

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of
the United Nations



World Health
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - Fax: (+39) 06 5705 4593 - E-mail: codex@fao.org - www.codexalimentarius.org

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

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COMMENTS ON CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE

(Comments of European Union, Jordan, International Council of Grocery Manufacturers Associations (ICGMA) by 22 June 2015)

General Comments

European Union

The MSEU welcome the opportunity to express their views on the discussion document, which provides for a valuable opportunity for Codex members to contribute to continuous improvement of the Codex work management process.

The MSEU are of the position that after extensive general discussion held at the last 29th Session of the Committee on General Principles in March 2015, it is time to focus on decisions and recommendations for further steps. This would further strengthen the effectiveness of Codex, while preserving its core values and aiming that Codex Alimentarius Commission continues to be the preeminent standard setting body.

Subject to a decision of the 38th Codex Alimentarius Commission, some actions of high priority should be launched without unnecessary delay.

The MSEU are open to consider any additional aspects arising from upcoming proposals, not covered by the discussion paper.

Specific comments

3.1 Mandate and Priorities
Proposal 3.1.1 Examine the amount of Codex resources spent on health-related vs. other work.
Comment on the proposal:
European Union The MSEU endorse the observations in paragraph 57 of the CCGP report, in particular: <ul style="list-style-type: none">- given the dual mandate of Codex, such a study could be difficult to perform;- given the potentially high costs of such a study, its cost-benefit ratio should be first carefully assessed.
Jordan We believe that the resources spent on health-related affairs is fair because this issue is related to the health and safety of consumers, and here we must be precise, especially when putting up new projects and good planning when developing strategy and be early. And possible benefit from studies conducted by some regional bodies on matters relating to health thus reducing the financial cost.
What further action do you recommend with regard to this proposal :
European Union This matter should be considered only at a later stage once clarification is obtained on what is achievable in the near future and on what the exact benefits of such an evaluation really are.
Jordan

<p>We suggest resorting to electronic proposal when you start a new job. specify a time period for the new project so that not to be more than 4 years and enable the extension through the commission only.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Low</p> <p>Jordan</p> <p>We assign this proposal to be at High priority.</p>
<p>3.1.2 Evaluate the use made of Codex standards and their impact in protecting the health of consumers and ensuring fair practices in the food trade.</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>An evaluation of the use of Codex standards and their impact on consumers and food trade could be useful. Indeed, a number of attempts have already been made to analyse the impact of Codex standards, however, not always with great success due to the difficulty of quantifying the notion of "impact".</p> <p>The WTO SPS Agreement has a specific provision that monitors the use of international standards that, for the above-mentioned reasons, has been somewhat underutilised to date.</p> <p>Given the major external costs involved and the required resources, we are concerned about the cost-benefit ratio of such an evaluation.</p> <p>Jordan</p> <p>Developing countries such as ours relies on Codex standards to protect the health of consumers, particularly in food safety, for example with regard to food additives, pesticide residues, veterinary residues, microbial risk analysis issues.</p> <p>We believe that applying Codex standards and related texts of guides or codes of good practice ensures fair and good practices in the food trade.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>This matter should be considered only at a later stage once clarification is obtained on what is achievable in the near future and on what the exact cost-benefit ratio of such an evaluation really is.</p> <p>Jordan</p> <p>Stimulate and revitalize the work of the regional coordinating committees on the application of the Codex Standards and the relevant texts.</p> <p>Awareness through Media both at the level of Governments and relevant international organizations.</p> <p>The participation of observers, especially for specialists and effective participation in Codex.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Low</p> <p>Jordan</p> <p>We assign this proposal to be at High priority.</p>
<p>3.1.3 Develop effective mechanisms to strategically identify and include emerging issues in the programme of work.</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU endorse the observations set out in paragraph 57 of the CCGP report, in particular:</p> <ul style="list-style-type: none"> - the Codex Strategic Plan already requires committees to implement a strategic approach for the identification of emerging issues;

- the CAC could benefit from adopting a reflection on emerging issues as a standing item on its agenda;

The MSEU also believe it could be useful for Codex committees, including regional co-ordinating committees to look into emerging issues of relevance to their committee's work, in order to assist them to develop a more strategic approach to their work.

Jordan

the Codex should develop strategic planning mechanism to emerging issues through the Management Committee specifications that stimulate States and Governments, through the regional coordinating committees to develop institutional and legislative mechanisms related to nutrition and physical activity patterns.

What further action do you recommend with regard to this proposal :

European Union

To have a discussion in the CAC on how best emerging issues can be considered in our work and to proceed on the basis of the guidance provided by the CAC. The implementation of Objective 1.2 of the Strategic Plan 2014-2019 could also be examined in this respect.

Jordan

The relation between Codex, food and Agriculture Organization and World Health Organization helps in stimulating States and Governments on legislative mechanisms related to nutrition and physical activity patterns.

Which priority do you assign to this proposal (high, medium, low)?

European Union

Medium

Jordan

We assign this proposal to be at medium priority

3.2 Management of the Codex Programme and links to FAO/WHO

3.2.1 Examine what processes could be used so that Codex can give appropriate input to FAO/WHO governing bodies and how FAO/WHO can best give strategic and policy guidance/direction/input to Codex.

Comment on the proposal:

European Union

Two-way communication between Codex and the parent organisations is vital to support Codex's ability to work in the most efficient and effective way possible. However, more clarity is needed around the nature of the modalities of any such input to be given by the parent organisations to Codex.

Codex should continue to be primarily guided by its membership in its standard-setting function, while fully appreciating the scientific support provided by the WHO and FAO's Joint Committees such as JECFA, JMPR and JEMRA. It is important to acknowledge other broader considerations related to the policies of the parent organisations that may have an impact on Codex work.

Moreover, the MSEU endorse in particular the following observation included in paragraph 63 of the CCGP report that there is a need to clarify which strategic and policy guidance of FAO and WHO is relevant to Codex work and thus, how it could be taken into account.

Jordan

Codex Alimentarius Commission should provide appropriate input through the Secretariat periodically and regularly to the governing bodies.

The national committees of Codex in the States to encourage government agencies to participate in the annual meetings of the FAO and who to develop mechanisms for strategic guidance to the Codex.

What further action do you recommend with regard to this proposal :

European Union

The issues outlined in paragraphs 129-133 of CX/CAC 15/38/9 are important; the Codex Secretariat and the parent organisations, FAO and WHO, are well placed to follow up the proposals made in this section.

<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p> <p>Jordan</p> <p>We assign this proposal to be at medium priority</p>
<p>3.2.2 Develop a clear, transparent budget planning process for Codex that will continue to give the security to the Secretariat to organize and implement the relevant Codex meetings and FAO and WHO to justify and provide adequate funding.</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU endorse the following observations included in paragraph 63 of the CCGP report:</p> <ul style="list-style-type: none"> - the "business plan" which links the Codex budget with the Strategic Plan should be revisited as it could help to improve budget transparency and provide justification for provision of funding by FAO and WHO; the plan could also assist in identifying the percentage of resources allocated to health and trade related work; - information on the budget is provided too late to enable countries to advocate for funding in the governing bodies. By working to get this information out to Member countries soon, there could be better Codex-related messaging to the parent organisations with a view to finding a more stable financial footing for Codex. <p>Jordan</p> <p>We suggest that the Codex budget could be dynamically linked to the Strategic Plan with annual reporting and request for allocation of funds every two years. The Strategic Plan could be aligned with the strategic planning and budget years of FAO and WHO.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>Revisiting the "business plan" which links the Codex budget with the Strategic Plan.</p> <p>Examining budget decision procedures to see where adaptations, if any, may be made to the budgetary adoption calendar.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p> <p>Jordan</p> <p>We assign this proposal to be at High priority.</p>
<p>3.2.3 Explore the best modalities to incorporate FAO and WHO input to Codex work at different levels (Commission, Committee and working groups)</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU endorse in particular the following observation included in paragraph 63 of the CCGP report:</p> <ul style="list-style-type: none"> - there is no need to reopen the discussion on Codex autonomy; - mechanisms are already in place to allow FAO and WHO to provide timely inputs to the work of Codex. <p>Jordan</p> <p>It is possible to speed up the work of the joint commissions for the scientific advice provided by Codex.</p> <p>Inform the Commission of the activities of the governing bodies related to the activities of Codex.</p> <p>Include the support of FAO and WHO in Codex budget.</p>

<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>No further action is needed.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Low</p> <p>Jordan</p> <p>We assign this proposal to be at medium priority</p>
<p>3.2.4 Review process followed for observer applications</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The Principles concerning the participation of international NGOs in the work of the CAC (PM, page 192) contain provisions about the working relations between NGOs and the parent organisations and/or the Codex Secretariat. They cover the procedures to be followed for obtaining observer status and also contain certain general privileges and obligations of NGOs. However they do not give any guidance with regard to the role of observers and their activities in the sessions of Codex Committees and the CAC. Therefore we suggest starting to work on a Code of conduct for observers to provide guidance on their specific privileges and obligations in Codex sessions.</p> <p>Concerning the application process, Codex members should continue to have the final say on observer applications.</p> <p>Jordan</p> <p>The Commission should apply the procedures of Codex regarding observers through the offices of FAO and WHO only.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>Task the CCGP to start working on a Code of conduct for observers.</p> <p>Concerning the application process, CCGP should examine how the current procedures could be improved to ensure the timely consideration of applications.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p> <p>Jordan</p> <p>We assign this proposal to be at High priority.</p>
<p>Do you have any additional proposal with regard to Management of the Codex Programme and links to FAO/WHO (3.2)</p>
<p>3.3 Strategic governance within Codex - "Executive Board" (CX-EB)</p>
<p>3.3.1 Consider replacing the Executive Committee with a Codex Executive Board(CX-EB)</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>While careful consideration must be given to an executive function for the CAC in order to examine Codex's ability to deliver on its mandate, it is not necessary to determine the exact shape and form of this body before considering the primary purpose of any such executive function. Once this is clarified and agreed, it will be easier to both consider its shape and form and agree on a set of principles that will guide it in its work.</p> <p>It is paramount that the members of any such executive function act in the interest of the Commission as a whole - not constrained by country or regional positions.</p> <p>Jordan</p>

<p>We agree with the proposal of the Secretariat, as follows: It is essential that the Commission is supported strategically by a smaller body that acts in the interest of the Commission as a whole. This body does not need to take decisions on behalf of the Commission (if the Commission continues to meet annually) but prepares draft strategies, manages the standard setting process, discusses and recommends actions and ways forward in “stuck” situations to the Commission and may discuss financial and budgetary matters. CX-EB is expected to work in a transparent way and fully communicate with Members and other Codex subsidiary bodies to obtain the best information.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>The CCGP should be tasked to further consider the purpose of such an executive function and the principles that will guide its work. Given the high priority allocated to this matter, an EWG could be established by the CAC to prepare a discussion paper for consideration at the next session of the CCGP (including all the issues identified under point 3.3). Ultimately, of course, this matter will be considered by the CAC.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>High</p>
<p>3.3.2 Examine what could be elements of the mandate for a Codex Executive Board (CX-EB)</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>While as stated earlier, the exact shape and form of this body does not yet need to – and indeed should not yet - be established, the MSEU share many of the considerations raised in paragraph 134 of document CX/CAC 15/38/9. The MSEU also support the considerations calling for a better, strategic overview of Codex work, set out in paragraph 135.</p> <p>In addition, we would like to make the following comments:</p> <ul style="list-style-type: none"> - on the standard management and critical review: while the current process could be maintained, there is a need to further improve its implementation and transparency. Against this background, there is a need to review and institutionalise the criteria for conducting the critical review; - on developing a standards’ development plan: this is important to also further enable the efficient management of Codex resources; - on budget planning and handling of observer applications: the recommendations made in point 135 of document CX/CAC 15/38/9 will facilitate a more joined-up approach to the way of working in Codex. Some additional considerations on the conduct of observers may also merit consideration, albeit as part of a separate exercise to this one (see comments on point 3.2.4). <p>Jordan</p> <p>We agree with the proposal of the Secretariat, AS FOLLOWS, the CX-EB mandate could include:</p> <p>Standards management/critical review, Urgent strategic issues, Codex Strategic Plan, Budget planning.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>The CCGP should be tasked to further consider the mandate of an executive function in Codex. Given the high priority allocated to this matter, an EWG could be established by the CAC to prepare a discussion paper for consideration at the next session of the CCGP, and eventually the CAC (including all the issues identified under 3.3).</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>High</p>
<p>3.3.3 Develop and evaluate different proposals for the composition of CX-EB</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU believe that any steps taken to ensure an inclusive, transparent and balanced representation of the Codex membership should be encouraged. - We support considerations that call for any such executive body to be fully transparent.</p>

<p>- While we acknowledge the need for flexibility, meeting reports - particularly of meetings of a restricted group such as the executive body - play a vital role in transmitting information to the entire Codex membership. Thus such reports should be appropriately detailed, and continue to be accompanied by audio recordings, which would ensure the transparency of the process.</p> <p>Jordan</p> <p>The board should be a small team with members from different regions who would be expected to act in the interest of the Commission as a whole – not constrained by country or regional positions.</p>
<p><i>What further action do you recommend with regard to this proposal :</i></p> <p>European Union</p> <p>Given the high priority allocated to this matter an EWG could be established by the CAC to prepare a discussion paper for consideration at the next session of the CCGP (including all the issues identified under 3.3). Ultimately, the matter can then be further considered by the CAC.</p>
<p><i>Which priority do you assign to this proposal (high, medium, low)?</i></p> <p>European Union</p> <p>High</p>
<p>3.3.4 Develop a modus operandi for CX-EB</p>
<p><i>Comment on the proposal:</i></p> <p>European Union</p> <p>We endorse in particular the following observation included in paragraph 72 of the CCGP report:</p> <ul style="list-style-type: none"> - Inclusiveness, transparency and efficiency are fundamental to Codex work; - it is important to give further consideration to an executive function for Codex in order to maximise Codex's performance and capacity to deliver. At this point, it is not necessary to determine the exact shape of the executive function. It is rather more useful to define the primary purposes of such an executive function and to agree on a set of principles that would guide it in its work; - steps should be taken to ensure inclusiveness, transparency and balance in the composition of any such executive body. <p>Jordan</p> <p>3.3.4 Develop a modus operandi for CX-EB.</p> <p>We believe that the agenda of meetings of the CX-EB should be simple and flexible, thus allowing meetings as frequent as necessary and allowing sufficient time for discussion. The meeting schedule could be directly circulated before and after the meeting and once in between sessions of the Commission.</p> <p>Jordan</p> <p>We believe that this subject is closely related to decisions taken by commission with regards to Codex standards management and should be considered in the decisions taken on this topic in particular with regards to the work on quality standards.</p>
<p><i>What further action do you recommend with regard to this proposal :</i></p> <p>European Union</p> <p>Given the high priority allocated to this matter, an EWG could be established by the CAC to prepare a discussion paper for consideration at the next session of the CCGP (including all the issues identified under 3.3) . This matter can then be further considered by the CAC.</p>
<p><i>Which priority do you assign to this proposal (high, medium, low)?</i></p> <p>European Union</p> <p>High</p>

Do you have any additional proposals with regard to Management of the Codex Programme and links to FAO/WHO (3.3)
3.4 Structure of Codex Subsidiary Bodies
3.4.1 Review the recommendations of the 2002 and 2005 evaluations with regards to the Codex committee structure
Comment on the proposal: European Union The MSEU do not perceive an urgent necessity to channel efforts towards making subsidiary bodies work better. It is clear that the recommendation to use time bound task forces for commodity work remains valid and that commodity committees should be adjourned <i>sine die</i> or abolished when they finish their work. More attention could be paid to the implementation of the existing provisions in the Procedural Manual. It is therefore unclear why it is considered necessary, at present, to revisit the proposals made at the time of the 2002 and 2005 evaluations related to subsidiary bodies. It would be interesting to obtain further information on the intention behind any such proposal. It is our understanding that the way Codex works through subsidiary bodies is an integral part of the critical review and should remain there.
What further action do you recommend with regard to this proposal : European Union None
Which priority do you assign to this proposal (high, medium, low)? European Union Low
Do you have any additional proposals with regard to Structure of Codex Subsidiary Bodies (3.4)
3.5 Efficiency of Committee Work
3.5.1 Review the way Codex reports are drafted and the use made of current audio recordings
Comment on the proposal: European Union The MSEU are satisfied with the current way of reporting on Codex meetings. We have some concerns about the idea of introducing audio recording to Codex committee meetings, as this could incur costs for host countries and will be of limited value as a point of reference, due to the fact that it is time-consuming to go over discussions, many of which take place over days. In addition, there are some legislative restrictions on audio recordings in certain national jurisdictions which might further complicate the organisation of Codex meetings. Due account should also be taken of how audio recordings in committee meetings could impact the debate.
What further action do you recommend with regard to this proposal : European Union None
Which priority do you assign to this proposal (high, medium, low)? European Union Low
3.5.2 Propose to simplify the present 8-Step procedure to have only 5 steps.
Comment on the proposal: European Union As regards simplifying the current 8-step procedure, we note that in practice most standards are sent for final adoption at step 5/8, meaning in effect that the adoption process has only 5 steps. However, sometimes it is very useful to have the opportunity to adopt a standard at step 5 with a view to further discussion later in the step process, as this can allow any further consultation at steps 6 and 7 to be limited to only key, outstanding issues. If the standard were sent back to step 2, then, in effect, the entire standard could be re-opened. If the objective is to simplify Codex procedures, it is important

<p>to make sure that it is not the opposite effect that is achieved.</p> <p>Jordan</p> <p>We believe that the present procedure should be simplified. New work is approved at step 1, initially drafted at step 2 then go for a first round of comments and discussion at steps 3 and 4. If redrafting is needed they can be sent back to step 2 and if not the standard can be presented for adoption.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>None</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Low</p>
<p>3.5.3 Continue striving for consensus and examine to what extent voting could assist Codex in case of blockages without being divisive</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU strongly believe that, as an international standard setting body seeking to harmonise standards across the globe, Codex should work on the basis of consensus-based decision-making, one of the fundamental principles of the organisation. It is clear that for standards to be universally applicable, they also need to be universally accepted. Therefore, decision-making based on consensus should be further strengthened.</p> <p>Voting should only be permissible as a last-resort and then fully justified, as part of a predictable decision-making process. On those exceptional occasions when voting is required, the MSEU are in favor of ensuring that votes are taken on the basis of a 2/3 qualified majority, which is aligned with the voting procedures of the other international standard-setting, sister organisations, namely IPPC and OIE.</p> <p>Adopting decisions by vote - on the basis of a qualified majority and a well-known and predictable process - will also go a long way to ensure that voting is not seen as divisive, but part of the natural Codex, democratic, decision-making process. The introduction of a higher voting threshold into the decision-making process is, in addition, perceived to be important in encouraging consensus-seeking.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>The CCGP should be tasked to further consider issues surrounding voting. Given the high priority allocated to this matter an EWG could be established by the CAC to prepare a discussion paper for consideration at the next session of the CCGP.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>High</p>
<p>3.5.4 Explore ways to ensure a more equal geographical distribution of committees while not obstructing the standard setting process.</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU are willing to further explore opportunities for other countries to get involved in chairing committees and to introduce a rotating system to give more countries the opportunity to host and chair a Codex Committee. The current guidance given to host countries on how to select Codex Committee Chairpersons seems to be sufficient. However, a closer look might be needed on how this guidance is implemented in practice in order to further improve its effectiveness.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>The CCGP could be tasked to further consider this matter once the proposed work on issues of high priority has been accomplished.</p>

<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p>
<p>3.5.5 Review the effectiveness of working groups</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>Regarding the effectiveness of working groups, we recognise the immense value of their work, particularly working inter-sessionally. However, in order to ensure these do not proliferate unnecessarily and to limit the additional workload created, a ceiling on the number of such working groups could be considered.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>The CCGP could be tasked to further consider this matter once the proposed work on issues of high priority has been accomplished.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p>
<p>3.5.6 Consider to review how different Committees use risk analysis frameworks in practice and report areas for improvements.</p>
<p>Comment on the proposal:</p> <p>European Union</p> <p>The MSEU are open to a review of the risk analysis frameworks use insofar as this could be a useful exercise. Particular attention should be given to recommendation 19 of the 2002 Codex evaluation, emphasising the need to strive for a clearer separation of the risk assessment and the risk management functions to ensure greater transparency, the usefulness of scientific advice and the speed of decision-making. The MSEU welcome the efforts that have gone into improving the transparency of the risk assessment process and strengthening independence of the experts through an improved declaration of interest process, as highlighted by FAO and WHO representatives during the last CCGP. The ongoing work on updating and harmonizing risk assessment methodologies, as well as improving data collection for refined exposure assessment is also of great importance.</p>
<p>What further action do you recommend with regard to this proposal :</p> <p>European Union</p> <p>The CCGP could be tasked to further consider issues surrounding risk analysis frameworks once the proposed work on issues of high priority has been accomplished.</p>
<p>Which priority do you assign to this proposal (high, medium, low)?</p> <p>European Union</p> <p>Medium</p>
<p>Do you have any additional proposals with regard to Efficiency of Committee Work (3.5)</p>

Specific Comments without using the template

ICGMA

The International Council of Grocery Manufacturers Associations (ICGMA) appreciates the opportunity to comment on CX/CAC 15/38/9 which will be discussed at the July 2015 meeting of the Codex Alimentarius Commission (CAC). ICGMA is committed to advancing the use of Codex standards to provide global food safety standards for consumers and to facilitate the international trade of food, beverages and agricultural products.

ICGMA represents interests in this regard of over 500 national and international companies that produce and market food and beverage products on five continents. Members of ICGMA apply many of the food safety standards of Codex on a daily basis in the production of food products and beverages. In addition, some ICGMA members provide scientific

data to Codex member governments that is used by various Codex committees and the expert bodies of WHO and FAO to establish science-based food safety standards of Codex. ICGMA has a vital interest in Codex.

ICGMA member organizations and member companies have reviewed CX/CAC 15/38/9 and have prepared the following general comments on the document. These general comments address the “proposals” portion of the document (paragraphs 122-165). ICGMA notes that the document is structured with five issue areas. ICGMA’s comments address each of these issue areas.

Mandate and Priorities

ICGMA supports the existing dual mandate of Codex. We believe that the mandate has served consumers, national governments and the private sector well over the years and is the best framework for the future of Codex. ICGMA believes that it would be a positive step for Codex to identify emerging food issues and to develop appropriate response strategies. ICGMA believes that our member organizations and companies can play a major role in Codex work on emerging issues. ICGMA strongly supports the statement that “... Codex works as a member-driven organization...” and that this should remain a priority. Codex member governments and observer organizations are in the best position to identify strategic options for consideration because food industry organizations have more direct practical operational experience, relevant technical expertise, scientific data/information and implementation frameworks.

Management of the Codex Program and Links to FAO and WHO

ICGMA recognizes the role of FAO and WHO as the parent bodies of Codex. We believe that the relative autonomy under which Codex has operated has enabled a member-driven approach resulting in the maturing of Codex as the premier global food safety standard-setting body. Codex has been able to adapt to the challenges presented by a variety of national food safety initiatives as well as the dynamics of international trade. This is due, in large part, to the inclusive, member-driven approach supplemented with scientific data and practical information from observer organizations. ICGMA recognizes the important role of the FAO and WHO in providing scientific advice to Codex through the joint expert committees (JECFA, JMPR, JEMRA). As an evidence based organization, their role in the Codex Standards setting process is both essential and critical. ICGMA strongly believes that the work of these expert bodies should be a top priority for funding by FAO and WHO. We note that the current procedures for accrediting observer organizations have served Codex well and we believe that Codex should maintain the existing procedures.

Strategic Governance within Codex – “Executive Board”

ICGMA does not believe that an adequate rationale for changing CCEXEC to CX-EB has been presented. Inclusiveness and transparency have been important core values that have contributed to the success of Codex and these values appear to be compromised by this proposed change. We believe that Codex should first address issues of strategic governance and eliminate processes that have led to the duplication of discussions of the CAC and CCEXEC. ICGMA does not support the proposal to change the current procedures for handling applications for observer organizations in Codex.

Structure of Codex Subsidiary Bodies

ICGMA believes that the roles and functions of the commodity committees and the general subject committees need attention and the potential for conflict needs to be resolved. For example, delays in adopting standards in the general subject committees, such as CCFA, have been encountered due to the need to consult with the commodity committees. ICGMA does not support revisiting the proposal for a super-commodity committee as the experts and expertise needed vary greatly.

Efficiency of Committee Work

ICGMA recognizes the need to control costs by limiting the length of reports. However, these costs need to be balanced with the benefits of providing important details of the debates and rationale for the actions taken so that those unable to attend in person have a good understanding of the issue and the decision. This is also important for the historical record. ICGMA does not support the proposed revisions to the step procedure. As a practical matter, shortening the step procedure has been accomplished through the use of the accelerated procedure and the adoption of the vast majority of standards at step 5/8. Further revisions to the step procedures are not a productive use of time and resources.

ICGMA supports the development and adoption of standards on the basis of consensus. With very few exceptions, decision-making by consensus has worked. Codex procedures should not be changed because of a very few anomalous circumstances. ICGMA does not support changing the majority vote to 2/3’s vote as proposed. ICGMA does not support the proposal to rotate committee host countries. Continuity and consistency of host committees are important factors that contribute to the quality and timeliness of standards and texts. Physical and electronic working groups have played critical roles in advancing the development and adoption of Codex standards. They have proven to be both time-efficient and cost-efficient. However, the proliferation of both physical and electronic working is a concern. ICGMA does not support an artificial limit on the number of these groups; rather, committees should be encouraged to set priorities and focus on limited number of activities in a given time frame.

Finally, to further improve Codex efficiency we strongly support more flexible systems and processes. We note this is a key priority of the Commission’s new strategic plan and we support improving the way key horizontal committees can work together to address issues that straddle more than one committee. Current Codex procedures are not particularly conducive to pragmatic collaboration. We believe there are real opportunities for cross committee collaboration in the food hygiene, nutrition, food labelling and inspection and certification areas. This could be affected, for example, by the ability to hold joint sessions, joint working groups and more flexible rules around cross committee communication.