Codex Members and Observers; and
   - The schedule of the 2016-2017 round of RCC sessions (between September 2016 and February 2017) would allow only a limited number of RCCs (i.e. those meeting after October 2016) to provide inputs to the design of the Phase 1 review.

35. In order to ensure full involvement and transparency of the process, the Committee agreed that an inception report for the review (to be included in the timetable), detailing the design and tools used, would be circulated to Members and Observers for inputs.

36. The Committee did not examine items 3.2 Consultation Process; 4.1 Roles and Responsibilities; 4.2 Review team competencies and composition and 4.4 Budget due to time constraints.

4.3 Timetable

37. The Committee noted that the review was a complex process, required the involvement of the full Codex membership and should not be constrained by a limited timeframe (i.e. eight months as proposed in order to finalise the review for CAC40 (2017)).
38. In order to prevent the proposed schedule from impacting negatively on the quality of the review, the Committee supported extending the timeline to a maximum of two years from CAC39. The advantages would be: more time for the preparation and distribution of the inception report for comments to Codex Members and Observers; consideration of the draft report by CCGP; consideration of the final report by the Commission, and involvement of the 2018/19-round of the RCCs in the implementation process. The Committee further agreed to keep the upcoming 2016/17-round of RCCs informed on the work on the review.

Conclusion

39. The Committee forwarded the revised ToR of the Secretariat-led Internal review of Codex work management to CCEXEC71 and CAC39 (Appendix II).

CONSISTENCY OF THE RISK ANALYSIS TEXTS ACROSS THE RELEVANT COMMITTEES (Agenda Item 4)\(^6\)

40. The Secretariat introduced the paper.

General Discussion

41. Referring to CRD4 and CRD13, Delegations from the Latin American and Caribbean region stated that in their opinion the paper did not fulfil the task given to the Secretariat by CAC37 i.e. to address their concerns with the periodic review process as applied by the CCPR (REP14/CAC, para 46). They asked for the issue to remain on the CCGP agenda until it was solved.

42. These Delegations noted that CX/GP 16/30/4 did not provide an in-depth analysis of the consistency across committees and with the Working Principles for Risk Analysis.

43. In their view there were inconsistencies between the risk analysis principles applied by the committees on residues of veterinary drugs in food, food additives and pesticide residues, noting that these committees were all responsible for assessing risks related to chemicals. They also stated that, in some instances, CCPR and CCRVDF applied different risk analysis principles to the same substance. In particular they noted that the only risk analysis document that established the obligation for a periodic review of maximum residue limits, and their withdrawal due to the mere passing of time, was the Risk Analysis Principles Applied by CCPR. They highlighted the inconsistency of the risk analysis principles of CCPR with the Working Principles for Risk Analysis of Codex Alimentarius.

44. These Delegations also noted the urgency of the matter. They stated that Codex was not just a technical body, but the international reference organization for the World Trade Organization. Codex rules should ensure consistency across provisions, particularly in the field of risk analysis, in accordance with the scientific basis of its work.

45. The Secretariat clarified that in the review, they had not entered into the technical specificities of the different committee texts but had looked at the overall risk analysis concepts which had been found to be consistent. The Secretariat further noted that the concern raised with regards to the periodic review had been discussed on several occasions in the CCPR, which was the competent body for this topic. The Secretariat stated that to give further advice on this matter went beyond the competency of the Secretariat.

46. The Representative of WHO clarified that the concept of periodic review had been accepted by and practiced in CCPR for a long time and even before the risk analysis document existed. The explicit inclusion of periodic review in the CCPR added clarity and predictability to the review process. He noted that from the public health point of view, different classes of chemicals (food additives, pesticide residues, residues of veterinary drugs, contaminants) had different profiles as hazards in food and the application of different approaches in risk analysis was justified. Consistency amongst the approaches followed by different Codex committees should be judged by the extent to which they effectively serve the purpose of the protection of consumer health and not in terms of the similitude in language. The Representative recognized that the core issue at hand was how to make sure that relevant data are produced and submitted to enable JMPR to conduct re-evaluations as required and that CCPR was working to address this important question.

\(^6\) CX/GP 16/30/4: Comments by Costa Rica, the European Union, Ghana, the Republic of Korea, Philippines and the African Union (CX/GP 16/30/4/Add. 1); Senegal (CRD3); Nigeria (CRD6); Brazil, Costa Rica (CRD9); Ecuador (CRD11); El Salvador (CRD12); Argentina (CRD13); India (CRD16); Guinea (CRD17)
47. The Representative of FAO recognized the major consumer protection and trade implications of the issue being raised and expressed agreement with the explanations provided by WHO. She also referred to a further explanation, provided by the JMPR Secretary, namely that after 15-20 years it was common for Good Agricultural Practice to have changed with different application rates and dosages being applied. This was one of the considerations of CCPR in deciding that there was a need for periodic re-evaluation. She agreed with the observation of Argentina that this was not a legal or linguistic question but a technical one.

48. The Delegation of Argentina recalled its statement at this Committee (CRD13) and disagreed with the responses provided by the Secretariats of Codex Alimentarius, of WHO and FAO, because they did not address the inconsistency of the Risk Analysis Principles of CCPR with the other Codex committees and the Working Principles of Risk Analysis for Application of Codex Alimentarius, which is the core of the problem, namely the CCPR not acting in accordance to scientific principles that are the backbone of the work of Codex Alimentarius.

49. Other delegations noted that the periodic review applied by CCPR was not an issue of consistency, and that CCGP did not have the technical competency to discuss this matter nor to make any further recommendations or requests to the Commission or to CCPR where the issue had been discussed at length. They considered the mandate to be completed and that the item should no longer be included on the agenda of CCGP.

Discussion of the Recommendations

Short term recommendations (paras 16 and 17)

50. The Representative of WHO reminded the Committee of the WHO Nutrition Guidance Expert Advisory Group (NUGAG), formed in 2010 by the World Health Assembly and the United Nations General Assembly, which had at times provided scientific advice on nutritional issues to Codex. He felt that referring to JEMNU as “the primary” source of scientific advice for CCNFSDU would imply a departure from the current practice and the exclusion of NUGAG, which was contributing to the Codex Standard setting.

51. The Representative of FAO highlighted the benefit of Joint FAO/WHO Scientific Advice to Codex as is the case with JECFA, JEMRA, JMPR and other ad hoc expert meetings. She noted that the Joint FAO/WHO Expert Meetings on Nutrition (JEMNU) had been in existence for several years and had so far received no request for advice from Codex. She further noted that this issue was of major concern to FAO and needed to be addressed urgently with JEMNU being considered a primary source of advice. She noted, that this did not exclude the possibility of using advice from other sources as appropriate.

52. Several delegations noted that it would be advisable to use language consistent with that used by other committees, and that the final decision on how to include JEMNU should be left to the CCNFSDU.

53. The Committee supported the recommendation concerning editorial corrections (para 17).

Medium term recommendations (paras 18 and 19)

54. There was no support in the Committee for the medium term recommendations.

Conclusion

55. The Committee agreed to recommend to the Commission that:

- CCNFSDU should revise the text on nutritional risk analysis and consider how to include JEMNU as a primary source of scientific advice.
- The Secretariat should address minor numbering issues in the texts for CCCF, CCRVDF and CCPR with the relevant Committees.

56. The Chairperson stated that the Committee had noted the concerns that Delegations had expressed on the Periodic Review and that he did not doubt that the the Commission would take note of that.

57. Several Delegations were of the opinion that the task requested of CCGP had been completed and that the item should not be maintained on the agenda of this Committee.

58. Argentina, Brazil, Chile, Costa Rica, Dominican Republic, Ecuador, El Salvador, Jamaica, Paraguay, Peru and Uruguay expressed their reservation, as they felt the paper did not fulfill the mandate given to the Secretariat by the Commission and that the item should be maintained on the agenda of the Committee.
OTHER BUSINESS (Agenda Item 5)

Discussion Paper on Work carried out by Committees working by correspondence only

59. Germany introduced CRD2, prepared with France, to draw the attention of CCGP to the issue of the committees working by correspondence. Germany noted that the same issue was on the agenda of CCEXEC71, and hoped that it could also be addressed by the Commission.

60. Delegations acknowledged the importance of considering this matter and the need to provide guidance which might assist Codex to work more effectively and efficiently.

Information Paper on Emerging Issues: A proposed Risk Management Approach to Address Detection in Food of Chemicals of Very Low Public Health Concern

61. New Zealand introduced CRD7, noting that the matter of detection of chemicals of very low public health concern was a significant emerging issue, for reasons highlighted in the paper, and had potential to impact on international trade. New Zealand announced its intention to submit a more detailed proposal and bring this matter to the attention of the Commission.

Migration of Codex website

62. Chile expressed concern for the migration of the Codex website from the current domain (www.codexalimentarius.org) to the new domain within the FAO domain (www.fao.org/fao-who-codexalimentarius). Chile was of the view that Members should have been consulted before the website was migrated, in line with the Procedural Manual, which states that these types of changes should only be made in consultation with the Commission. From Chile's point of view the migration of the website would be detrimental to the visibility of Codex as a standard setting organization, would make it more difficult for individuals and other organizations to access information and would threaten the independence and the joint nature of the Codex programme.

63. The Secretariat explained that the move of the Codex website was part of a larger consolidation of various independent websites within FAO in order to present a “One-FAO” look on the FAO website. Because Codex is a joint programme of FAO and WHO, the Secretariat had first negotiated with the relevant FAO department and subsequently brought the matter to the attention of the Assistant Directors General of FAO and WHO, who had agreed to ask for an exemption of Codex from this move. However this exemption was not granted by the FAO Office of Corporate Communication and the move was executed in January 2016.

64. The Representative of WHO confirmed that the migration of the Codex website under the FAO domain was made without the agreement of WHO.

65. The Representative of FAO stated that FAO was in no way trying to undermine the joint nature of the programme. She stated that the Codex Secretariat was housed in FAO and was therefore subject to FAO administrative rules such as those pertaining to the management of the website.

66. The Representative of WHO informed the Committee that this matter was subject to discussion between FAO and WHO with a view to finding a solution including a possible return to the previous domain name.

67. The Committee noted that www.codexalimentarius.org would continue to function with an automatic redirect to www.fao.org/fao-who-codexalimentarius until January 2017. Members and others concerned could seek further clarification from FAO.

DATE AND PLACE OF NEXT SESSION (Agenda Item 6)

68. The Committee noted that its 31st Session was scheduled to be held in Paris in the Spring of 2018, depending on the decision of the Commission.
## SUMMARY STATUS OF WORK

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LIST OF PARTICIPANTS
LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES

Chairperson/Président/Presidente
Prof Michel THIBIER
Président CCGP
Secrétariat Général des Affaires Européennes (SGAE)
Secteur AGRAP
68, rue de Bellechasse
75700 Paris
Tel: +33 1 44 87 16 03
Email: sgae-codex-fr@sgae.gouv.fr

Chair’s Assistant /Assistante du Président/Asistenta del Presidente
Ms Sophie CHARLOT
Point de Contact du Codex SGAE - Premier ministre
68, rue de Bellechasse
75700 Paris
Tel: +33.1.44.87.16.03
Email: sophie.charlot@sgae.gouv.fr

ALGERIA - ALGÉRIE - ARGELIA

Mr Sami Kolli
Directeur Ministère du commerce
Ministère du commerce
Cité Zerhouni Mokhtar El Mohammadia
Alger
Algeria
Tel: 00213 21 89 05 89
Email: kolli-sami@mincommerce.gov.dz

Ms Nora Acherfouche
Inspecteur Principal de la Repression des Fraudes
Centre Algérien du Contrôle de la Qualité et de l’Emballage
Ministère du Commerce RN n° 05 Bab-Ezzouar BP 206 BEK Alger
Algeria
Tel: 0213 23 83 26 89
Email: nacherfouche@yahoo.fr

ARGENTINA - ARGENTINE

Mr Gabriel Taboada
Ministro Miniserio de Relaciones Exteriores y Culto
Embajada Argentina en Francia 6, Rue Cimarosa
Paris
Argentina
Tel: 33 1 44 052700
Email: ggt@mrecic.gov.ar

AUSTRIA - AUTRICHE

Mrs Bettina Brandtner
Federal Ministry of Agriculture, Forestry, Environment and Water Management
Stubenring 1
Vienna
Austria
Tel: +43 1 71100-6713
Email: bettina.brandtner@bmlfuw.gv.at

BELGIUM - BELGIQUE - BÉLGICA

Mr Carl Berthot
General Advisor FPS Health, Food Chain safety and Environment
Food, Feed and Other consumption products
Eurostation | Place Victor Horta, 40/10
Brussels
Belgium
Tel: +3225247369
Email: codex.be@health.belgium.be

BRAZIL - BRÉSIL - BRASIL

Mr Pedro Veiga
Ambassade du Brésil en France
34, Cours Albert 1er
Paris
France
Tel: +33 1 45 61 63 07
Email: pedro.veiga@itamaraty.gov.br

Ms Bianca Zimon
Health Regulation Expert Brazilian Health Surveillance Agency - ANVISA
SIA Trecho 5, Área Especial 57, Bloco D, 2º andar
Brasilia
Brazil
Tel: +55 (61) 3462 6894
Email: bianca.zimon@anvisa.gov.br

AUSTRALIA - AUSTRALIE

Mr Greg Read
First Assistant Secretary, Exports Division Department of Agriculture and Water Resources
GPO Box 858
Canberra ACT
Australia
Tel: +61 2 6272 3594
Email: greg.read@agriculture.gov.au
Dr Guilherme Antonio Costa Junior  
Ministry of Agriculture, Livestock and Food Supply  
Esplanada dos Ministérios Bl.D Ed.Sede 3 andar-Sala 300  
Email: ggguilherme@hotmail.com

Mr Rogério Pereira Da Silva  
Coordinator for Codex Alimentarius Matters, Ministry of Agriculture, Livestock and Food Supply  
Postal Address: Esplanada dos Ministérios, Bloco “D”, Edifício Sede, 3º andar, sala 349, BRASILIA  
Brazil  
Tel: +55 61 3218-2416  
Email: rogerio.silva@agricultura.gov.br

Mrs Iva Iantcheva  
Chief expert Ministry of Agriculture and Food  
Food Safety Department  
Boulevard “Hristo Botev” 55  
Sofia  
Bulgaria  
Tel: +359 2 985 11 305  
Email: IYancheva@mzh.government.bg

Mr Theng Dim  
Deputy Director General Ministry Of Commerce  
Cambodia Import Export Inspection and Fraud Refrigerator Directorate General National Road No1/ Str 18, Phnom Kdey Takoy, Sangkat Vielsbov, Khan Chbar Ampoeu  
Phnom Penh  
Cambodia  
Tel: +85512526660  
Email: codex cambodia@gmail.com

Ms Nancy Ing  
Regulatory Policy & Risk Management Specialist Health Canada  
251 Sir Frederick Banting Driveway, Al 2204 C  
Ottawa  
Canada  
Tel: 613-941-5163  
Email: Nancy.ing@HC-SC.gc.ca

Ms Anne-Christine Poulin  
Senior Trade Policy Analyst Agriculture and Agri-Food Canada  
Technical Trade Policy Division 1305 Baseline Road  
Tower 5, Floor 5, Room 343  
Ottawa  
Canada  
Tel: 613-773-3561  
Email: Anne-Christine.Poulin@AGR.GC.CA

Ms Ana Cristina Canales  
Asesor Ministerio de Relaciones Exteriores  
DIRECON Teatinos 180, piso 11  
Santiago  
Chile  
Tel: +56 2 28275237  
Email: acanales@direcon.gob.cl

Ms Lixia Wang  
Public Health Physician/Deputy Director Guangdong Entry Exit Inspection and Quarantine Bureau  
No.68 Huacheng Dadao Zhuijiang New Town  
Guangzhou  
China  
Tel: +86-20-38290412  
Email: 1881869439@139.com

Ms Jiao Xu  
Department Director National Health and Family Planning Commission of the PRC  
1# Xizimenwai South Road, Xicheng District, Beijing  
China  
Tel: +86-10-68792615  
Email: wjwfxjc@126.com

Mr Guibiao Ye  
Professor/Director, CCPR Secretariat Institute for the Control of Agrochemicals, Ministry of Agriculture (ICAMA), Room 904, Building NO.18, Maizidian Street, Chaoyang District  
Beijing  
China  
Tel: +86-10-59194302  
Email: yeguibiao@agri.gov.cn

Ms Xinming Zhang  
Division Director Development Center of Science and Technology, MOA  
Nongfengdasha,No.96 Donganshuannanlu, Chaoyang District, Beijing  
China  
Tel: +86-10-59199375  
Email: zhangxinming@agri.gov.cn
Ms Weiran Zheng
Assistant researcher Zhejiang Academy of Agricultural Sciences
NO.198, Shiqiao Road, Hangzhou, Zhejiang
Hangzhou
China
Tel: +86-571-86419068
Email: rancki@163.com

COSTA RICA
Ms Isabel Cristina Araya Badilla
Directora Ministerio de Economía, Industria y Comercio
Dirección Mejora Regulatoria y Reglamentación Técnica San José
Costa Rica
Tel: (506) 2549-1433
Email: iaraya@meic.go.cr

CROATIA - CROATIE - CROACIA
Mrs Iva Mravič
Codex Contact Point Croatian Standards Institute (HZN)
Ulica Grada Vukovara 78
Zagreb
Croatia
Tel: +385 1 6106754
Email: iva.mravic@hzn.hr

CÔTE D’IVOIRE
Mr Brou Comoe Marius Rodriguese
Président du Conseil d’Administration de la FACACI
Côte d’Ivoire
Tel: +225 47250505
Email: micopci@yahoo.fr

DENMARK - DANEMARK - DINAMARCA
Mr Knud Østergaard
Head of Division Danish Veterinary and Food Administration
Stationsparken 31
Glostrup
Denmark
Tel: +45 7227 6705
Email: koe@fvst.dk

DOMINICAN REPUBLIC - DOMINICAINE, REPUBLIQUE - DOMINICANA, REPÚBLICA
Dr Fátima Del Rosario Cabrera T.
Encargada Ministerio de Salud Pública y Asistencia Social (MSP), Departamento de Alimentos en Dirección General de Medicamentos, Alimentos y Productos Sanitarios
D Ave. H. Homero Hernández esq. Ave. Tiradentes, Ens. La Fe, Santo Domingo, D.N.
Dominican Republic
Tel: +1809562151
Email: codexsespas@yahoo.com

ECUADOR - ÉQUATEUR
Ing Segundo Israel Vaca Jiménez
Director de Inocuidad de Alimentos
Agencia Ecuatoriana de Aseguramiento de la Calidad del Agro - AGROCALIDAD
Av. Eloy Alfaro N30-335 y Av. Amazonas Edif. MAGAP, Piso 9
Quito
Ecuador
Tel: (593) 2 2567 232 Ext. 159
Email: israel.vaca@agrocalidad.gob.ec

EGYPT - ÉGYPTE - EGIPTO
Dr Maysa Abd-elhameed
Director General of the Food Monitoring Food Monitoring 1 Eltyar fkr St.Embaba,Giza
 Cairo
Egypt
Tel: 01019461700
Email: dr.maysahamza@yahoo.com

Dr Alaaeldin Elnmr
Head of Central Department General Organization for Export and Import Control
Cairo
Tel: 01222802475
Email: elnmr_alaa@yahoo.com

EL SALVADOR
Ms Jennifer Trejo
Especialista Codex Alimentarius Organismo Salvadoreño de Reglamentación Técnica
Punto de Contacto Codex-El Salvador
1a Calle Pte., Final 41 Av. Nte. N. 18, Col. Flor Blanca, San Salvador
El Salvador
Tel: (503) 2590-5331
Email: jtrejo@osartec.gob.sv

ESTONIA - ESTONIE
Mr Allan Aleksašin
Counsellor Ministry of Rural Affairs Food Safety Department Lai 39/41
Tallinn
Estonia
Tel: +3726256277
Email: allan.aleksasin@agri.ee

EUROPEAN UNION - UNION EUROPÉENNE - UNIÓN EUROPEA
Ms Ella Strickland
Head of Unit European Commission DG Sante G 6 Rue Froissart 101
Brussels
Belgium
Tel: +32 229-93030
Email: ella.strickland@ec.europa.eu

Mr Marco Castellina
Administrator European Comission DG Sante G 6 Rue Froissart 101
Brussels
Belgium
Tel: +32 229-87443
Email: marco.castellina@ec.europa.eu
Ms Eva Zamora Escribano  
Deputy Head of Unit European Commission  
DG Sante G 6 Rue Froissart 101  
Brussels  
Belgium  
Tel: +32 229-98682  
Email: eva-maria.zamora-escribano@ec.europa.eu

FINLAND - FINLANDE - FINLANDIA

Ms Anne Haikonen  
Legislative Counsellor Ministry of Agriculture and Forestry  
Department of Food P.O. Box 30 00023 Government Helsinki  
Finland  
Tel: +358503697618  
Email: anne.haikonen@mmm.fi

FRANCE - FRANCIA

Mrs Emilie Lebrasseur  
Deputy Head of Office for European and Multilateral Negotiations  
Ministry of Agriculture, Agrifood and Forestry  
General Directorate for Food  
251, rue de Vaugirard 75 732 Paris Cedex 15  
France  
Tel: +331 49 55 47 78  
Email: emilie.lebrasseur@agriculture.gouv.fr

Mr Claude Duchemin  
Chef du Bureau en charge de la qualité et de la valorisation des denrées alimentaires  
Ministère de l’Économie, de l’Industrie et du Numérique  
Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes  
boulevard Vincent Auriol Télédoc 223  
Paris Cedex 15  
France  
Tel: +33 (0)1 44 97 33 08  
Email: claude.duchemin@dgccrf.finances.gouv.fr

Mrs Susanna Paakkola  
Stagiaire Ministry of Agriculture, Agrifood and Forestry  
DGAL 251, rue de Vaugirard  
Paris  
France  
Email: susanna.paakkola@agriculture.gouv.fr

Ms Claire Servoz  
Adjointe au chef du bureau en charge de la qualité et de la valorisation des denrées alimentaires  
DGCCRF  
Ministère de l’Économie, de l’Industrie et du Numérique  
59 boulevard Vincent Auriol  
Paris Cedex 13  
France  
Tel: (0)1 44 97 28 76  
Email: claire.servoz@dgccrf.finances.gouv.fr

Ms Karine Simbelie  
Regulatory Affairs Director ATLA  
42, rue de Châteaudun  
Paris  
France  
Email: karine.simbelie@atla.asso.fr

GAMBIA - GAMBIE

Ms Zainab Jallow  
Director General Food Safety and Quality Authority of The Gambia  
Food Safety and Quality Authority  
2 Kairaba Avenue, Westfield P.O.Box 2047  
Serre Kunda  
Gambia  
Tel: +2209969070  
Email: zjallow@yahoo.com

GERMANY - ALLEMAGNE - ALEMANIA

Mr Niklas Schulze-Icking  
Federal Ministry of Food and Agriculture  
Wilhelmstr. 54  
Berlin  
Germany  
Email: niklas.schulze-icking@bmel.bund.de

GHANA

Ms Pokuaa Appiah-kusi  
Deputy Codex Contact Point Manager  
Ghana Standards Authority  
Food, Material And Chemical Standards  
P. O. Box Mb 245  
Accra  
Ghana  
Tel: +233 205 152460  
Email: prispok@icloud.com

Ms Cynthia Adwoa Dapaah  
Corporate Attorney Food and Drugs Authority  
Legal P. O. Box CT 2783 Cantonments  
Accra  
Ghana  
Tel: +233 244 212791  
Email: Cynthia.dapaah@fdaghana.gov.gh

Mr John Kofi Odame-darkwah  
Deputy Chief Executive Food and Drugs Authority  
Food Safety  
P.O.Box CT 2783 Cantonments  
Accra  
Ghana  
Tel: +233 244 337243  
Email: john.dame-darkwa@fdaghana.gov.gh

Mr John Oppong-otoo  
Codex Contact Point Manager  
Ghana Standards Authority  
Food, Material And Chemical Standards  
P. O. Box Mb 245  
Accra  
Ghana  
Tel: +233 243 785375  
Email: nanapong23@yahoo.com

Mrs Barbara Apefa Wuttor-asem  
Head Ghana Standards Authority  
Legal P. O. BOX MB 245  
Accra  
Ghana  
Tel: +233 244 238554  
Email: bwutter-asem@gss.gov.gh
GREECE - GRÈCE - GRECIA
Mr Dimitrios Chalepidis
Premier Conseiller aux Affaires Economiques et Commerciales Ambassade de Grèce
Bureau des Affaires Economiques et Commerciales
17, rue Auguste Vacquerie
Paris
France
Tel: 0033 1 47 20 26 60
Email: ecocom-paris@mfa.gr

HUNGARY - HONGRIE - HUNGRÍA
Dr Andrea Zentai
Food safety coordinator National Food Chain Safety Office
Kitaibel P. u. 4.
Budapest
Hungary
Tel: 06-70-903-0606
Email: zentaia@nebih.gov.hu

INDIA - INDE
Mr Sunil Bakshi
Advisor Codex Food Safety and Standards Authority of India
Delhi FDA
Bhawan, Near Bal Bhawan
New Delhi
India
Tel: +91-11-23237439
Email: sbakshi@fssai.gov.in

Mr Perumal Karthikeyan
Assistant Director (Codex and Regulations)
Food Safety and Standards, Authority of India FDA
Bhawan Near Bal Bhavan Kotla Road
New Delhi
India
Tel: 91-11- 23237419
Email: baranip@yahoo.com

INDONESIA - INDONÉSIE
Dr Zakiyah Zakiyah
Head of Center for Standard Implementation System National Standardization Agency of Indonesia
Center for Standard Implementation System Building I BPPT, 10th floor Jl. M.H. Thamrin No. 8, Jakarta
Indonesia
Tel: +62213927422
Email: zakiyah@bsn.go.id

IRAN (ISLAMIC REPUBLIC OF) – IRÁN (REPÚBLIQUE ISLAMIQUE D’) – IRÁN (REPÚBLICA ISLÁMICA DEL)
Dr Mohammad Hossein Shojaee Aliabadi
Senior Scientific Adviser Institute of Standard & Director and Laboratory Manager Institute of Standard & Industrial Research of IRAN
Faroogh Life Sciences Research Laboratory No: 96; Parcham Street Tohid Square; 1457844393
Tehran
Iran (Islamic Republic of)
Tel: +9891121591766
Email: farooghlab@gmail.com

IRELAND - IRLANDE - IRLANDA
Mr James Conway
Agriculture Inspector Department of Agriculture, Food and the Marine
Research & Codex Division Agriculture House 6W Kildare Street Dublin
Dublin
Tel: +353 1 6072710
Email: james.conway@agriculture.gov.ie

ITALY - ITALIE - ITALIA
Mr Ciro Impagnatiello
Codex Contact Point Ministry of Agricultural Food and Forestry Policies
Department of the European Union, International Policies and Rural Development
Via XX Settembre, 20
Rome
Italy
Tel: +39 06 46654058
Email: c.impagnatiello@politicheagricole.it

JAMAICA - JAMAÏQUE
Mr Dermon Spence
Chief Technical Director Ministry of Agriculture and Fisheries
Chief Technical Services Hope Gardens,
Kingston
Jamaica
Tel: 8765646364
Email: dlspence@moa.gov.jm

JAPAN - JAPON - JAPÓN
Dr Hiroshi Yoshikura
Advisor Ministry of Health, Labour and Welfare
Department of Environmental Health and Food Safety
1-2-2, Kasumigaseki, Chiyoda-ku
Tokyo
Japan
Tel: +81 3 3595 2326
Email: codexj@mhlw.go.jp

Mr Kenji Kuroiwa
Technical Official Ministry of Health, Labour and Welfare
Department of Environmental Health and Food Safety, Pharmaceutical Safety and Environmental Health B 1-2-2, Kasumigaseki, Chiyoda-ku
Tokyo
Japan
Tel: +81 3 3595 2326
Email: codexj@mhlw.go.jp

Mr Yusuke Shimizu
Associate director Ministry of Agriculture, Forestry and Fisheries
Food Safety Policy Division, Food Safety and Consumer Affairs Bureau 1-2-1, Kasumigadeki, Chiyoda-ku
Tokyo
Japan
Tel: +81-3-3502-8732
Email: yusuke_shimizu450@maff.go.jp
KENYA

Dr Nicholas Otieno Ayore
Head of Veterinary Public Health Directorate of Veterinary Services
Directorate of Veterinary Services Private Bag Kangemi
Nairobi
Kenya
Tel: +254 721390966
Email: nicholasayore@gmail.com

Mr Charles Gachahi
Director Kenya Bureau of Standards
Standard Division
P.O. Box 54974
Nairobi
Kenya
Tel: +254 20 6948000
Email: gachahic@kebs.org

LATVIA - LETTONIE - LETONIA

Ms Olga Orlova
Counsellor Permanent Representation of Latvia to EU
Avenue des Arts 23
Brussels
Belarus
Tel: +32 22 383 145
Email: olga.orlova@mfa.gov.lv

LUXEMBOURG - LUXEMBURGO

Mrs Nathalie Welschbillig
Ministry of Agriculture and Ministry of Health
Administration des services vétérinaires
c/o OSQCA 6 rue du Palais de justice
Luxembourg
Tel: +352691154518
Email: nathalie.welschbillig@osqca.etat.lu

MALAYSIA - MALAISIE - MALASIA

Ms Noraini Dato' Mohd. Othman
Senior Director for Food Safety and Quality Ministry of Health Malaysia
Level 4, Menara Prisma, No. 26, Jalan Persiaran Perdana, Precint 3
Putrajaya
Malaysia
Tel: +603-8885 0778
Email: noraini_othman@moh.gov.my

Ms Shamsinar Abdul Talib
Director of Planning, Policy Development and Codex
Standard Food Safety and Quality Division Level 4, Menara Prisma, No. 26, Jalan Persiaran Perdana, Precint 3
Putrajaya
Malaysia
Tel: +603-8885 0787
Email: shamsinar@moh.gov.my

MALI - MALI

Dr Mahamadou Sako
Vice - President de la Commission
Directeur General par Interim Agence Nationale de la Sécurité Sanitaire des Aliments
Ministere de la Santé et de l'Hygiène Publique Agence Nationale de la Sécurité Sanitaire des Aliments
Quartier du Fleuve, Centre Commercial Rue 305, BPE : 2362
Bamako
Mali
Tel: +223 66729013 /+223 20 22 0754
Email: mahamadousako@yahoo.fr

Mrs Farmata Koro Yaro Epouse Maiga
Directrice Générale Adjointe Laboratoire National des Eaux
Ministere de L'Energie et de l'Eau Laboratoire National des Eaux Magnambougou Wërëda
Rue 126 Bamako, Mali
Bamako
Mali
Tel: (223) 66753786 / 76461435/ 20
Email: aignay@yahoo.fr

MALTA - MALTE

Ms Ann Marie Borg
Senior Policy Officer Permanent Representation of Malta to the EU
Rue Archimède 25
Brussels
Belgium
Tel: +32478198469
Email: ann-marie.borg@gov.mt

Mr John Attard Kingswell
Environmental Health Service Manager Ministry of Energy and Health
Superintendent of Public Health Floor 1, Outpatients Dept, St. Lukes Hospital
Pieta
Malta
Tel: 356 25953316
Email: john.attard-kingswell@gov.mt

MEXICO - MEXIQUE - MÉXICO

Mr Daniel González Sesmas
Senior Executive de Política Económica
Departamento para la Competitividad y el Reglamento Ministerio de Economía
Paseo de la Reforma 296, Col. Juárez, Del. Cuauhtémoc, Ciudad de México. C.P. 06600
Mexico
Email: daniel.gonzalez@economia.gob.mx

Ms Pamela Suárez Brito
Gerente de Asuntos Internacionales en Inocuidad Alimentaria Comisión Federal para la Protección contra Riesgos Sanitarios (COFEPRIS)
Dirección Ejecutiva de Operación Internacional
Monterrey #33 Piso 2, Col. Roma Delegación Cuauhtémoc
Mexico Distrito Federal
Mexico
Tel: 525550805389
Email: psuarez@cofepris.gob.mx
MOROCCO - MAROC - MARRUECOS

Ing Bouchra Messaoudi
Cadre au Service de la Normalisation
Office National de la Securite Sanitaire des Produits Alimentaires
Ministère de l’Agriculture et de la Pêche Maritime
Avenue Hadj Ahmed Cherkoua Agdal
Rabat
Morocco
Tel: 00212654438047
Email: bouchring@yahoo.fr

Mr Elhoussaine Saad
Directeur du Laboratoire
Laboratoire Officiel d’Analyses et de Recherches Chimiques
Département de l’Agriculture
25, rue Nichakra, Rahal
Casablanca
Morocco
Tel: +212 22302007
Email: saad.lhoussaine@gmail.com

Dr Karfal Brahim
Chef de Service de la Réglementation et des Autorisations
Agence Nationale pour le Développement de l’Aquaculture
Agriculture Avenue Annakhil, Immeuble Les Patios, 4ème Etage, Hay Rayad
Rabat
Morocco
Tel: +212 538099700
Email: b.karfal@anda.gov.ma

Mr Rachid Tadili
Chef du Département des Etudes et Prospection
Etablissement Autonome de Contrôle et de Coordonnation des Exportations
Ministère de l’Agriculture et de la Pêche Maritime 72, Angle Boulevard Mohamed Smiha et rue Mohamed EL Baâmrani
Casablanca
Morocco
Tel: +212 618532309
Email: tadili@eacce.org.ma

NEPAL - NÉPAL

Mr Balkrishna Khakurel
Director General Ministry of Health Department of Drug Administration
81, rue de la Serrette
Geneva
Switzerland
Tel: +41 (0) 22 733 26 00
Email: mission.nepal@bluewin.ch

Netherlands - PAYS-BAS - PAÍSES BAJOS

Mr Martijn Weijtens
CCEURO Chair Ministry of Economic Affairs
P.O. Box 20401
The Hague
Netherlands
Tel: +31 70 3798950
Email: info@codexalimentarius.nl

Ms Tanja Akesson
Codex Contact Point Ministry of Economic Affairs
PO Box 20401
The Hague
Netherlands
Tel: +31 6 2724 9788
Email: t.z.j.akesson@minex.nl

Mr Robert Dautzenberg
Policy Officer - Member of the Dutch delegation
General Secretariat of the Council of the European Union
DGB2B Email: robert.dautzenberg@consilium.europa.eu

Mr Nicolaj Mortensen
Political Administrator - Member of the Dutch delegation
Council of the EU/Dutch presidency
DGB 2B Rue de la Loi/Wetstraat 175
Brussels
Belgium
Tel: +32 281 4806
Email: nicolaj-ting.mortensen@consilium.europa.eu

NORWAY - NORVEGE - NORUEGA

Mrs Vigdis Synnøve Veum Møllersen
Senior Adviser Norwegian Food Safety Authority
2381 Brumunddual
Norway
Tel: +47 22 779104
Email: visvm@mattilsynet.no

Mrs Bodil Blaker
Specialist Director Ministry of Health and Care Services
Oslo
Norway
Tel: +47 22 24 86 02
Email: bob@hod.dep.no

PAKISTAN - PAKISTÁN

Mr Malik Zahoor Ahmad
Director General Ministry of National Food Security and Research
National Animal and Plant Health Inspection Services
Room No. 314, Block B, 3rd Floor, Pakistan Secretariat
Islamabad
Pakistan
Tel: 92519211289
Email: Malikzahoor@gmail.com

PAPUA NEW GUINEA - PAPOUASIE-NOUVELLEGUINÉE - PAPUA NUEVA GUINA

Dr Vele Pat Ila’ava
Secretary
Department of Agriculture & Livestock
P.O.Box 2033 Port Moresby, NCD
Port Moresby
Papua New Guinea
Tel: 675 321 3302
Email: vpilaava100261@gmail.com
PARAGUAY
Mr Octavio Ferreira
Director of Multilateral Economic Organizations Ministry of Foreign Affairs
Palma 594
Asunción
Paraguay
Tel: +595214148800
Email: oferreira@mre.gov.py
Ms Laura Stefania Correa Miño
Ministerio de Relaciones Exteriores
Dirección de Organismos Económicos Multilaterales
Asunción
Paraguay
Tel: +595214148802
Email: lcorrea@mre.gov.py

PERU - PEROU - PERU
Mrs Jenny Huamán
Delegada Alterna de la Comisión Técnica del Codex sobre Aditivos Alimentarios
Dirección General de Salud Ambiental e Inocuidad Alimentaria
Lima Calle Las Amapolas Nº 350, Urbanización San Eugenio.
Lima
Peru
Tel: 511- 6314430 Ext. 4410
Email: jhuaman@digesa.minsa.gob.pe

PHILIPPINES - FILIPINAS
Ms Amparo Ampil
Division Chief Food, Agriculture, and Fisheries Policy
division, Department of Agriculture,
Office of the Undersecretary for Policy and Planning,
Department of Agriculture
Elliptical Rd., Diliman
Quezon City
Philippines
Tel: +6329267439
Email: acaoscolan@yahoo.com

POLAND - POLOGNE - POLONIA
Ms Magdalena Kowalska
Main expert Agricultural and Food Quality Inspection
International Cooperation Department
Wspolina 30 Str.
Warsaw
Poland
Tel: +4822623904
Email: kodeks@ijhars.gov.pl

QATAR
Mr Khalid Yousef Al-Sulaiti
Health Inspection Specialist
Ministry of Public Health
Public Health Department
Qatar
Tel: +974 44070210
Email: kaasulaiti@sch.gov.qa

REPUBLIC OF KOREA - RÉPUBLIQUE DE COREÉ -
REPÚBLICA DE COREA
Mr Heon Woo Hong
Director Ministry of Food and Drug Safety
Food Policy Coordination Division 187
Osongsaengmyeong2(i)-ro, Osong-eup, Heungdeok-gu
Cheongju-si, Chungcheongbuk-do, 28159 Korea
Cheongju-si
Republic of Korea
Tel: 82-43-719-2010
Email: h4519@korea.kr

Ms Haeng Soo Cheon
Assistant Director
Ministry of Agriculture, Food And Rural Affairs Email:
jsan506@korea.kr

Ms Saetbyeol Jung
Codex Researcher Ministry of Food and Drug Safety
Food Policy Coordination
Division Osong Health Technology Administration
Complex, 187 Osongsaengmyeong2(i)-ro, Osong-eup,
Heungdeok-gu cheongju-si, Chungcheongbuk-do,
Korea
Cheongju-si
Republic of Korea
Tel: 82-43-719-2417
Email: bjung@korea.kr

Ms Misun Park
Scientific Officer
Ministry of Food and Drug Safety
Food standard division Osong Health Technology
Administration Complex, 187 Osongsaengmyeong2(i)-ro,
Osong-eup, Heungdeok-gu cheongju-si, Chungcheongbuk-do,
Korea
Cheongju-si
Republic of Korea
Tel: 82-43-719-2417
Email: mspark@korea.kr

RUSSIAN FEDERATION - FÉDÉRATION DE RUSSIE -
FEDERACIÓN DE RUSIA
Mr Nikolay Balan
Head of Division
Federal Service for Surveillance on Consumer Rights
Protection and Human Well-being
International Cooperation Division
18/20, Vadkovskiy pereulok
Moscow
Russian Federation
Tel: +7 499 973 3012
Email: balan_ng@gsen.ru

Mrs Anna Koroleva
Chief Expert
Federal Service for Surveillance on Consumer Rights
Protection and Human Well-being
Division of organization of interaction with WTO and
OECD
18/20, Vadkovskiy pereulok
Moscow
Russian Federation
Tel: +7 499 973 3012
Email: korolyova_AP@gsen.ru
SAUDI ARABIA - ARABIE SAOUDITE - ARABIA SAUDITA

Mr Sami Alnokhilan
Head of International contact Points Saudi Food and Drug Authority
Executive Dept. of Technical Regulation and Standards
North Ring Road - Al Nafal Unit (1) Riyadh 13312 - 6288 Saudi Arabia
Riyadh
Saudi Arabia
Tel: +966112038222
Email: CODEX.CP@sfda.gov.sa

SENEGAL - SÉNÉGAL

Prof Amadou Diouf
Chef Centre Anti-Poison
Ministere Sante et Action Sociale Hopital Fann Dakar
Senegal
Tel: 00221776449823
Email: amdiouf@refer.sn

Mr Ousseynou Niang Diallo
Chef de Service Direction Elevage
Ministere Elevage
Immeuble Keur Gorgui
Dakar
Senegal
Email: ousseynou.niang.diallo@gmail.com

Ms Ndeye Maguette Diop
Chef de Bureau
Association Senegalaise De Normalisation
Ministere Industrie
21 Lotissement Front de Terre X Bourguiba
Dakar
Senegal
Email: ndmagdiop@gmail.com

Mr Ousmane Drame
Secretaire Permanent Conseil Economique, Social et Environnemental
25, Avenue Pasteur
Dakar
Senegal
Email: mairienioro@gmail.com

Dr Sadia Faty
Rapporteur Conseil Economique, Social et Environnemental
25, Avenue Pasteur
Dakar
Senegal
Email: diasazig@gmail.com

Mrs Mame Diarra Faye
Point de Contact National Codex
Ministere Sante et Action Sociale
Rue Aime Cesaire Dakar Fann
Dakar
Senegal
Email: mamediarrafaye@yahoo.fr

Dr Adjaratou Diakhou Ndiaye
Conseillere Technique Cabinet Premier Ministre
Avenue Roume Dakar
Dakar
Senegal
Email: nadjaratou@hotmail.com

SLOVAKIA - SLOVAQUIE - ESLOVAQUIA

Dr Zuzana Birošová
Director of Department Ministry of Agriculture and Rural Development of the Slovak Republic
Food Safety and Nutrition Dept.
Dobrovičova 12
Bratislava
Slovakia
Tel: +421 2 592 66 571
Email: zuzana.birosova@land.gov.sk

SLOVENIA - SLOVÉNIE - ESLOVENIA

Dr Blaža Nahtigal
Codex Contact Point Ministry of Agriculture, Forestry and Food
The Administration for Food Safety, Veterinary Sector and Plant Protection
Dunajska cesta 22
Ljubljana
Slovenia
Tel: 0038613001330
Email: blaza.nahtigal@gov.si

SPAIN - ESPAGNE - ESPAÑA

Mrs Maria Luisa Aguilar Zambalamberri
Jefe de Servicio Agencia Española de Consumo, Seguridad Alimentaria y Nutrición
Punto de Contacto Codex España
C/. Alcalá, 56
Madrid
Spain
Email: maguilar@msssi.es

SRI LANKA

Mr Alexi Gunasekera
Counsellor / Commercial Embassy of Sri Lanka
No. 16, Rue Spontini 75016,
Paris
France
Email: sl.france@wanadoo.fr

Mr Tilak Ranaviraja
Ambassador of Sri Lanka to France and Permanent Delegate to UNESCO
Embassy of Sri Lanka
No.16, Rue Spontini 75016
Paris
France
Email: sl.france@wanadoo.fr

SWEDEN - SUEDE - SUECIA

Dr Anders Wannberg
Senior Administrative Officer The Swedish Government Ministry of Enterprise and Innovation
Fredsgatan 8 SE-103 33
Stockholm
Sweden
Tel: +46 705190263
Email: anders.wannberg@gov.se

Mrs Carmina Ionescu
Codex coordinator National Food Agency
Box 622
Uppsala
Sweden
Tel: +46 709245601
Email: carmina.ionescu@slv.se
<table>
<thead>
<tr>
<th>Country</th>
<th>Language</th>
<th>Contact Person</th>
<th>Title/Position</th>
<th>Email/Website</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SWITZERLAND</strong></td>
<td>Suisse - Suiza</td>
<td>Dr Michael Beer</td>
<td>Head Food and Nutrition Federal Food Safety and Veterinary Office FSVO</td>
<td><a href="mailto:michael.beer@blv.admin.ch">michael.beer@blv.admin.ch</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr Himanshu Gupta</td>
<td>Regulatory &amp; Scientific Affairs Nestec SA</td>
<td><a href="mailto:Himanshu.Gupta@nestle.com">Himanshu.Gupta@nestle.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Martin Müller</td>
<td>Swiss Codex Contact Point Federal Food Safety and Veterinary Office FSVO</td>
<td><a href="mailto:martin.mueller@blv.admin.ch">martin.mueller@blv.admin.ch</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mrs Awilo Ochieng Pernet</td>
<td>Chair, Codex Alimentarius Commission Federal Food Safety and Veterinary Office FSVO</td>
<td><a href="mailto:awilo.ochieng@blv.admin.ch">awilo.ochieng@blv.admin.ch</a></td>
</tr>
<tr>
<td><strong>THAILAND</strong></td>
<td>Thaïlande - Tailandia</td>
<td>Mrs Usa Bamrungbhuet</td>
<td>Director, Office of Standard Development National Bureau of Agricultural Commodity and Food Standards 50 Phaholyothin Road, Ladyao Chatuchak Bangkok Thailand</td>
<td><a href="mailto:bam_usa@hotmail.com">bam_usa@hotmail.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms Namaporn Attaviroj</td>
<td>Standards Officer, Office of Standard Development National Bureau of Agricultural Commodity and Food Standards (ACFS) 50 Phahonyothin Rd., Ladyao, Chatuchak Bangkok Thailand</td>
<td><a href="mailto:jzanamaporn@gmail.com">jzanamaporn@gmail.com</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr Pichet Itkor</td>
<td>Vice Chairman Food Processing Industry Club The Federation of Thai Industries Queen Sirikit National Convention Center, Zone C 4th Floor, 60 New Rachadapisek Rd., Klongtoey Bangkok Thailand</td>
<td><a href="mailto:Pichet.itkor@mjn.com">Pichet.itkor@mjn.com</a></td>
</tr>
<tr>
<td><strong>TUNISIA</strong></td>
<td>Tunisie - Túnez</td>
<td>Ing Malika Hermassi</td>
<td>Directrice Qualité, sécurité sanitaire et environnement Centre technique de l’agro-alimentaire - Ministère de l’industrie 12, rue de l’usine 2035 Tunis Tunisia</td>
<td><a href="mailto:codextunisie@ctaa.com.tn">codextunisie@ctaa.com.tn</a></td>
</tr>
<tr>
<td><strong>TURKEY</strong></td>
<td>Turquie - Turquía</td>
<td>Mr Ilhami Sahin</td>
<td>Head of Division Ministry of Food Agriculture and Livestock Food Establishments and Codex Eskisehir yolu 9.Km Lodumulu Ankara Turkey</td>
<td><a href="mailto:ilhami.sahin@tarim.gov.tr">ilhami.sahin@tarim.gov.tr</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr Mike O’neill</td>
<td>Head of EU and International Strategy Food Standards Agency Aviation House 125, Kingsway London United Kingdom</td>
<td><a href="mailto:Mike.Oneill@foodstandards.gsi.gov.uk">Mike.Oneill@foodstandards.gsi.gov.uk</a></td>
</tr>
<tr>
<td><strong>UNITED KINGDOM</strong></td>
<td>Royaume-uni - Reino Unido</td>
<td>Mr Mike O’neill</td>
<td>Head of EU and International Strategy Food Standards Agency Aviation House 125, Kingsway London United Kingdom</td>
<td><a href="mailto:Mike.Oneill@foodstandards.gsi.gov.uk">Mike.Oneill@foodstandards.gsi.gov.uk</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dr Claude Mosha</td>
<td>CEO &amp; Chief SPS (Food Feed Safety &amp; Quality) Consultant Nderyingo Food Feed Consulting International (T) Private Nderyingo Food Feed Consulting International (T), P.O.Box 24850 Dar-es-Salaam United Republic of Tanzania Tel: +255 765 087 187/ 713 324495</td>
<td><a href="mailto:cjmoshar@yahoo.co.uk">cjmoshar@yahoo.co.uk</a></td>
</tr>
<tr>
<td><strong>UNITED REPUBLIC OF TANZANIA</strong></td>
<td>République-Unie de Tanzanie - República Unida de Tanzania</td>
<td>Dr Jose Emilio Esteban</td>
<td>Executive Associate for Laboratory Services United States Department of Agriculture Food Safety and Inspection Service, Office of Public Health Science 950 College Station Rd. Athens, GA United States of America</td>
<td><a href="mailto:Emilio.esteban@fsis.usda.gov">Emilio.esteban@fsis.usda.gov</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms Camille Brewer</td>
<td>Director, International Affairs Staff U.S. Food and Drug Administration Health and Human Services 5100 Paint Branch Parkway, HFS-550 College Park, MD United States of America</td>
<td><a href="mailto:Camille.brewer@fda.hhs.gov">Camille.brewer@fda.hhs.gov</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms Marsha Echols</td>
<td>Attorney/Professor of Law 3286 M Street, N.W. Washington, D.C United States of America</td>
<td><a href="mailto:echols@marshaechols.com">echols@marshaechols.com</a></td>
</tr>
<tr>
<td><strong>UNITED STATES OF AMERICA</strong></td>
<td>États-unis - Estados Unidos de América</td>
<td>Dr Jose Emilio Esteban</td>
<td>Executive Associate for Laboratory Services United States Department of Agriculture Food Safety and Inspection Service, Office of Public Health Science 950 College Station Rd. Athens, GA United States of America</td>
<td><a href="mailto:Emilio.esteban@fsis.usda.gov">Emilio.esteban@fsis.usda.gov</a></td>
</tr>
</tbody>
</table>
Dr Kevin Greenlees  
Senior Advisor for Science and Policy, Chair, CCRVDF  
U.S. Food and Drug Administration  
Center for Veterinary Medicine, HFV - 100 7500 Standish Place  
Rockville, Maryland  
United States of America  
Tel: +1-240-402-0638  
Email: kevin.greenlees@fda.hhs.gov

Ms Mary Frances Lowe  
Manager, U.S. Codex U.S. Codex Office  
U.S. Department of Agriculture  
Room 4861 - South Building  
1400 Independence Avenue  
Washington, D.C.  
United States of America  
Tel: +1 202 720 2057  
Email: MaryFrances.Lowe@fsis.usda.gov

Ms Cathy Mckinnell  
Director, International Regulations and Standards  
Division Foreign Agriculture Services  
Department of Agriculture  
1400 Independence Ave., SW  
Washington, DC  
United States of America  
Tel: +1 202-690-0929  
Email: Cathy.McKinnell@usda.gov

Mrs Barbara Mcniff  
Senior International Issues U.S. Department of Agriculture  
Food Safety and Inspection Service; Office of CODEX  
1400 Independence Ave; SW Room #4870  
Washington, DC  
United States of America  
Tel: 202-690-4719  
Email: Barbara.McNiff@fsis.usda.gov

Dr Julie Moss  
Deputy Director, International Affairs Staff U.S. Food and Drug Administration  
Health and Human Services  
5100 Paint Branch Parkway HFS-550  
College Park  
United States of America  
Tel: 240-402-2031  
Email: julie.moss@fda.hhs.gov

Ms Caroline Smith Dewaal  
International Food Safety Policy Manager, International Affairs Staff U.S. Food and Drug Administration  
Health and Human Services  
5100 Paint Branch Parkway  
College Park, MD  
United States of America  
Tel: +1(240) 402-1242  
Email: Caroline.DeWaal@fda.hhs.gov

URUGUAY

Ing Jose Luis Heijo  
DIRECTOR Ministerio de Industria, Energia y Mineria  
Direccion Nacional de Industrias Montevideo  
Uruguay  
Tel: 59829163551  
Email: jose.heijo@dni.miem.gub.uy

Mr Jimena Lema Xavier  
Primer Secretario Ministerio de Relaciones Exteriores  
Uruguay  
Email: jimena.leda@mrree.gub.uy

INTERNATIONAL GOVERNMENTAL ORGANIZATIONS - ORGANISATIONS GOUVERNEMENTALES INTERNATIONALES - ORGANIZACIONES GUBERNAMENTALES INTERNACIONALES

AFRICAN UNION (AU)

Dr Raphael Coly  
Coordinator Standards & Trade Secretariat African Union (Au-Ibar)  
Westlands Road P.O. BOX 30786-00100  
Nairobi  
Kenya  
Tel: +254739622183  
Email: raphael.coly@au-ibar.org

INTER-AMERICAN INSTITUTE FOR COOPERATION ON AGRICULTURE (IICA)

Mr Eric Bolaños Ledezma  
Especialista, Sanidad Agropecuaria e Inocuidad de Alimentos  
Instituto Interamericano de Cooperación para la Agricultura (IICA)  
SAIA Apto Postal 55-2200,  
San José Vazquez de Coronado San Isidro 11101  
Costa Rica  
Tel: + 506 2216 0418  
Email: erick.bolanos@iica.int

INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS - ORGANISATIONS NON-GOUVERNEMENTALES INTERNATIONALES - ORGANIZACIONES INTERNACIONALES NO GUBERNAMENTALES

INTERNATIONAL CO-OPERATIVE ALLIANCE (ICA)

Mr Kazuo Onitake  
Head of Unit Japanese Consumers’ Co-operative Union, Safety Policy Service Co-op Plaza, 3-29-9, Shibuya, Shibuya-ku,  
Tokyo  
Japan  
Tel: +81 3-5778-8109  
Email: kazuo.onitake@jccu.coop

INTERNATIONAL COUNCIL OF GROCERY MANUFACTURERS ASSOCIATIONS (ICGMA)

Mr Richard White  
Director, Codex and International Standards Policy  
Grocery Manufacturers Association  
1350 I Street, N.W. Suite 300  
Washington, DC  
United States of America  
Email: rwhite@gmaonline.org
Ms Denise Malone  
Director, Nutrition Regulatory Affairs Abbott Nutrition  
Global Policy and Intelligence 200 Abbott Park Road  
Dept 06NG LF J49-3  
Abbott Park, IL  
United States of America  
Tel: 224 668 6743  
Email: denise.malone@abbott.com

**INTERNATIONAL DAIRY FEDERATION (IDF/FIL)**

Ms Jennifer Huet  
Project Manager IDF/FIL  
FIL-IDF FRANCE/CNIEL  
42 rue de Châteaudun  
Paris Cedex 9  
France  
Tel: +33 1 49 70 71 08  
Email: jhuet@cniel.com

**INSTITUTE OF FOOD TECHNOLOGISTS (IFT)**

Dr Karen L. Hulebak  
Principal, Resolution Strategy, LLC  
Institute of Food Technologists  
United States of America  
Tel: 540.967.1252  
Email: karen.hulebak@gmail.com

**INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)**

Mrs Sandrine Espeillac  
Secretary of ISO/TC 34 ISO  
Tel: +33 1 41 62 86 02  
Email: sandrine.espeillac@afnor.org

Mr Paul Mennecier  
Chair for ISO/TC 34 ISO  
Email: paul.mennecier@agriculture.gouv.fr

**NATIONAL HEALTH FEDERATION (NHF)**

Mr Scott Tips  
National Health Federation  
California PO Box 688  
Monrovia  
United States of America  
Tel: 16263572181  
Email: scott@rivieramail.com

**HEALTH FOR ANIMALS**

Dr Alexander Boettner  
Exec. Dir. Regulatory Affairs MSD Animal Health Innovation GmbH  
Zur Propstei 55270 Schwabenheim  
Germany  
Phone: +49 (6130) 948 190  
Email: alexander.boettner@msd.de

Mr Carel Du Marchie Sarvaas  
Email: carel@healthforanimals.org

Mr Olivier Espeisse  
Email: espeisse_olivier@elanco.com

Mrs Liezl Kock  
Email: liezl.kock@merck.com

**CODEX SECRETARIAT - SECRÉTARIAT DU CODEX - SECRETARÍA DEL CODEX**

Mr Tom Heilandt  
Secretary, Codex Alimentarius Commission  
Joint FAO/WHO Food Standards Programme  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 5705 4384  
Email: tom.heilandt@fao.org

Ms Annamaria Bruno  
Senior Food Standards Officer Joint FAO/WHO Food Standards Programme  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06570 56254  
Email: annamaria.bruno@fao.org

Mr Sebastian Hielm  
Senior Food Standards Officer Joint FAO/WHO Food Standards Programme  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 5705 4821  
Email: Sebastian.Hielm@fao.org

Mr David Massey  
Consultant Joint FAO/WHO Food Standards Programme  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 5705 3465  
Email: david.massey@fao.org

Mr Roberto Sciotti  
Codex Information Management Officer  
Joint FAO/WHO Food Standards Programme Food and Agriculture Organization of the United Nations (FAO)  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +390657056141  
Email: roberto.sciotti@fao.org

Mrs Anne Beutling  
Associate Professional Officer Joint FAO/WHO Food Standards Programme  
viale delle Terme di Caracalla  
Rome  
Italy  
Tel: +39 06 570 53528  
Email: anne.beutling@fao.org
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS - ORGANISATION DES NATIONS UNIES POUR L’ALIMENTATION ET L’AGRICULTURE - ORGANIZACIÓN DE LAS NACIONES UNIDAS PARA LA ALIMENTACION Y LA AGRICULTURA

Dr Renata Clarke
Senior Officer FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
Rome
Italy
Tel: +39 06 5705 2010
Email: renata.clarke@fao.org

WORLD HEALTH ORGANIZATION - ORGANISATION MONDIALE DE LA SANTÉ - ORGANIZACIÓN MUNDIAL DE LA SALUD

Mr Kazuaki Miyagishima
Director World Health Organization (WHO)
Department of Food Safety and Zoonoses
20, avenue Appia
Geneva 27
Switzerland
Tel: +41 22 791 2773
Email: miyagishimak@who.int

Ms Egle Granziera
Legal Officer World Health Organization (WHO)
Governing Bodies and Public International Law
20, avenue Appia
Geneva 27
Switzerland
Tel: +41 22 791 3680
Email: granzierae@who.int

Ms Andrea Barrios Villarreal
FAO/WHO Consultant Geneva
Switzerland
Email: abarriosvillarreal@gmail.com

Mrs Catherine Mulholland
Administrator, FAO/WHO Codex Trust Fund World Health Organization
Department of Food Safety and Zoonoses (FOS) 20 Avenue Appia
Geneva 27
Switzerland
Tel: 41 22 791 3080
Email: mulhollandc@who.int

Dr Rei Nakagawa
Email: nakagawar@who.int

FRENCH SECRETARIAT - SECRETARIAT FRANÇAIS - SECRETARIATO FRANCÉS

Mrs Dominique Legros
Cheffe du secteur CIAA (FAO) SGAE - Premier ministre
Comité interministériel de l'agriculture et de l'alimentation - CIAA
68, rue de Bellechasse
Paris
France
Email: dominique.legros@sgae.gouv.fr

Mrs Geneviève Raoux
Organisatrice CCGP Direction Générale de la Concurrence, de la Consommation et de la Répression des Fraudes
Ministère de l'Économie, de l'Industrie et du Numérique
59, boulevard Vincent Auriol Télédoc 223 75703
Paris Cedex 13
France
Email: genevieve.raoux@dgccrf.finances.gouv.fr

Mr Pierre Velge
Adjoint au chef de secteur CIAA (FAO) SGAE - Premier ministre
Comité interministériel de l'agriculture et de l'alimentation - CIAA 68, rue de Bellechasse
Paris
France
Tel: +33 1 44 87 16 02
Email: Pierre.VELGE@sgae.gouv.fr

MONACO - MÓNACO

Dr Deborah Ouzemane
Chef de la Division de Securité Sanitaire et Alimentaire
V.le Puccini 48 bd d'Italie
Monaco
Email: douzemane@gouv.mc
**Appendix II**

**TERMS OF REFERENCE FOR A CODEX SECRETARIAT-LED INTERNAL REVIEW OF CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE**

**N.B.:** Grey shaded sections in this document mark those that were included in the working document (CX/GP 16/30/3) but that were not examined by CCGP30 due to time constraints.

1 **Introduction**

1.1 **Context for the review**

In 2002, a joint FAO/WHO evaluation team and expert panel conducted an “Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards”.¹ This was a wide reaching exercise that aimed to provide input into decision making on future policy, strategy and management at the level of FAO and WHO Governing Bodies and their respective Secretariats and to the Codex Alimentarius Commission. The evaluation report was distributed for comments and the Codex Secretariat subsequently produced a list of 38 proposals which it then reported on to the Commission over the period 2004-2009 at which point the exercise was considered completed.

In 2014, CCEXEC69 agreed that a two stage process, first internal and Secretariat-led and then external could be undertaken in order to evaluate the work management systems and practices of Codex according to Strategic Goal 4 of the Codex Strategic Plan 2014-2019. CCEXEC69 requested the Secretariat to prepare, in collaboration with FAO and WHO, a paper identifying scope and processes to evaluate the work management of Codex for consideration by CCGP29 in May 2015. It was agreed that the background to this paper would include an analysis of the implementation of the 2002 Codex evaluation and that the paper would also address the issues related to the effectiveness and representativeness of CCEXEC.

In 2015, CAC38 requested the Secretariat to create a new document with FAO and WHO taking into account the working document² and all comments and discussions in the process thus far (CCGP28-29, CCEXEC69-70, written comments and replies to the circular letter³ on the outcome of CCEXEC70).

2 **Review Framework**

2.1 **Purpose**

The main purposes of the Review of Codex Work Management and Functioning of the Executive Committee (the Review) are as follows:

- [ Assess the efficiency and effectiveness of Codex work management practices in light of the implementation of the current Strategic Plan, with particular focus on SG4; ]

OR

- Assess the efficiency and effectiveness of Codex work management practices according to SG4 of the Codex Strategic Plan (2014-2019); ]

- Formulate recommendations to address any findings or observations identified by the assessment.

2.2 **Scope**

The review will focus on Codex work management practices and the relationship between the Codex Alimentarius Commission and CCEXEC including:

- The objectives, outcomes and activities of SG4;

- [ Roles and competencies of Chairs, Vice-Chairs and of CCEXEC members; ]

- Core functions and responsibilities of CCEXEC, including critical review;

- Responsiveness to emerging issues; and

- Cross-collaboration between Codex Committees. ]

The Review will focus on Codex work since 2009, when the implementation of the 2002 Evaluation was considered completed.

The Review will not assess the issues regarding the structure and function of the Codex subsidiary bodies and the Codex decision-making process.

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¹ ALINORM 03/25/3
² CX/CAC 15/38/9
³ CL 2015/20-CAC
2.3 Review criteria and issues

The review will be undertaken with reference to a set of internationally accepted evaluation criteria which include: relevance, efficiency, effectiveness, and sustainability.

3 Review Methodology

3.1 Approach and tools

The Review will gather information and evidence in order to draw conclusions against the agreed criteria, conduct detailed analysis and formulate detailed recommendations in line with these Terms of Reference.

Before beginning its work the Secretariat will provide Members with an opportunity to review [and validate] the materials to be used.

3.2 Consultation process

The primary stakeholders for the Review are:

- The Codex Alimentarius Commission and CCEXEC as initiators and recipients of the review;
- The parent organizations FAO and WHO and the Codex Secretariat as those responsible for implementation.

The review team will interact with other stakeholders as required.

4 Organization

4.1 Roles and Responsibilities

The Codex Secretariat, and FAO and WHO will support the management consultant in carrying out this review.

The CCGP will be responsible for providing comments and suggestions on the report.

The Codex Alimentarius Commission, following further comments and recommendations from CCEXEC, will be responsible for a response to the findings, conclusions and recommendations of the review.

4.2 Review team competencies and composition

The team will be composed of:

- A management consultant
- A Senior Food Standards Officer from the Codex Secretariat
- A representative from FAO and from WHO

4.3 Timetable

The table below outlines the phases and timetable for the review.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responsibility</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preparation of review tools (e.g. questionnaire and survey) and schedule</td>
<td>Review team</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Circulation of Inception Report for comments to all Members/Observers</td>
<td>Review team</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Review team addresses all comments on Inception report where possible</td>
<td>Review team</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Information about the Review provided to the RCCs</td>
<td>Codex Secretariat</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Implementation of review</td>
<td>Review team</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Finalisation of Report and circulation for comments to all Members</td>
<td>Codex Secretariat</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Discussion of the report by CCGP</td>
<td>-</td>
<td>[insert date]</td>
</tr>
<tr>
<td>Discussion of the report by CCEXEC and CAC</td>
<td>-</td>
<td>2018</td>
</tr>
</tbody>
</table>

4.4 Budget

The estimated budget for the review (approx. 100,000 US$) will cover the cost of the management consultant including honorarium, travel and per diem expenses and translation costs.

Staff costs borne by FAO and WHO and Codex Secretariat are not included.

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4 UN Evaluations Group (UNEG) - [http://uneval.org/](http://uneval.org/)