

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 11 b)

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-first Session,

International Conference Centre, Geneva, Switzerland, 30 June – 4 July 2008

REVIEW OF CODEX COMMITTEE STRUCTURE AND MANDATES OF CODEX COMMITTEE AND TASK FORCES

BACKGROUND

1. The 29th Session of the Commission noted the replies to Circular Letter 2005/30-CAC presented in document ALINORM 06/29/9B Part II, as well as document ALINORM 06/29/9B Part II Add.1 prepared by the Secretariat taking into account the replies received to the Circular Letter, containing additional information and analysis of the issue.
2. The Commission decided that a Circular Letter be prepared to invite government comments on paragraphs 1 to 28 of the document ALINORM 06/29/9B Part II Add.1, including 11 proposals to give further opportunity to members and observers to study the analysis and proposals before a more detailed discussion would be held at the 59th Session of the Executive Committee and the 30th Session of the Commission. The Commission further decided to invite the FAO/WHO Coordinating Committees to discuss the proposals in their upcoming sessions and provide their comments to the Executive Committee and the Commission¹.
3. The 30th Session of the Commission had before it documents ALINORM 07/30/9C Part II, its addendum and Conference Room Documents 11, 14, 16 and 20 containing the comments received in reply to CL 2006/29-CAC, as well as the report of the 59th Session of the Executive Committee on this matter. While the Commission took decisions on Proposals 1 (number of meetings), 2 (number of subsidiary bodies), 3 (interval of meetings), 4 (duration of meetings) and 8 (conversion of regional standards into world-wide standards), it could not consider Proposals 5, 6, 7, 9, 10 and 11, due to lack of time. Consideration of these remaining proposals was referred to the 60th Session of the Executive Committee. On Proposal 8, the Commission furthermore noted that the 60th Session of the Executive Committee would review the outcome of a study to be undertaken by the bureau of the Commission to identify a set of draft procedures and criteria for use by the Executive Committee in its critical review process and eventually by the Commission which would, amongst others, assist the Commission in

¹ ALINORM 06/29/41 paras 158-160

streamlining its work on development of regional standards as opposed to worldwide standards and their conversion into worldwide standards.²

ACTION BY THE COMMISSION

4. The Commission is **invited** to note the discussion held, and endorse the recommendations as appropriate, by the 60th Session of the Executive Committee regarding Proposal 5 (use of ad hoc task forces), Proposal 7 (next comprehensive review), Proposal 9 (relation between committees), Proposal 10 (tasks related to nutrition) and Proposal 11 (role of private standards) as presented in ALINORM 08/31/3 paras 16-34.

5. As a follow up to the conclusion of discussion at the 30th Session of the Commission on Proposal 8 (conversion of regional standards into world-wide standards), the Commission is **invited** to (i) take note of the Guidelines on the Application of the Criteria for the Establishment of Work Priorities applicable to Commodities, as agreed upon by the 60th Session of the Executive Committee for use by the latter to perform the Critical Review (ALINORM 08/31/3 paras 6-9 and Appendix II), and (ii) adopt, for inclusion in Part 5 of the Procedural Manual, the proposed Procedure for Conversion of Regional Standards into Worldwide Standards (ALINORM 08/31/3 paras 10-12 and Appendix III).

6. Regarding Proposal 6 (consideration of merging or dissolving existing committees), the 60th Session of the Executive Committee agreed not to take any decision on this Proposal at this stage and to request the Secretariat to prepare a more detailed discussion paper on this matter, containing examples of merging committees, taking into account current as well as possible work plans of commodity committees in the future. The discussion paper would be sent to the host countries of subsidiary bodies concerned for comments and be discussed, together with the comments received, by the Committee at its next session.³

7. The Commission is **invited** to review and consider the discussion paper prepared by the Secretariat on this matter (attached to this document as Annex) and the comments of the host governments thereto (ALINORM 08/31/9C Part II Addendum) in the light of the discussion to be held on this subject at the 61st Session of the Executive Committee, with a view to providing such guidance and observation as may be appropriate, in particular with regard to the desirability of implementing one or more of the options listed at the last paragraph of the discussion paper.

² ALINORM 07/30/REP paras 144-161

³ ALINORM 08/31/3 paras 18-22

ANNEX

Consideration on Merging or Dissolving Existing Committees

TO: Host Governments of the Subsidiary Bodies of the Codex Alimentarius Commission
Established under Rule XI.1 (b) (i).

FROM: Secretary, Codex Alimentarius Commission

SUBJECT: **Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces – Consideration of Merging or Dissolving Existing Committees**

DEADLINE: **15 April 2008**

REPLY TO: Secretary
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Historical Background

1. By the beginning of 1980s, the Codex committee structure took a shape (Figure 1) which is similar to the current one. The overall structure based on three pillars – general subject committees, commodity committees and regional coordinating committees – has stayed essentially the same until today, while the Commission, on several occasions, adapted its committee structure to the changing need and priorities for standards setting through the creation and abolition of subsidiary bodies as well as adjustments to the terms of reference of the latter.
2. Some of the notable changes that took place since include:
 - Extension of the terms of references of the Committee on Foods for Special Dietary Uses (1983);
 - Establishment of three general subject committees – on residues of veterinary drugs in foods (1985) and on food import and export inspection and certification systems (1991);
 - “*De facto*” conversion of the Committee on Natural Mineral Waters into a worldwide committee (1991);
 - Conversion of the Joint FAO/WHO Committee of Government Expert on the Code of Principles Concerning Milk and Milk Products that had been established by Rule IX.1(a) (current Rule XI.1(a)) into a commodity committee established by Point (b) (i) of the same Rule (1993);
 - Extension of the terms of reference of the Committee on Tropical Fruits and Vegetables (1995);
 - Establishment of two regional coordinating committees – for North America and South-West Pacific (1989) and for the Near East (1999);
 - Abolition of Joint UNECE/Codex Alimentarius Group of Experts on the Standardization of Fruit Juices and transfer of its mandate to a Codex *ad hoc* Intergovernmental Task force (1999);
 - Abolition of Joint UNECE/Codex Alimentarius Group of Experts on the Standardization of Quick Frozen Foods and transfer of its mandate to the Committees on Processed Fruits and Vegetables and on Food Hygiene (1999);
 - Splitting of the Committee on Food Additives and Contaminants into two committees and transfer of the mandate on food irradiation to the Committee on Food Hygiene (2006).
3. It should also be recalled that the 22nd Session of the Commission (1997) noted the request of the 112th FAO Council to review its subsidiary body structure with a view to eliminating a number of committees adjourned *sine die* and moving to more flexible structure using intergovernmental task forces to handle specific issues. In reply to this request, the Commission affirmed that it was carrying out only the work needed and in the

most cost-effective way and that the Codex Committees adjourned *sine die* were monitoring developments in the relevant areas and would revive if necessary (ALINORM 97/37 paras 185-190).

4. Two years later, a significant reform was implemented by the introduction of a new scheme for establishing *ad hoc* intergovernmental task forces (1999), allowing the Commission to undertake new work in a time-bound manner without permanently increasing the number of subsidiary bodies. Established under Rule XI.1 (b) (i), *ad hoc* intergovernmental task forces operate in the same way as Codex committees except that they are to be dissolved once they have met for a prescribed number of sessions or years, or even earlier as soon as the task assigned to them has been completed. To date, the Commission has established a total of five *ad hoc* intergovernmental task forces, of which three are presently active. An *ad hoc* intergovernmental task force may deal with the development of a commodity standard (e.g. fruit and vegetable juices) or may address cross-cutting issues (e.g. antimicrobial resistance in foodborne microorganisms).

5. Since the beginning of 1980s, several commodity committees have been abolished – Meat (1985), Edible Ices (1997), Processed Meat and Poultry Products (1999), and Soups and Broths (2001), as they completed their work, or consequential to revocation of the standards developed.

Modalities of Work of Codex Subsidiary Bodies

6. According to the current Codex procedures, the elaboration of draft standards and related texts as well as revision/amendment of existing texts may be carried out by one of the following methods: i) work by an active committee; ii) work by an adjourned committee through correspondence; or iii) work by an *ad hoc* task force. These offer potential advantages and disadvantages (Table 1).

7. For instance, continued service can be expected from the host government secretariats of Codex committees whether these are active or not, although, procedurally speaking, host governments are appointed or confirmed at each regular session of the Commission. As regards task forces, the host government secretariat disappears once a task force is dissolved.

Table 1. Comparison of Modalities of Work

	Active Committee	Correspondence	Task Force
Continuity of Host Government Secretariat	Yes	Yes	No
Meeting and Travel Cost	High	Low	High
Speed/Efficiency of standards development	Depends on the Subject Matter	May be Slow	Usually High
Management of Ongoing Work Items	Depends on Priority Setting	Easy (usually one to three items maximum)	Easy (usually one to three items maximum)
Possible Nature of Work	Any work	Amendments Minor revisions	Any work

8. When the Commission decides to elaborate a new text, there is no apparent comparative advantage between whether to entrust the work to a Codex committee or to an *ad hoc* task force. If there is an existing Codex committee whose terms of reference cover the area of the proposed new work, the Commission naturally takes a decision to assign the new work to this committee. If there is no such committee, the Commission usually should choose between two options: i) extending the terms of reference of one of the existing committees whose terms of reference are related to the area of the proposed new work and assigning the new work to this committee, or ii) establish an *ad hoc* task force. In taking this decision, it is expected that the Commission takes into account such factors as a) current workload of the existing committees, b) relations between the new work and the existing texts developed by subsidiary bodies, c) availability or readiness of a host government, d) urgency of the matter, and e) future need for revision after the new work will have been completed.

9. Regardless of the category of the subsidiary body (i.e. committee or task force) chosen for the new work, the number of work items on its agenda should be kept reasonable in order that during a physical meeting sufficient time be allocated for discussion of each of the work items and that the draft texts reach Step 8 within a reasonably short period of time.

10. Work by correspondence could be used as an intermediate step during the elaboration of a new text or major revision of an existing text, but a physical meeting is usually required to reconcile different views and

positions among delegations and reach agreement on substantive issues (e.g. the establishment of the Task Force on the Processing and Handling of Quick Frozen Foods was decided after years of work by correspondence).

11. As far as amendments or minor revisions to an adopted Codex text are concerned, they may be handled either by a committee or by a task force. The overall timeframe required for completion of amendments/revisions could however prove to be shorter when there is an existing committee whose terms of reference cover the proposed work. This is because the establishment of a task force involves a series of preparatory steps, including the preparation and adoption of its terms of reference by the Commission, designation of a host government, subsequent acceptance by the host government of protocol and financial duties, and actual arrangement for a physical meeting of the task force. This may take up to 18 months until the new task force can convene its first session.

12. There may be circumstances where amendment or revision should be made to Codex standards that were developed by a Codex subsidiary body that has been abolished. Such work may be undertaken by an *ad hoc* task force which will usually hold one or more physical meetings, but may also be accomplished through work by correspondence. This implies that the possibility of establishing a task force which is to mainly work by correspondence may have to be envisaged in the future.

Merging or Dissolving Existing Committees

13. The general considerations above, particularly those enumerated in paragraph 8, should also apply when exploring the desirability of merging or dissolving existing Codex committees.

14. Merger of committees may be considered when the current and future workload of one single committee does not justify continued existence of that committee. By combining the mandates of more than one existing committee and entrusting them to one committee, the volume of work – actual or potential – of the latter may be able to reach a “critical mass” for maintaining a national secretariat and organise a physical meeting of the body if need be. Good planning and prioritization will help distributing workload over the time and keep optimal the length of the committee’s agenda.

15. Another benefit which the merger of committees may offer is creation of synergies through consolidation of expertise in related subject areas. Consolidation of expertise may be guided by the consideration of commodity types (e.g. foods of plant or animal origin), trading practices (e.g. bulk), processing techniques used, or underlying scientific disciplines (e.g. microbiology). This approach also contributes to ensuring consistency among existing and new texts and reducing the need to refer the same document between more than one committee for endorsement or review.

16. Furthermore, the merger of committees and task force will keep the number of active subsidiary bodies and the number of Codex meetings per year under the indicative limits set by the Commission (ALINORM 07/30/REP paras 146-150).

17. Detailed analysis of committees’ current and future workload should assist in identifying possibilities for merging committees (Table 2). For instance, it may be difficult to merge the Committee on Fresh Fruits and Vegetables with the Committee on Processed Fruits and Vegetables at this stage although both of them deal with foods of plant origin, since the workload of both committees is expected to remain high for the foreseeable future.

Table 2. Codex Work on Commodities (as of January 2008)

Body	Number of Commodity Standards developed and currently contained in the Codex Alimentarius	Number of Codes and Guidelines developed and currently contained in the Codex Alimentarius	Number of Commodity Standards currently under elaboration/revision	Number of Codes and Guidelines currently under elaboration/revision
Active Bodies				
CCMMP	25	0	4	1
CCPFV	49	6	10	1
CCNMW	2	2	1	
CCFFP	16	7	7	3
CCFFV	28	1	3	1
CCFO	5	1	2	1
CCNFSDU	9	2		

TFFBT	0	3	0	1
TFAMR	0	0	0	3
Adjourned Bodies				
CCMH	0	1	0	0
CCCPL	18	1		
CCVP	3	1		
CCS	2*			
CCCPC	4			
Dissolved Bodies				
CCSB	1	0	0	0
CCPMPP	5	0	0	0
CCM	0	1	0	0
TFFVJ	1	0	0	0
TFAF		1		

* Some sections are under development by correspondence.

18. When merging committees, consideration could also be given to taking up the mandate of a dissolved task force or committee into the terms of reference of an ongoing committee. This will facilitate future revision work of the texts elaborated by the dissolved body without having to re-establish it. This decision may also be taken by the Commission when a task force or committee is completing its work at hand

Possible Options for Merger and Dissolution

19. Possible combinations of merging existing committees and dissolved task forces are listed below. The list is non-exhaustive. Some options may be implemented together, while certain options are not compatible with others. Since most “ambitious” patterns of merger are presented, it is also possible to consider merging a smaller number of subsidiary bodies than indicated in these options.

- a) Merging the Committees on Cereals, Pulses and Legumes (CCCPL), on Sugars (CCS) and on Vegetable Proteins (CCVP), thus creating a committee on cereals, pulses, legumes and certain other foods derived from plants;
- b) Merging the Committees on Sugars (CCS) and on Cocoa Products and Chocolate (CCCPC), thus creating a committee on sugars, honey, cocoa products and chocolates;
- c) Merging the Committee on Processed Fruits and Vegetables (CCPFV) with some or all committees mentioned in point a) and b) above, thus making creating a committee on processed foods derived from plants;
- d) Merging the Committees on Meat Hygiene (CCMH) and on Food Hygiene (CCFH), making CCFH cover all hygiene matters;
- e) Merging the Committees on Meat Hygiene (CCMH) and on Residues of Veterinary Drugs in Foods (CCRVDF), and the (dissolved) Task Force on Animal Feeding (TFAF), thus creating a committee on animal production food safety;
- f) Merging the Committee on Processed Fruits and Vegetables (CCPFV) with the (dissolved) Task Force on Fruit and Vegetable Juices (TFFVJ);
- g) Transferring the mandate to deal with “naturally dry” fruits (e.g. nuts) from the Committee on Processed Fruits and Vegetables (CCPFV) to the Committee on Fresh Fruits and Vegetables (CCPFV), while leaving the work on “dried” fruits/vegetables (e.g. dates) to CCPFV.

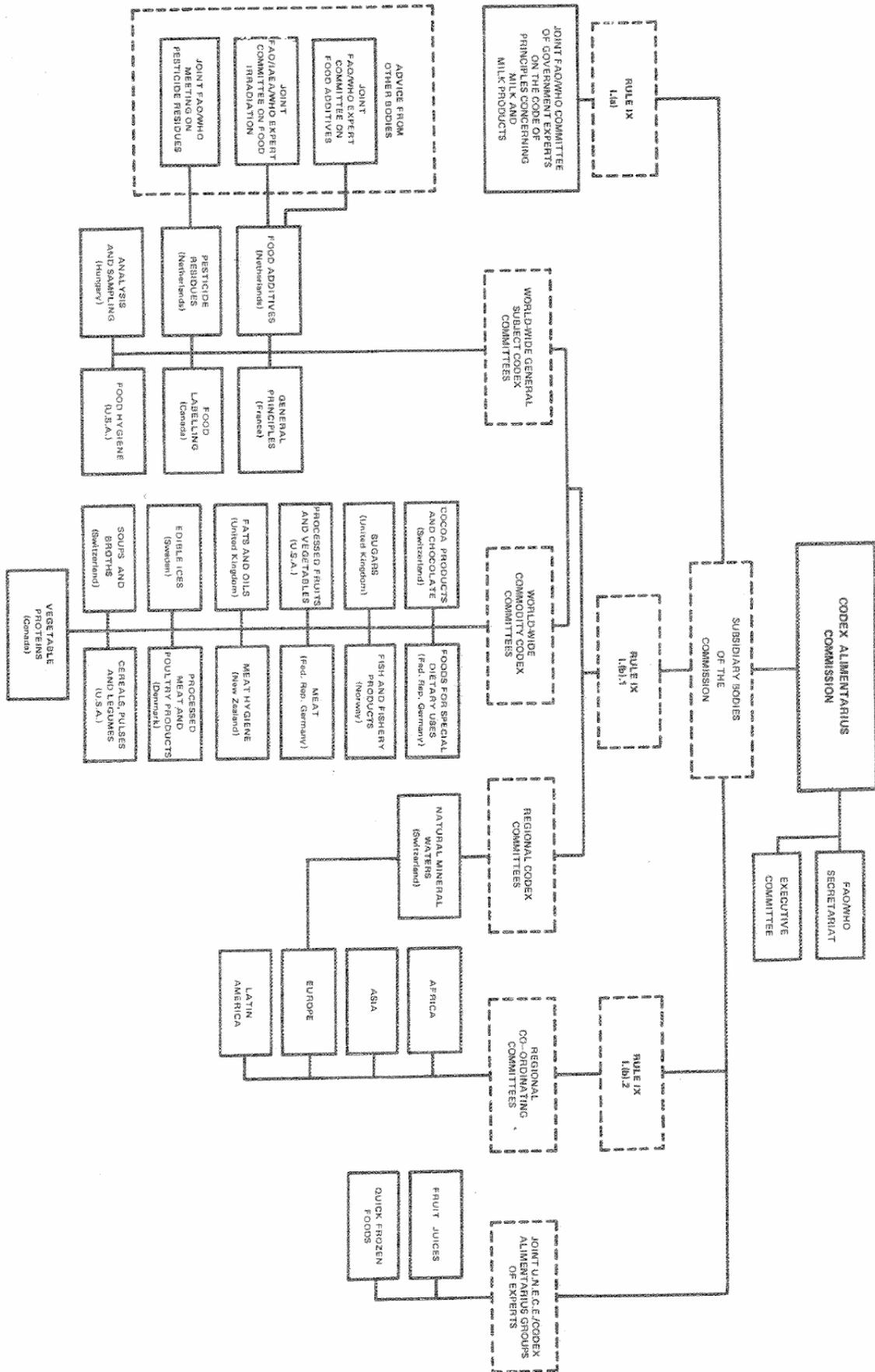


Figure 1. Codex Organigramme
Codex Alimentarius Commission Procedural Manual Fifth Edition, 1981.