

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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ALINORM 03/32

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX ALIMENTARIUS COMMISSION**

*Twenty-sixth Session  
30 June – 5 July 2003*

**REPORT OF THE SEVENTH SESSION OF THE FAO/WHO COORDINATING  
COMMITTEE FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC**

*Vancouver, British Columbia, Canada  
29 October – 1 November 2002*

## SUMMARY AND CONCLUSIONS

The Seventh Session of the Codex Coordinating Committee for North America and the South West Pacific reached the following conclusions:

- Agreed that the objective of convening **annual meetings of the Commission** should be to speed up the adoption of standards but would also need to take account of developing countries concerns regarding financial and resource constraints as well as developments related to the trust fund before any final decision was taken (para. 6):
- Recommended that the further reviews by JECFA of the chemicals used and the system itself and by the Codex Committee of Food Hygiene of the microbiological safety of the final product should be concluded before proceeding any further in the revision of the **Guidelines for the Preservation of Raw Milk by the Lactoperoxidase System** (para. 12);
- Welcomed the progress to date by WHO and FAO in its discussions on the **Trust Fund for Participation of Developing Countries in Codex Standard Setting Procedures** and noted, among other things, that before governments could commit to the provision of funding, specific details, criteria and specifications of the Trust Fund would need to be finalized (para. 15):
- Stated their satisfaction with the information which had been provided on the **Joint FAO/WHO Evaluation of the Codex Alimentarius Commission and Other FAO and WHO Work on Food Standards**, and looked forward to receiving the Evaluation report and expressed their commitment to work towards the speedy implementation within Codex of those recommendations found acceptable to the Membership (para. 20);
- Expressed broad appreciation for the efforts made to date to improve the procedures for the **selection of experts for the Joint FAO/WHO scientific activities** and importance was attributed to the need to encourage involvement of all countries and to ensure that experts from all geographical areas were considered (para. 27);
- Expressed its opinion on several activities included in the **Draft Medium Term Plan 2003 – 2007** on Objectives related to Promoting Sound Regulatory Frameworks (paras. 30-36), Promoting the Widest and Consistent Application of Scientific Principles and Risk Analysis (paras. 37-42), Promoting Linkages Between Codex and Other Multilateral Regulatory Instruments and Conventions (para. 43), Enhancing the Capacity to Respond Effectively and Efficiently to New Issues, Concerns and Developments in the Food Sector (para. 44), Promoting Maximum Membership and Participation (paras. 45 – 47) and Promoting Maximum Application of Codex Standards (paras. 48-49);
- Agreed that several recommendations should be brought forward with respect to **Product Tracing** to inform CCFICS, CCGP and other Codex committees, as appropriate, as they discuss the issue of product tracing relative to their particular responsibilities and mandates (para. 52);
- Welcomed the report of **FAO and WHO activities on capacity building**, and added their continuing support to assisting developing countries in strengthening national food control systems and their participation in Codex activities (para. 58);
- Noted issues related to **food legislation**, especially in the perspective of economic integration, food control systems, export/import matters and relevant training activities, from countries in the Regions (paras. 62-66);
- Noted issues and exchanged experiences on the means of **developing consumer input** into National Codex Committees and Contact Points from countries and observers in the Regions (paras. 67-74);
- Invited Canada to lead the first stage in the development of a **Strategic Plan for the Regions**, and that the first stage of drafting should await the outcome of the Evaluation (paras. 75-77), and;
- Unanimously nominated Samoa for appointment as the next **Coordinator for the Regions of North America and the South West Pacific**, subject to confirmation of the acceptance of the nomination by the Government of Samoa (para. 78).

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## **OPENING OF THE SESSION**

1. The Seventh Session of the Coordinating Committee for North America and the South West Pacific was held from 29 October – 1 November 2002 in Vancouver, British Columbia, Canada at the kind invitation of the Government of Canada. The Session was chaired by Mr. Paul Mayers, Associate Director-General, Food Directorate, Health Products and Food Branch, Health Canada. The Session was attended by 33 participants representing 7 Member countries of the Region, 4 Member countries outside of the Region and 2 international non-governmental organizations. The full list of participants is attached as Appendix I to this report.

2. In opening the Session, Paul Mayers noted that the participation of Codex Member countries from within as well as from outside the region illustrated the global nature of the Committee's work, especially as related to the complexity of food safety issues which Codex must address. He noted that the profile of such issues was significantly increased by the demands of the World Trade Organization SPS and TBT Agreements.

3. Dr. Alan Randell, Secretary of the Codex Alimentarius Commission, thanked the Government of Canada for its efforts in hosting the meeting in Vancouver, and especially thanked the Canadian Food Inspection Agency, for co-organizing with FAO, the Workshop on the Application of HACCP/Quality Management Systems in the Seafood Industry, which was held immediately prior to the Session (Vancouver, 28 October 2002). The funding provided by FAO enabled the participation of South West Pacific Island countries.

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

4. The Committee adopted the Provisional Agenda as the Agenda for its Session.

## **MATTERS ARISING FROM THE 24<sup>TH</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION AND THE 49<sup>TH</sup> AND 50<sup>TH</sup> SESSIONS OF THE EXECUTIVE COMMITTEE (Agenda Item 2)<sup>2</sup>**

5. The Committee noted general matters of interest arising from the 24<sup>th</sup> Session of the Codex Alimentarius Commission (July 2001) and the 49<sup>th</sup> (Extraordinary) (September 2001) and 50<sup>th</sup> (June 2002) Sessions of the Executive Committee. These matters included general decisions of the Commission related to the Strategic Framework, Medium Term Plan and Chairpersons Action Plan, Meetings of the Commission and Recommendations arising from the Melbourne Conference<sup>3</sup>; the consideration of Amendments to the Procedural Manual and matters Related to Risk Analysis; and, Matters Arising from the Executive Committee, including the Trust Fund for the Participation of Developing Countries in Codex Standard-Setting Procedures.

## **MEETINGS OF THE COMMISSION**

6. The Coordinating Committee noted discussions<sup>4</sup> at the 24<sup>th</sup> Session of the Commission concerning the potential convening of annual meetings of the Commission beginning in 2004. It agreed that the objective of convening annual meetings should be to speed up the adoption of standards but would also need to take account of developing countries concerns regarding financial and resource constraints, as well as developments related to the Trust Fund, before any final decision was taken.

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<sup>1</sup> CX/NASWP 02/1

<sup>2</sup> CX/NASWP 02/2

<sup>3</sup> FAO Conference on International Food Trade Beyond 2000: Science-Based Decisions, Harmonization, Equivalence and Mutual Recognition (Melbourne, Australia, 11-15 October 1999).

<sup>4</sup> ALINORM 01/41, para. 55.

***RECOMMENDATIONS ARISING FROM THE FAO CONFERENCE ON INTERNATIONAL TRADE BEYOND 2000***

7. In regard to the Conference Recommendation 13 concerning the urgency of Codex guidance on equivalence, it was stated that deliberations within the WTO/SPS Committee should not constrain Codex efforts in the continued elaboration of the draft Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems. It was also noted that although the Codex Committee on Food Import and Export Inspection and Certification Systems had temporarily suspended the consideration of specific Guidelines on the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems, the Committee would continue considering the issue at its next Session on the basis of a Discussion Paper.<sup>5</sup>

***AMENDMENTS TO THE CODEX RULES OF PROCEDURE***

8. The Committee noted that the Codex Committee on General Principles had decided to consider proposed amendments to the Rules of Procedure concerning the Membership of Regional Integration Organizations at its next Session on the basis of advice to be provided by the FAO Committee on Constitutional and Legal Matters.<sup>6</sup> The Secretary of the Commission noted that the FAO Committee had considered and endorsed the proposals arising from the CCGP and had concluded that the proposals were not inconsistent with the relevant provisions of the FAO Constitution.<sup>7</sup>

***GUIDELINES FOR THE PRESERVATION OF RAW MILK BY USE OF THE LACTOPEROXIDASE SYSTEM (CAC/GL 13-1991)***

9. The 50<sup>th</sup> Session of the Executive Committee, while discussing the opportunity of revising the current Guidelines for the Preservation of Raw Milk by Use of the Lactoperoxidase System, invited Regional Coordinating Committees to consider the use of the system, the relevance of the current Codex Guidelines and the need for their revision. The Executive Committee asked the Codex Committee on Food Hygiene to consider whether the provisions restricting the use of the lactoperoxidase system in milk used for processing into products that would enter international trade should be retained and whether the current Guidelines should be revised. The CCEXEC also noted that the initial JECFA evaluation covered the process but that the chemicals used would require further evaluation as well as a risk assessment of the system itself in order to ensure an updated scientific basis for potential further work.<sup>8</sup>

10. The Committee generally supported further JECFA review of the chemicals and processes involved as well as the consideration of the microbiological issues within the Codex Committee on Food Hygiene. The Committee also noted that the Guidelines were important for countries where refrigeration was not available and that the system was not intended for product entering international trade. It was stated that in view of the fact that the original Guidelines were developed prior to the current Codex standing under the WTO Agreements, FAO or WHO might further develop the Guidelines outside of the Codex process as advice to their Member countries. In any case, it was suggested that the reviews by JECFA and CCFH must be completed before moving further.

11. The Secretary of the Commission clarified that although Codex texts were normally intended for international trade, several Codex standards involved products intended for domestic consumption (e.g., street foods) and that in any case, the description and scope of the Standard should provide flexibility in this regard.

12. The Committee recommended that the further reviews by JECFA of the chemicals used and the system itself and by the Codex Committee on Food Hygiene of the microbiological safety of the final product should be concluded before proceeding any further.

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<sup>5</sup> ALINORM 03/30, paras. 31-52 and 69-75, respectively.

<sup>6</sup> ALINORM 03/33, paras. 105-121.

<sup>7</sup> Report of the Seventy-fourth Session of the FAO Committee on Constitutional and Legal Matters (CCLM), FAO Document CL 123/16, FAO, Rome, 2002.

<sup>8</sup> ALINORM 03/3A, paras. 86-88.

***TRUST FUND FOR THE PARTICIPATION OF DEVELOPING COUNTRIES IN CODEX STANDARD SETTING PROCEDURES***

13. The Committee noted that the 50<sup>th</sup> Session of the Executive Committee had strongly supported the Concept Paper on the Trust Fund presented by the WHO (CX/EXEC 02/50/4) and requested both FAO and WHO to further develop the document related to funding structures as soon as possible so that it could be presented for consideration and comment to Coordinating Committee meetings. The Executive Committee further requested that the document should be revised on the basis of Coordinating Committee discussions so that it might be examined at the WHO Executive Board in January 2003, the extraordinary Session of the Commission in February 2003 and the World Health Assembly in May 2003.<sup>9</sup>

14. The Representative of WHO informed the Committee that although the document presented to the Executive Committee had not been updated, another document was under development by WHO which covered the implementation of the Trust Fund, including aspects related to financial, legal, fund raising and managerial issues. The document also included other elements related to the criteria for the Trust Fund, including the need to enhance developing country participation in the Codex process, enhancing developing country capacities in the establishment of food control systems and the subsequent general benefits to all Codex Members in the implementation of these measures. It was noted that a progress report on the development of the Trust Fund would be presented to the extraordinary session of the CCEXEC and the CAC in February 2003.

15. The Committee welcomed the progress to date by WHO and FAO in its discussions, and noted that before governments could commit to the provision of funding, specific details, criteria and specifications of the Trust Fund would need to be finalized. It was noted that these details would need to include safeguards against potential conflicts of interest with Trust Fund donors, an emphasis on the importance of enhancing other elements of developing country participation in Codex activities above and beyond simple attendance at Codex meetings (e.g., regarding consultation in developing national positions and the ability to implement Codex texts), the possible need for appropriate national infrastructures prior to the provision of funding and the establishment of appropriate review and accountability criteria for operation of the fund. It was also noted that the Trust Fund should take account of the Codex Strategic Framework and Codex priorities and should be flexible, practical and assessable in its implementation.

**JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS (Agenda Item 3)<sup>10</sup>**

16. At its 50<sup>th</sup> Session in June 2002, the Executive Committee of Codex discussed progress on the Joint FAO/WHO Evaluation of the Codex Alimentarius and Other FAO and WHO Work on Food Standards and agreed that the evaluation should be included in the provisional agendas of all Regional Coordinating Committees.<sup>11</sup> Mr. John Markie, of the FAO Evaluation Service, introduced the item to the Regional Coordinating Committee on behalf of the evaluation units in both FAO and WHO, which are responsible for management of the evaluation.

17. He informed the meeting that evaluation work was now largely completed and the evaluation team and independent expert panel had met to finalise the report, completing their work on 22 October. The report was now undergoing final editing and translation. It would be available by early December 2002 in six languages<sup>12</sup>. Management responses to the findings and recommendations from both FAO and WHO would be included in the document. The report will be made available to the WHO Executive Board in January 2003 and, following discussion at Special Sessions of the Codex Executive Committee and the Codex Alimentarius Commission in February 2003, will be discussed further by the FAO and WHO Governing Bodies (FAO Programme Committee and World Health Assembly in May 2003, FAO Council in June 2003 and FAO Conference in November 2003), together with the advice of the Special Session of the Commission.

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<sup>9</sup> ALINORM 03/3A, paras. 25-31.

<sup>10</sup> CX/NASWP 02/3 and CX/NASWP 02/3 – Add.1

<sup>11</sup> ALINORM 03/3A, paras. 7-19.

<sup>12</sup> Arabic, Chinese, English, French, Russian and Spanish

18. The Committee was also briefed on the main thrusts of some of the major findings and recommendations of the evaluation, and to the extent possible at this stage of the evaluation process, Mr. Markie provided clarifications on what the report would cover.

19. The Committee appreciated the information which it had been provided. In doing so, it noted that the evaluation had followed a highly consultative and thorough process. Members' commitment to the evaluation had been demonstrated by the very high return of questionnaires (103 countries responded). The evaluation team had held discussions in 24 countries and with the European Commission. They had also held discussions with the main international organizations, including the WTO and other related standard setting organizations (OIE, IPPC, and ISO). During country visits, discussions had been held, not only with all concerned departments of government, but with representatives of the main non-governmental stakeholders.

20. In conclusion, the Members of the Regions represented in the Coordinating Committee stated their satisfaction with the information which had been provided. They looked forward to receiving the evaluation report and expressed their commitment to work towards the speedy implementation within Codex of those recommendations found acceptable to the membership. They hoped that FAO and WHO would also act rapidly on the recommendations and in line with these would increase their budgetary allocations to Codex and budgetary allocations for expert advice, including risk assessment.

#### **OTHER MATTERS OF INTEREST FROM FAO AND WHO (AGENDA ITEM 4)<sup>13</sup>**

21. The Committee was briefed on the outputs of the Joint FAO/WHO bodies that provide scientific advice to member countries and relevant Codex Committees. This included the scientific advice on risk assessment of chemicals provided by the Joint Expert Committee on Food Additives (JECFA) and the Joint Meeting on Pesticide Residues (JMPR). In addition, the work on microbiological risk assessment performed by the Joint WHO/FAO Meetings on Microbiological Risk Assessment (JEMRA) was described.

22. Specific reference was made to the ongoing efforts in the selection of experts to ensure transparency, geographical distribution and reliable scientific opinion. Currently, a project was planned to update and consolidate principles and methods for the risk assessment of chemicals in food. To facilitate the international risk assessment work on chemicals and microbiological hazards, the Committee was advised of the importance of national data from as many countries as possible as a basis for the work.

23. With reference to facilitating work on pesticide residue evaluations, a pilot project had been proposed to improve the efficiency of pesticide residue evaluations through a system of work sharing among different national/international bodies.

24. In addition to the work of the Joint FAO/WHO bodies on risk assessment of chemicals and microbiological hazards, the Committee was informed of the Joint FAO/WHO Expert Consultations on foods derived from biotechnology, probiotics, and acrylamide. Also of importance to the countries in the Regions was the convening of the first Global Forum of Food Safety Regulators to discuss food safety issues of international importance held in Marrakech in January 2002.

25. Additional items deemed of relevance to the Coordinating Committee were the ongoing work of FAO on biosecurity in food and agriculture; an FAO Technical Consultation on Biological Risk Management in Food and Agriculture, will be held in Bangkok, Thailand, 13 – 17 January 2003. The Coordinating Committee also noted the FAO proposal for the establishment of an “Integrated Framework for Ensuring Food Safety and Quality throughout the Food Chain”. This FAO proposal will be presented at the next session of the FAO Committee on Agriculture in March 2003. The Committee was also advised of the progress of the Questionnaire on Foods Derived from Biotechnology.

26. Regarding activities of JECFA, it was noted that advice provided by this expert body was needed in order to revise the list of foods and ingredients which were known to cause hypersensitivity as contained in the Codex General Standard for the Labelling of Prepackaged Foods. The Committee also noted that risk

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<sup>13</sup> CX/NASWP 02/4

assessment work on biotechnology was important and relevant to many Codex Committees and that additional areas for consideration were fortified foods and functional foods.

27. There was broad appreciation for the efforts made to date to improve the procedures for the selection of experts for the Joint FAO/WHO scientific activities and importance was attributed to the need to encourage involvement of all countries and to ensure that experts from all geographical areas were considered. Additional benefits were noted in terms of capacity building. In an effort to further enhance transparency of the scientific work, it was suggested by the Observer from Consumers International that Expert Committees should be open to the public. The Representative of WHO stated that such issues would be considered in the expert consultation to be convened in response to the request of the 24<sup>th</sup> Session of the Codex Alimentarius Commission.<sup>14</sup>

#### **CONSIDERATION OF THE DRAFT MEDIUM-TERM PLAN 2003 – 2007 (Agenda Item 5)<sup>15</sup>**

28. The Coordinating Committee recalled that work on the draft Medium-Term Plan 2003-2007 was initiated by the Commission at its 23rd Session (1999). The Executive Committee, between its 47<sup>th</sup> and 48<sup>th</sup> Sessions had developed a structured model consisting of a strategic vision statement, a strategic framework described by objectives and a detailed medium-term plan. At its 24<sup>th</sup> Session (2001), the Commission adopted<sup>16</sup> both the strategic vision statement and the strategic framework and recommended incorporation of elements of the Chairperson's Action Plan into the Draft Medium-Term Plan. The Draft Medium-Term Plan was then considered by the 50th Session of the Executive Committee (June 2002)<sup>17</sup> and revised by the Secretariat for consideration of the Regional Coordinating Committees.

#### **GENERAL COMMENTS**

29. The Coordinating Committee recommended that attention should be paid to the inclusion of appropriate indicators so as to assist in performance measurement during the operation of the Medium-Term Plan. It was also noted that several aspects of the Medium-Term Plan may have to be adjusted to take into account the outcome of the Joint FAO/WHO Evaluation of Codex Alimentarius, and that the resources allocated to activities may have to be reconsidered. In particular the Coordinating Committee noted that the distribution of resources available for Secretariat support to the Commission's work should be carefully examined.

#### **OBJECTIVE 1: PROMOTING SOUND REGULATORY FRAMEWORK**

30. The Coordinating Committee supported the work foreseen under Activity 4 and noted that the main responsibility for undertaking this work would be the Committee on General Principles. The Committee noted that in reviewing the Terms of Reference of General Subject Committees, attention should be paid to the importance of consumer health protection.

31. The Coordinating Committee stressed the importance of Activity 18 (Criteria for the Establishment of Work Priorities) and recommended that reference should be made to the need to establish mechanisms for greater scrutiny of new work proposals against the Commission's strategic direction and priorities.

32. In relation to Activity 22 (Tracing of food products), the Coordinating Committee was of the opinion that this activity as worded was premature in light of consideration being given to the issue in other Codex Committees. The Coordinating Committee recommended that this activity be reworded so as to read:

“Review the need for, and as appropriate, establish international principles and guidelines for tracing of food products/ingredients through various links in the food chain for public health reasons as a risk management option or having a legitimate objective as a technical measure: First consideration should be given to product tracing as a risk management option.”

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<sup>14</sup> ALINORM 01/41, paras. 58-62.

<sup>15</sup> CX/NASWP 02/5.

<sup>16</sup> ALINORM 01/41, paras. 68-69

<sup>17</sup> ALINORM 03/3A, paras 32-61

33. The Coordinating Committee also recommended that the performance indicator for this activity should be reworded so as to read:

“As appropriate, principles/guidelines drafted by CCGP and CCFICS in association with other Committees.”

34. The Coordinating Committee could not support Activity 25 as currently drafted, as there had been no discussion within the relevant Codex Committees on this matter, in particular the question of marketing. It proposed that the Activity should be redrafted to state “Elaboration of international standards or guidelines for the safety evaluation and labelling of foods derived from biotechnology”. It was noted that the activity had been carried over from the current Medium-Term Plan.

35. On Activity 27 (Guidelines on the judgement of equivalence), the Coordinating Committee recommended that the scope of the activity should be extended to cover food safety requirements as well as essential quality requirements. However, in pursuing this Activity it was also recommended that careful attention be paid to the on-going work of the Committee on Food Import and Export Inspection and Certification Systems and the development of generic rather than specific guidelines in this area.

36. The Coordinating Committee expressed its strong support for Activities 42 and 44 dealing with the Secretariat support to the work of the Commission and Codex Committees.

***OBJECTIVE 2: PROMOTING THE WIDEST AND CONSISTENT APPLICATION OF SCIENTIFIC PRINCIPLES AND RISK ANALYSIS***

37. The Coordinating Committee strongly supported Activity 9 as being of critical importance to the future work of Codex, but suggested that the title be changed to “Ensure consistency of the application of risk analysis on a Codex-wide basis”.

38. The Coordinating Committee had an extended discussion on Activity 7 (Antimicrobial substances and antimicrobial resistance) in view of the complexity of the issues surrounding this matter. Some Delegations were concerned that the inclusion of a reference to “other measures” could lead to vagueness in the interpretation of this Activity and perhaps lead to work outside the scope and mandate of Codex. Other Delegations were of the opinion that restricting consideration to the use of antimicrobials in food production was too limiting, and could exclude the use of antimicrobials used for disease control and other important activities related to minimizing and containing antimicrobial resistance. However, the Coordinating Committee supported the general thrust of this Activity and noted that in any case, it should be undertaken in collaboration with other international bodies.

39. The Coordinating Committee gave its full support for Activity 11 (Maximum residue limits) but was of the opinion that this should be indicated as an on-going activity, with the performance indicator of 15 commodities of interest to developing countries linked to the time-frame of the Medium-Term Plan (i.e., 2007), and reflecting on the need to give priority to compounds most likely to impact on the health of consumers.

40. Although the Coordinating Committee strongly supported Activity 20 (Data on dietary intake), it recommended that the wording of the Activity to be amended to “Making the maximum possible use of global data, including data from developing countries” which was considered to be more realistic than “ensuring” their use.

41. While generally supporting Activity 33 (Management of microbiological risks), the Coordinating Committee expressed concern at the reference to the use of “other available information” in place of risk assessments. The Delegation of the United States suggested that such other information should be restricted to “scientific information” and the Delegation of Canada recommended that such information should only be used “as appropriate”. The Delegation of Papua New Guinea stated that other relevant information was also used to assess or characterize hazards in developing countries, and the Observer from Consumers

International noted that information other than scientific information could legitimately be considered in risk management.

42. The Coordinating Committee expressed its full support for Activity 1 (Risk communication), and noted that this was often a neglected component in risk analysis in Codex. It recommended that consideration should be given to a) risk communication within Codex; b) risk communication between Codex and other interested parties; and c) risk communication between Member governments and all stakeholders.

***OBJECTIVE 3: PROMOTING LINKAGES BETWEEN CODEX AND OTHER MULTILATERAL REGULATORY INSTRUMENTS AND CONVENTIONS***

43. As a general observation, the Coordinating Committee noted that there was some redundancy and duplication in the Activities proposed under this Objective and recommended that the list of activities should be shortened and condensed, with fewer activities listed in the final Medium-Term Plan. Moreover, there seemed to be a mixture of important, over-arching activities with highly specific activities. For example, Activity 12 was a very specific activity which may be completed in the current planning period, whereas Activity 32 was over-arching and very important for the future work of Codex in the next planning cycle. The Coordinating Committee noted that in the application of Activity 34 (Working with the OIE) careful consideration would have to be given to different mandates of the two organizations.

***OBJECTIVE 4: ENHANCE CAPACITY TO RESPOND EFFECTIVELY AND EFFICIENTLY TO NEW ISSUES, CONCERNS AND DEVELOPMENTS IN THE FOOD SECTOR***

44. In relation to Activity 3 (Revision of the Elaboration Procedure), the Coordinating Committee recommended that the period of five years mentioned in the Activity should be considered as a period for review of the progress in elaborating a standard, rather than an absolute cut-off date.

***OBJECTIVE 5: PROMOTING MAXIMUM MEMBERSHIP AND PARTICIPATION***

45. The Coordinating Committee recommended that Activity 37 (Guidelines for the consideration of written comments) should be time-limited in view of its critical importance, and suggested a completion date of 2005.

46. Although the concept of holding meetings of Codex committees in developing countries was welcomed (Activity 14), the Coordinating Committee was not convinced that this was the best way to improve developing country participation. It suggested that consideration should be given to a broader range of options aimed at increasing developing country participation and noted the key role that the FAO/WHO Trust Fund would have in this regard.

47. In relation to Activity 29 (Participation of non-governmental organizations) the Coordinating Committee was of the opinion that the development of food standards involved a partnership between the regulatory authorities and all interested stakeholders. It agreed that the focus of this activity should primarily be at the national level. The Coordinating Committee recommended that the performance indicators should be linked to the time period of the Medium-Term Plan or else deleted as they would be difficult to quantify.

***OBJECTIVE 6: PROMOTING MAXIMUM APPLICATION OF CODEX STANDARDS***

48. The Coordinating Committee expressed its strong support for Activities 16 (Codex website) and 31 (Availability of Codex texts), but questioned whether the remaining activities listed under this Objective were within the competence of the Commission. In particular, concern was expressed over Activity 23 (Collection of information) as being a difficult and complex task with heavy resource implications, in addition to its relevance to the Codex mandate. The Observer from Consumers International, however, supported this Activity as an important element of risk communication. The Coordinating Committee recommended that if these activities were to be retained, the role to be played by Codex in implementing the activities would need to be clarified.

49. In relation to Activity 15 (National Codex structures), support was expressed for the continuation of this activity on the basis of the provision of regular status reports to the Commission.

#### **IMPLEMENTATION OF THE MEDIUM-TERM PLAN**

50. The Coordinating Committee noted that throughout the Draft Medium-Term Plan no priority ranking had been assigned to any particular activity or activities although some were of an over-arching nature and some were quite specific. In general, it was felt that activities that had an overall impact should receive the greatest attention and that within this, activities directed towards improved consumer health protection should have high priority. It was proposed that an implementation plan should be developed, giving particular consideration to the consequences of the failure to deliver any specified activity.

#### **CONSIDERATION OF TRACEABILITY/PRODUCT TRACING (Agenda Item 6)<sup>18</sup>**

51. The Committee, in accordance with the request from the 49<sup>th</sup> (Extraordinary) Session of the Executive Committee<sup>19</sup> for Codex Regional Coordinating Committees to consider the question of traceability in the framework of Codex, undertook a discussion on the subject. The Coordinating Committee recalled the Executive Committee's recommendations that: a) the Committee on General Principles consider aspects of traceability relating both to its use as a food safety objective (i.e., as an SPS measure) and as legitimate objective as a TBT measure; b) first consideration be given to the use of traceability as a risk management option in the Working Principles for Risk Analysis; and, c) that Committees concerned, particularly the Committee on Food Import and Export Inspection and Certification Systems (CCFICS), undertake work on traceability as they deemed appropriate within their mandate. Additionally, the Coordinating Committee noted the results of the discussion of the 17<sup>th</sup> Session of the Committee on General Principles<sup>20</sup> (CCGP) on the subject of traceability, specifically that the Codex Secretariat should prepare a discussion paper considering how CCGP could contribute to the consideration of this issue in Codex, including the preparation of a definition for Codex use.

52. The Committee, as a result of its discussions, agreed that the following should be brought forward with respect to product tracing to inform CCFICS, CCGP and other Codex committees, as appropriate, as they discuss the issue of product tracing relative to their particular responsibilities and mandates.

- a) That the term "product tracing" is the appropriate terminology to employ for the concept of the tracing of food products and/or their ingredients. The Codex Ad-Hoc Intergovernmental Task Force on Foods Derived from Biotechnology reached consensus on the use of this term and, subsequently, the term is gaining acceptance within Codex.
- b) In considering product tracing, Codex should give priority to considering its use as a tool with respect to risk management.
- c) That product tracing<sup>21</sup> can be considered to include the following possible elements:
  - The ability to identify a food (product identification);
  - How the food product was changed, if appropriate; and, where the food product came from and to where it was sent - one step forward and one step backward (product information); and,
  - Linkages between product identification and product information.
- d) That the use of product tracing within a food control system be consistent with the provisions of the WTO SPS and TBT Agreements. In this regard, provisions relating to product tracing should, as appropriate to the application:
  - Be science based.
  - Be consistent with fair trade practices criteria.
  - Be subject to equivalence determinations.
  - Be no more trade restrictive than necessary.

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<sup>18</sup> CX/NASWP 02/6.

<sup>19</sup> ALINORM 03/3, paras. 29-33.

<sup>20</sup> ALINORM 03/33, paras 5-13.

<sup>21</sup> CX/FICS 02/11/7, *Discussion Paper on Traceability/Product Tracing in the Context of Food Inspection and Certification Systems*, paragraph 7.

- e) That product tracing is not a stand-alone activity, i.e., it is a tool that may be applied within a broader food control system.
- f) That product tracing requirements must have clear justification with respect to food safety and/or ensuring fair practices in food trade.
- g) That the need for and scope of application and specifications regarding each element of product tracing should be considered on a case-by-case basis according to the objective(s) of the food control system within which product tracing is implemented. For example, whether product tracing should be applied within a specific portion of the food chain or whether such tracing may be required across two or more links in the food chain would be dependent on the objectives to be achieved by the food control system.
- h) That decisions on whether a mandatory product tracing system should be implemented should be based on whether such an approach is necessary to achieve the objectives of the food control system.
- i) That certain other considerations may apply to product tracing, including, for example, that product tracing be:
  - Outcomes based;
  - Cost effective;
  - Practical; and,
  - Enforceable.

### **CAPACITY BUILDING FOR FOOD STANDARDS AND REGULATIONS (Agenda Item 7)<sup>22</sup>**

53. The capacity building work of FAO and WHO to strengthen food control infrastructures in member countries and to assist in development of national standards based on international standards of Codex Alimentarius was described. The Coordinating Committee was advised of International Workshops which provided guidance on prevention of mycotoxins, food safety management and the role of food safety regulators. To facilitate improved understanding of existing WTO Agreements, the FAO's Umbrella Programme Phase I included a series of training courses; the Coordinating Committee was advised that a second phase was planned.

54. Furthermore, a number of initiatives were described as significant for future capacity building activities, including the FAO Trust Fund for Food Security and Food Safety, and the Joint FAO/WHO/OIE/WTO/WB Framework for Capacity Building in SPS related matters.

55. Specific reference was made to capacity building activities in the Pacific Island Countries, describing a number of regional Workshops to assist the region in building capacity to meet WTO obligations and to act as "equal partners" in the continuation of the reform process. National workshops have been implemented to strengthen the capacity and functioning of Codex Contact Points and the National Codex Committees. Additional initiatives have been undertaken to strengthen aspects of the food control infrastructure, including laboratory capacity, review of national legislation and guidance on improvement, training on food inspection and risk assessment principles, and improving standards in market places.

56. Specific reference was made to the proposed FAO project to strengthen capacity building in national Codex capability, food regulation and international food standards harmonization for the Cook Islands, Fiji, Samoa, Tonga and Vanuatu. In addition, the Committee was advised of the FAO/WHO/SPC Consultation on Food Safety and Quality that will take place in Fiji from 11-15 November 2002.

57. The Coordinating Committee noted that a document on "Capacity Building for Food Standards and Regulations" had recently been tabled at the TBT Committee, and will also be tabled at the upcoming SPS Committee Meeting.

58. The Coordinating Committee welcomed the report on FAO and WHO activities on capacity building, and added their continuing support to assisting developing countries in strengthening national food control systems and their participation in Codex activities. The WHO Trust Fund was seen as an important mechanism in meeting some of these objectives.

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<sup>22</sup> CX/NASWP 02/7

59. In the interest of effective capacity building at a national level, the importance of increased collaboration and communication among international organizations such as FAO and WHO was stressed. It was also considered important to ensure effective communication between international and national organizations. Initiatives such as the Joint FAO/WHO/OIE/WTO/WB Framework for Capacity Building in SPS related matters were considered as a positive step in ensuring better coordination of in-country activities.

60. In addition to the work of FAO and WHO, the commitment and contribution of many member countries to provide technical assistance to developing countries was stressed, with reference made to a number of specific capacity building activities being implemented. Offers were made to share information from these activities with FAO/WHO as appropriate.

61. It was recommended that capacity building activities should strengthen national and regional capability in addition to ensuring developing countries can contribute to the international arena. The Observer of Consumers International noted that consumer organizations could play an important role in strengthening national food control systems and in promoting awareness of the value of Codex, and urged that they be invited to participate in such capacity building activities.

### **INFORMATION AND REPORTS ON FOOD CONTROL AND FOOD SAFETY ISSUES INCLUDING CODEX STANDARDS (Agenda Item 8)<sup>23</sup>**

62. The Coordinating Committee noted that coordinating committees regularly consider issues related to the harmonization of food legislation, especially in the perspective of economic integration, food control systems, export/import matters and relevant training activities, in order to promote the exchange of information and cooperation within the Region. Information and reports submitted in response CL 2002/33-NASWP were contained in CX/NASWP 02/8.

63. The delegation of Australia noted that one of its major reforms had been the completion of the transition of the Australian New Zealand Food Authority (ANZFA) to the Food Standards Australia New Zealand (FSANZ). This new arrangement included the establishment of the Australia New Zealand Food Regulation Ministerial Council. It was also noted that the Joint Australia New Zealand Food Standards Code will come into effect on 20 December 2002 and the joint Code will become the sole set of food standards. The Committee was also informed of Australia's activities in managing its response to the global spread of Transmissible Spongiform Encephalopathies (TSEs).

64. The delegation of Canada highlighted recent food legislation initiatives, including amendments to the Canadian Food Inspection Agency Health of Animals Regulations to include provisions for cattle identification; the efforts of Agriculture and Agri-Food Canada through its new Agricultural Policy Framework to facilitate industry led development of food safety systems; initiatives related to biotechnology; and, the development of emergency response preparedness to protect the Canadian food supply. Activities of the Codex Contact Point for Canada, in partnership with the Canadian Food Inspection Agency, were also highlighted, including the development of a Codex Training Program for Heads and Members of Canadian Delegations. Other cooperation activities were also noted.

65. The delegation of New Zealand summarized activities of the New Zealand Food Authority, which was formally established on 1 July 2002 as a semi autonomous body attached to the Ministry of Agriculture and Forestry. It was noted that the Authority brought together the food regulatory functions of the Ministry of Health and the Ministry of Agriculture and Forestry, and that it was accountable to a newly established portfolio, the Minister for Food Safety. The New Zealand Food Safety Authority would continue to set all food safety standards for New Zealand as well as contribute to shared labelling and composition standards with Australia. The Committee was also informed of domestic legislative changes in New Zealand related to the Agricultural Compounds and Veterinary Medicines Act of 1997, the Dairy Industry Amendment Act 2000, the Dairy Industry Restructuring Act 2001; and, the Food Amendment Act 2002. The establishment of the Joint Food Standards Setting System with Australia was also highlighted.

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<sup>23</sup> Comments submitted in response to CL 2002/33-NASWP from Australia, Canada, New Zealand and the United States (CX/NASWP 02/8).

66. The delegation of the United States noted that in January 2002 the Defense Appropriations Act for the fiscal year 2002 was signed into law, and this included USD \$328 million in emergency funding for the U.S. Department of Agriculture (USDA) to further protect the public by strengthening essential programs and services related to biosecurity issues. In addition, regulatory initiatives of the U.S. Food and Drug Administration related to bioterrorism preparedness and implementing the provisions of the Bioterrorism Preparedness and Response Act of 2002 were highlighted, including Sections related to the Registration of Food Facilities, Establishment and Maintenance of Records, Prior Notice of Imported Food Shipments and Administrative Detention.

#### **CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT THE CODEX AND NATIONAL LEVEL (Agenda Item 9)<sup>24</sup>**

67. The 23<sup>rd</sup> Session of the Codex Alimentarius Commission proposed that coordinating committees should continue to exchange experiences on the means of developing consumer input into National Codex Committees and Contact Points.<sup>25</sup> Information and reports submitted in response CL 2002/33-NASWP are contained in CX/NASWP 02/9. This included responses to the Checklist of Measurable Objectives on Consumer Participation developed by the Codex Alimentarius Commission.

68. The delegation of Australia noted that although the participation of consumers and other interested parties had increased in recent years, more efforts were needed to further such participation. It was noted that efforts to facilitate such participation included the establishment of the National Codex Committee and the website developed and introduced by Codex Australia.

69. The delegation of Canada stated that within Canada there was an extensive consultation process that involved different stakeholder groups according to subject matter under consideration by the specific Codex committee. It was noted that despite extensive dissemination of Codex materials, feedback from consumer organization in particular was very low with the exception of issues related to food labelling. Industry groups generally provided somewhat greater input on issues of sectoral importance.

70. The delegation of New Zealand noted its program related to consumer participation in food standard setting at the Codex and national level, and referred to the efforts being made to involve Maori and Pacific Island countries in the consultation process. It was stated that the national Codex strategy was recently published and that although New Zealand does not have a National Codex Committee, it has well established processes for consultation and communication with other government agencies, consumers, industry and stakeholders.

71. The delegation of the United States noted that its program on consumer participation in Codex differed from the organization of activities assumed under the Measurable Objectives. It was stated that the US encouraged broad participation of its non-governmental organizations, including consumer organizations, in the Codex process. It was noted that the apparent decrease in consumer and other organization participation in the United States delegation was due in part to the increased participation of such groups in the delegations of other international organizations.

72. The delegations of Samoa and Tonga also noted that National Codex Committees had been established in their countries.

73. The representative of Consumers International presented updated information and key findings of a survey it conducted in 2002, and noted that the survey results contained both positive and negative findings about consumer participation in Codex at the national level. Concern was also expressed over proposals to bar consumer organizations from participating in national meetings and other work to develop national positions if they also would represent a consumer INGO at a Codex meeting. In light of these findings, the Representative made several recommendations and suggestions, including the possibility of forming a drafting group to develop guidelines for enhancing consumer participation in Codex activities in the region,

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<sup>24</sup> Comments submitted in response to CL 2002/33-NASWP from Australia, Canada, New Zealand, the United States and Consumers International (CX/NASWP 02/9).

<sup>25</sup> ALINORM 99/37, paras. 109-110.

providing feedback information to consumer organizations following Codex meetings, funding participation in national delegations, and other specific activities national governments could take to increase consumer involvement.

74. The Committee noted the usefulness of the information provided by Consumers International and suggested that improvements in the participation of consumers in Codex activities in the region might need to be considered in the first instance through the Committee's Strategic Plan, with the understanding that the development of specific Guidelines might then be undertaken at a future meeting.

#### **STRATEGIC PLAN FOR THE COORDINATING COMMITTEE FOR NORTH AMERICA AND THE SOUTHWEST PACIFIC (Agenda Item 10)<sup>26</sup>**

75. The Canadian Secretariat, as Coordinator for the Regions, had prepared a discussion paper on the need for, and content of, a strategic plan for the Coordinating Committee that would allow it to become more effective in fulfilling its mandate as set out in the Procedural Manual. The concept of such a strategic plan would take into account the changing environment in which Codex operated, in particular the growing mobility of populations and the complexity of food safety issues. The Canadian Secretariat noted that any strategic plan for the Coordinating Committee would need to be consistent with the overall Strategic Framework adopted by the 24th Session of the Commission.

76. The Coordinating Committee endorsed fully the proposals contained in the paper, but stressed that the development of a regional strategic plan should take into account the outcome of the Joint FAO/WHO Evaluation of Codex in addition to the Codex Strategic Framework. In particular, the Coordinating Committee agreed that:

- The views of all Members of the Coordinating Committee would need to be taken into account in developing the plan;
- An electronic drafting group should be established to develop the plan;
- The plan would encompass activities of interest to all countries of the Regions and should identify a subset of activities related to capacity building; implementation of the Trust Fund for developing countries in the regions; and strengthening of Codex work at the national and regional levels by the countries of the regions and include consumer and other stakeholder involvement; and
- The initial plan should be of a limited duration, perhaps 3 – 5 years, and should be subject to evaluation and review at each subsequent session of the Coordinating Committee.

77. The Coordinating Committee invited Canada to lead the first stage of the development of the strategic plan by contacting all Member countries of the regions. It was agreed, however, that the first stage of drafting of the plan should await the outcome of the Codex Evaluation. It was also suggested that the initial work being undertaken by the Coordinating Committee for Latin America and the Caribbean should also be taken into account.

#### **NOMINATION OF THE COORDINATOR (Agenda Item 11)<sup>27</sup>**

78. On the proposal of the Delegation of Canada, the Coordinating Committee unanimously nominated Samoa for appointment as the next Coordinator for the Regions of North America and the South-West Pacific, subject to the confirmation of the acceptance of the nomination by the Government of Samoa. Several Member countries expressed their willingness to support Samoa in its role as Coordinator for the Regions. The Secretary of the Codex Alimentarius Commission also referred to Rule XI.2 concerning the provisions for expenditures in relation to holding coordinating committee meetings.

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<sup>26</sup> CX/NASWP 02/10

<sup>27</sup> CX/NASWP 02/11.

**DATE AND PLACE OF THE NEXT SESSION (Agenda Item 12)**

79. The Coordinating Committee was informed that arrangements for the next session would be communicated to Members following the appointment of the Coordinator by the 26th Session of the Commission.

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