

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

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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

#### COMMENTS OF HOST COUNTRIES

**(Australia, Canada, Malaysia, New Zealand, Switzerland, United States of America)**

This document includes the comments from host Governments of the Subsidiary Bodies of the Codex Alimentarius Commission established under Rule XI.1 (b) (i) on document ALINORM 08/31/9C Part II on the Consideration on Merging or Dissolving Existing Committees.

#### AUSTRALIA

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

Australia welcomes the opportunity to provide comments in regard to possible options for consideration in merging or dissolving existing Codex subsidiary bodies. In considering the proposals listed in the document prepared by the Codex Secretariat, we note that many of the committees are *adjourned sine die* and it may be more effective for these committees to remain so, or to be abolished. If and when, proposals for new work are put forward then consideration should be given to whether the work could be carried out by a new subsidiary body such as a time bound ad hoc task force or an existing committee. The use of more time bound task forces also has the potential to provide more opportunities for developing countries to become host countries and provide some certainty as to when the work would be completed.

In our previous written comments, Australia has strongly advocated a detailed study of all Codex committee work programs to identify overlaps or linkages with both horizontal and vertical committees; to identify specific considerations (i.e. quality parameters) that may be covered either in other bilateral/multilateral or commercial arrangements; or that are currently and/or better served through industry standards. This is particularly important with respect to the ongoing work of the commodity committees. Increasingly, members are required to divert resources to work in these committees which have no relevance to human health or food safety but are

prescriptive quality parameters that are not globally representative of industry practices. The Commission should carefully consider the implications of endorsing the proposals contained in the paper.

In considering whether or not to support the particular options, we would like to make some general observations which are outlined below.

- In light of the options put forward, it is not sufficiently clear whether all functions of the current committees would be carried over to the merged committee.
- What, if any, is the timeframe envisaged for the mergers to take place?
- Would new host countries need to be found for the new committees proposed?
- There is a strong possibility merging committees may lead to workloads of the new committee being increased. This, in turn, may have a negative impact on timeframes which have already been set (as per the critical review process).
- There is a strong likelihood that expertise may be required from a variety of discipline areas for one larger committee, potentially increasing the delegation size or leaving gaps in expertise in the delegations. This has potential to impact on the ability of a committee to function effectively and meet its goals.

Our specific comments on the proposed options follow.

**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;**

Given that these committees do not have current work programs, it would seem prudent to consider new work proposals when and if they are put forward and how best to deal with them i.e. either electronically by the adjourned committee or through the establishment of a time bound ad hoc task force. Therefore, Australia does not support the proposal to create 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;**

Given that these committees do not have current work programs, it would seem prudent to consider new work proposals when and if they are put forward and how best to deal with them i.e. either electronically by the adjourned committee or through the establishment of a time bound ad hoc task force. Therefore, Australia does not support the proposal to create a committee on sugars, honey, cocoa products and chocolates. The establishment of a committee that deals with such a broad range of topics without any real identified need could be considered premature. We note that the current work in relation to methods of analysis for milled sugar has been held up pending further information for consideration by CCMAS and we are not aware of a need to commence work in any of the other areas at this time.

**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;**

See comments in relation to a) and b) above. In addition, given the heavy workload of this committee which we note necessitated several working groups meeting immediately prior to its last session, we do not think that merging this committee with others would lead to any gains in efficiency at this time. As mentioned in previous responses to the review, we consider that a detailed examination of commodity committee work plans to identify priority areas for work should be undertaken before decisions on mergers can be taken.

**d) Merging the Committees on Meat Hygiene (CCMH) and on Food Hygiene (CCFH), making CCFH cover all hygiene matters;**

Australia could support this option due to the common work being undertaken by the committees (i.e. both focus on hygiene issues) and some of the unfinished issues regarding metrics and terminology developed in CCMH that are being discussed and progressed in CCFH.

**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;**

Australia does not support this option. While we acknowledge that this merged committee would align with the OIE Working Group with potential benefits for a whole of chain approach for dealing with animal production food safety matters, there is the strong possibility for duplication of the scope of work potentially covered by other committees. Workload management issues could also arise would have a potential resourcing impact on the committee secretariat and member countries with a strong interest in 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);**

Australia remains of the view that new work proposals in the commodity areas (including fruit and vegetable juices) would more effectively be dealt with through specific time bound ad hoc task forces as the need arises. The establishment of a committee that deals with such a broad range of topics without any real identified need could be considered premature. In addition, given the heavy workload of this committee we do not think that merging this committee with others would be more efficient at this time.

**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.**

Australia’s comments under b), c) and d) are also relevant here.

### CANADA

The merging of committees must ultimately result in better utilization of resources for the Secretariat and host countries, as well as enhanced efficiency and effectiveness of the Codex standard-setting process. While the merger of two or more committees might provide some benefits, including fewer meetings in a biennium, the resulting merged committee could be administratively cumbersome to manage, resulting in less efficiency. Therefore, when considering possible mergers, the actual functioning of the “new” committee and its potential workload must be considered in addition to the similarities in subject areas of the existing committees.

Table 2 in the background paper reflects the current workloads of the various committees and task forces involved in commodity work. We suggest that the table should be expanded to include new work being proposed or considered by the various committees and task forces. Although this new work needs to be endorsed by the Commission, such data would reflect not only the current workload but also possible future workload.

It should also be noted that a “corporate memory” is developed by a host country over time and if committees are merged there is the potential for this knowledge and experience to be lost, which could adversely impact on the advancement of the work of the Commission.

A number of the commodity committees that are identified in document ALINORM 08/31/9C Part II are currently adjourned *sine die*. Merging adjourned committees, while being minimally disruptive to the committees, could result in additional work for the Codex Secretariat (e.g., drafting Terms of Reference for the merged committees, identification of host countries, revisions to the Procedural Manual) without any concomitant improvement in the efficiency and effectiveness of the Codex standard setting process.

Taking into account the foregoing, our comments on the specific proposals are as follows:

- 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.**

The commodity committees identified in a) and b) are currently adjourned *sine die* and no new work proposals have been identified. Therefore, it is Canada’s view that at this time there is no real benefit to creating one large committee that would also be adjourned *sine die*.

- c) **Merging the Committee on Processed Fruits and Vegetables (CCPFV) with some or all committees mentioned in point a) and b) above, thus creating a committee on processed foods derived from plants.**

Canada does not support this proposal, given the current status of the committees mentioned in a) and b) above.

Should new work be identified by one or more of these adjourned committees, the nature of the proposed work (i.e., scope and duration) would be a factor in determining whether it should be undertaken through a task force, or through merging the committee(s) with CCPFV or other active committee. Also to be considered is that the CCPFV has a very heavy workload and merging this committee with other committees might be detrimental to the efficiency and effectiveness of the Codex standard-setting process.

**d) Merging the Committees on Meat Hygiene (CCMH) and on Food Hygiene (CCFH), making CCFH cover all hygiene matters.**

Although there are similarities in some subject matters addressed by both Committees, CCMH also carries out work on issues that are outside the “traditional expertise” of CCFH, e.g. ante-mortem and post-mortem inspection. In addition, CCFH has a very busy workload. Careful consideration should be given to these issues in further examining the potential benefits of merging the two (2) committees.

**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.**

We suggest that careful consideration be given to the following issues regarding the proposal to merge CCMH, CCRVDF and the Task Force on Animal Feeding. The expertise in developing Codes of Practice (CCMH and Animal Feeding) may be quite different from that necessary to carry out the predominant work of CCRVDF; i.e. recommending maximum level of residues of veterinary drugs in foods and methods of sampling and analysis for the determination of such residues in food. It could be envisaged that the ante-mortem work of CCMH be possibly addressed by a Committee on animal production food safety, along with new work with respect to animal feeding. If the animal feeding work is associated with other ante-mortem issues, it might be appropriate to continue that work in a committee rather than under a task force. However, this would raise the question on how and where to carry out new work related to post-mortem work of CCMH.

**f) Merging the Committee on Processed Fruits and Vegetables (CCPFV) with the (dissolved) Task Force on Fruit and Vegetable Juices (TFFVJ).**

It is not evident that merging the Committee on Processed Fruits and Vegetables (CCPFV) with the (dissolved) Task Force on Fruit and Vegetable Juices (TFFVJ) would result in better utilization of resources or enhanced efficiency and effectiveness of the Codex standard-setting process. Should new work be proposed that would be on-going and/or associated with other work being done by the CCPFV, it might be appropriate to merge the TFFVJ with the CCPFV, while also taking into consideration the existing heavy work load of the CCPFV. However, if the new work on fruit and vegetable juices is a specific, “point-in-time” activity, it would be best accomplished through the creation of a new task force.

**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 (CCFFV), while leaving the work on "dried" fruits/vegetables (e.g. dates) to CCPFV.**

It is not evident that realigning the mandate of CCFFV would result in better utilization of resources or enhanced efficiency and effectiveness of the Codex standard-setting process. The issues applicable to naturally dry fruits and the expertise needed to address those issues need to be considered to determine whether that expertise is more inherent in CCFFV than in CCPFV. If so, there might be some value in considering the realignment at this time as it would be least disruptive to the two committees, given that there are currently no new work proposals for “naturally dry” fruits.

## **MALAYSIA**

Malaysia agrees in principle that the Commission keeps under review the mandates as well as present and future workload of subsidiary bodies. However, the proposal on merging or dissolving existing committees should be approached with caution on a case by case basis taking into account that a committee with too broad a mandate may be unmanageable, not focused and inefficient.

The overall timeframe required for completion of amendments/revisions is shorter when there is an existing committee whose terms of reference cover the proposed work compared to the establishment of a new task force whose formation could take up to 18 months based on past experience as noted by the Codex Secretariat. Work in these committees can be managed through prioritizing of workload in line with the decision of the 25<sup>th</sup> (Extraordinary) Session of the CAC, i.e. the first priority in the development of Codex standards was the

protection of consumers' health and food safety. Malaysia is of the view that only essential quality factors regulated by governments should be addressed in Codex standards while commercial quality should be left to trading partners.

Hence, Malaysia believe that if the above considerations are adhered to, the performance of the existing committees can be further enhanced.

#### **NEW ZEALAND**

1. New Zealand recognizes that the reform of codex committee structure is one of the last major outstanding issues arising from the joint FAO/WHO evaluation. We share the general concerns about Codex having too many committees and too many meetings. The sheer number of committees, task forces and working groups coupled with the increasing intensification of the Codex work programme presents major challenges for both the membership and the Codex secretariat. We agree that reform in this is long overdue and share the concerns of the parent bodies as expressed at the 60<sup>th</sup> session of the Executive Committee.
2. The proposals contained in Alinorm 07/30/9C Part II are interesting and worthy of further analysis in terms of their practicalities, efficiency and implications for member governments. New Zealand would also emphasise that any reform of structures also need to be assessed alongside the other significant reforms that the CAC has taken in recent years to promote critical review of new work and expedite the standards development and adoption processes to determine that they add value to the overall goal of improving the efficiency and responsiveness of Codex as an international standards body.
3. New Zealand notes the suggestion to bring together the work of the CCRVDF, CCMH and the TF on Animal Feeding into a new Committee on Animal Production Food Safety. We believe that this is a logical grouping that is worthy of further examination to get a better assessment of the scope of work of the enlarged grouping and the implications of amalgamating three specific if related areas of expertise under one umbrella committee. This has possible implications for member countries in terms of representation and host country responsibilities.
4. Similarly New Zealand considers the proposal to amalgamate the work of several commodity committees into a new committee on processed plant products to be potentially far reaching and worthy of further consideration. We note that many of the committees proposed to be captured within the new grouping are either adjourned or no longer in existence. Again it would be important to carry out a more detailed analysis of the current and future work programme in each of the subject areas and assess the practical implications of merging a number of committees into a single committee.
5. In summary New Zealand supports, in principle, the ideas for reform set out in 07/30/9C Part II but believe a more detailed analysis of the proposals against the criteria of operational efficiency and implications for host governments and members in terms of resourcing, management of work and representation at sessions would be necessary to assist decision making.
6. Finally, New Zealand would note that structural reform is important to address some of the specific concerns about the crowded nature of the Codex calendar but we believe that it is equally important to continue to invest in the critical review of new work proposals and in ensuring that work is advanced in a timely and expeditious manner. This is particularly important in respect of the commodity related work of the Commission.

#### **SWITZERLAND**

Switzerland is pleased to submit the following comments in reply to ALINORM 07/30/9C Part II, specifically address paragraph 19.

- c) Merging the CCPFV with either CCS and/or CCCPC should not be considered in our view, as there is no common basis neither regarding the nature of the foods, nor the commercial aspect nor the scientific background.
- d) Switzerland does not support the merger of CCMH with CCFH. The work load of both committees is in our view too high to be combined in one committee.
- e) The merger of CCMH with CCRVDF and TFAF, thus creating a committee on animal production food safety, does in our opinion make sense, as the tasks of these committees are strongly related.

f) Switzerland is of the opinion that the merger of CCPFV with the (dissolved) TFFVJ is not feasible. The TFFVJ did a great job establishing a Standard in a very short time-frame thanks to the structure of a task force. By merging the TFFVJ with the CCPFV, there is a risk of re-opening the discussions on the Standard for Fruit Juices and Nectars.

g) Switzerland would like to point out that the CCFFV has a heavy workload and that many projects are currently ongoing. Transferring certain mandates from the CCPFV (e.g. nuts) to the CCFFV does not solve the problem of equilibration, independently of the synergies that might be used. We support the proposal to keep the work on dried fruits/vegetables in the CCPFV.

## UNITED STATES OF AMERICA

### **Proposal 6: Consideration on Merging or Dissolving Existing Committees**

As host to three Codex subsidiary bodies, in addition to a fourth currently adjourned committee, the United States welcomes the opportunity to provide comments on merging or dissolving existing Codex committees. We agree that a review of the structure and mandates of the Codex committees and task forces is necessary in order to ensure that Codex operates as efficiently and effectively as possible. The United States appreciates the diligent work and creative thinking of the Secretariat in preparing the analysis of the committees' work and the rationale for the proposed options in Proposal 6.

The United States will address the options in Proposal 6 in the order in which they are presented in paragraph 19:

**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.**

The United States tentatively concurs with options (a) and (b), pending the results of a pilot project in which one of these options is implemented. We recommend the pilot project involve a revised option a. As a result of the changes in world trade of these commodities, the CCCPL may need to elaborate new standards for pulses. This coupled with the fact that the last revision of standards under the jurisdiction of CCCPL was done in 1995, makes it among the most likely to be reactivated of all committees adjourned sine die. However, we are also concerned that these two factors may overwhelm the newly merged committee with new work. Therefore, we believe the terms of reference the newly merged committee under option (a) exclude standards for sugars.

**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 [sic] a committee on processed foods derived from plants.**

The United States of America is skeptical of adopting option c. While we believe this proposed merger has some benefits, such as reducing financial costs to member countries and the Codex Secretariat, we are concerned that such a merger could result in a committee that is unwieldy and which causes problems for member countries. First, because of the different disciplines which will be required to address the work of the committee, the member countries will be forced to expand their delegations in order to ensure that they have representation that can address diverse policy and technical issues at these committee meetings. Secondly, the merger of these committees will also create a very heavy workload for the merged committee, which may in turn force the committee to (1) hold more meetings more frequently or (2) extend the length of the meetings well beyond a week. We believe holding more frequent meetings or holding meetings for more than 5 days may place an excessive resource burden on member country delegations, and quite possibly the Secretariat, as well, thereby defeating the purported goal of the merger.

**d) Merging the Committees on Meat Hygiene (CCMH) and on Food Hygiene (CCFH), making CCFH cover all hygiene matters.**

The United States concurs with this recommendation. We believe the current Terms of Reference for the CCFH authorize this committee to elaborate hygiene texts for all commodities, including meat hygiene, and in fact there is already some overlap in the work of these two committees.

**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.**

The United States does not support the adoption of this option for the reasons outlined in their objections to option c.

**f) Merging the Committee on Processed Fruits and Vegetables (CCPFV) with the (dissolved) Task Force on Fruit and Vegetable Juices (TFFVJ).**

The United States is supportive of this option because we believe that the expertise needed to participate in CCPFV can also address all the issues related to the TFFVJ. Therefore, it is our opinion that the CCPFV can successfully handle any future work on fruits and vegetable juices such as selection of analytical methods for authentication of juices.

**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.**

The United States is supportive of this option, in which the Terms of Reference of CCFFV will be expanded to include the elaboration of standards for fruits and vegetables that are marketed in their harvested form and that have not gone through minimal further processing before they are presented to the consumer.

The United States believes that options (f) and (g) are complementary and therefore should be considered simultaneously. Option (f), merging the CCPFV with the dissolved TFFVJ, is a viable course of action which would not result in any major disruptions in the current work of CCPFV. While we realize this committee has elaborated more commodity standards than the other committees and it continues to have a heavy workload, the adoption of option (g) would reduce some of the future work of this committee. We also believe prudent management practices such as prioritizing the committee's work and prudent decisions in starting new work will help the CCPFV to better manage its workload. Additionally, the CCPFV may also consider revoking standards that do not meet the current Codex criteria for starting of new work. Implementation of these suggested management practices may preclude the possibility of holding more frequent committee meetings or holding meetings that extend beyond the recommended length of 5 days.