

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

CX/EURO 00/2

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COORDINATING COMMITTEE FOR EUROPE

Twenty-second Session
Madrid, Spain, 3 – 6 October 2000

MATTERS OF INTEREST ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER COMMITTEES

A. MATTERS ARISING FROM THE COMMISSION AND THE EXECUTIVE COMMITTEE

1. MEDIUM-TERM PLAN (ALINORM 99/37, paras 25-34, Appendix II)

The Commission discussed the Medium-Term Plan 1998-2002 and adopted a revised version of the document (ALINORM 99/37, paras 25-34, Appendix II). The Commission agreed that the preparation of the subsequent Medium-Term Plan (2003-2007) should be initiated rapidly and a Circular Letter to this effect was sent to governments (CL 2000/3-GEN), with a view to considering this matter in the next Session of the Executive Committee.

The Executive Committee discussed the preparation of the Medium-Term Plan and invited a small group consisting of the Chairperson and Vice-Chairpersons together with the Secretariat to prepare a draft of the Medium-Term plan 2003-2007 and to develop a strategic statement of the Commission's vision for the future, for consideration by the next session of the Commission. It also decided to request the opinions of the Regional Committees (ALINORM 01/3, paras. 36-41). The CCEURO is invited to consider this question.

2. AMENDMENTS TO THE PROCEDURAL MANUAL OF THE CODEX ALIMENTARIUS COMMISSION

Amendments to the Rules of Procedure (paras 59-66, Appendix III)

The Commission agreed to amend the following Rules as proposed by the Committee on General Principles or as proposed at the Session:

- Rule II – Officers and Rule IX.7 and IX.10 (appointment of Regional Coordinators - see also CX/EURO 00/15);
- Rule X - Elaboration of Standards (to stress that every effort should be made to reach consensus); and Rule III.1 (concerning the membership of the Near East in the Executive Committee).

The Commission noted that the question of the majority was currently under consideration in the Committee on General Principles, where no conclusion had been reached so far, and agreed that the Committee should proceed with its work on this issue as a matter of priority.

The Commission noted the proposal of the Delegation of Republic of Korea to increase the membership of the Executive Committee and recalled that all relevant aspects pertaining to the composition and role of that Committee would be considered by the Committee on General Principles, as agreed earlier.

Other amendments

The Commission adopted the following texts for inclusion in the Procedural Manual:

- *Criteria for the Establishment of Work Priorities and Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission* (para. 67, Appendix IV)

- *Definitions for the Purpose of Codex: Definitions of Risk Analysis Terms Related to Food Safety (Risk Communication & Risk Management)* (para. 70, Appendix IV)
- *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission* (para. 71, Appendix IV)
- *Core Functions of Codex Contact Points* (para. 72, Appendix IV)

3. RISK ANALYSIS

The Commission made a number of recommendations addressed to FAO and WHO, Codex and member governments (ALINORM 99/37, paras. 56-58). The CCEXEC considered how the recommendations applicable in the framework of Codex were being implemented and came to the following conclusions.

Recommendation	Implementation
Programmes that contribute to risk analysis should have high priority;	This should be taken up in the context of Agenda Item 6: Preparation of the Medium-Term Plan 2003-2007.
Relevant Codex Committees should continue to develop and to apply risk analysis principles and methodologies appropriate to their specific mandates within the framework of the Action Plan and report their progress to the Commission on a regular basis;	Noted:On-going.
Proposals for new or amended definitions for use within the framework of risk analysis, as appropriate, should be considered by the Codex Committee on General Principles;	Noted:On-going.
To overcome confusion about the usage of the terms “risk analysis” and “hazard analysis”, the Commission should reiterate its definitions for these concepts and explain how they apply in practice;	The Executive Committee referred this matter to the Codex Committee on Food Hygiene for a clear statement of the difference between the two terms and to the Committee on general Principles for subsequent action.
The Commission should continue and expand its efforts to increase the participation of those national governments and NGOs that are members or observers but that are not presently active participants in Codex matters;	The Executive Committee noted that the issue was relevant to all Codex work and not only to risk analysis and drew the attention of the countries concerned to the Commission’s recommendation.
Relevant Codex committees should consider developing quality criteria for data used for risk assessment. To the extent possible such criteria should be consistent with one another, taking into account the technical differences in the disciplines covered;	The Executive Committee referred these recommendations to the Committees concerned. (see also para. 42 of the report)
Relevant Codex committees should consider the acute aspects of dietary exposure to chemicals in food;	
Recognizing that primary production in developing countries is largely through small and medium enterprises, risk assessment should be based on global data, including that from developing countries. This data should particularly include epidemiological surveillance data and exposure studies;	
Risk management should take into account the economic consequences and the feasibility of risk management options in developing countries. Risk Management should also recognize the need for flexibility in the establishment of standards, guidelines and other recommendations, consistent with the protection of consumers’ health.	The Executive Committee referred this recommendation to the Codex Committee on General Principles for consideration in relation to the development of appropriate texts for inclusion in the Procedural Manual.

4. CONSIDERATION OF PROPOSALS TO ELABORATE NEW STANDARDS AND RELATED TEXTS

Committee on Food Import and Export Inspection and Certification Systems

Proposed Draft Guidelines for the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems

The Commission did not come to a conclusion on this point (ALINORM 99/27, paras. 203-204). The 47th CCEXEC approved as new work the elaboration of Proposed Draft Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems and indicated that the document should emphasize system requirements (ALINORM 01/3, Appendix III). The Proposed Draft Guidelines will be considered by the next session of the CCFICS (December 2000).

Proposed Draft Guidelines for the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems

The Commission agreed with the recommendation of the Executive Committee that the Committee should proceed to develop guidance on the judgement of equivalence of systems for inspection and certification in relation to technical regulations other than sanitary measures in parallel with food safety issues (para. 217). The Proposed Draft Guidelines will be considered by the next session of the CCFICS (December 2000).

Proposed Draft Guidelines for the Utilisation and Promotion of Quality Assurance Systems

The Commission noted the general support for the elaboration of the Guidelines and agreed for a substantive working paper to be presented to the Committee on Food Import and Export Inspection and Certification Systems for further examination, noting the comments of several delegations concerning the inadequacy of the paper that was presented at the Committee's last session and concerns regarding the implications of its implementation. The Delegation of Chile expressed concern that such Guidelines could present technical barriers to trade.

5. RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON FOOD TRADE BEYOND 2000: SCIENCE-BASED DECISIONS, HARMONIZATION, EQUIVALENCE AND MUTUAL RECOGNITION

The Executive Committee noted with satisfaction the Conference's appreciation of the work of the Commission and its fullest support to the current direction of its work. The Executive Committee further noted that the vast majority of the "General Recommendations" contained in Annex I were addressed to Member Governments and/or FAO and WHO. It noted that several of these recommendations would need to be considered in the development of the Medium Term Plan (Item 6). On recommendations 10 and 14, the Executive Committee recognised the importance of risk communication for Codex and the need to explore strategies to collect information from all regions of the world about consumer requirements, perceptions, beliefs, and motivations concerning food, nutrition and food safety. It agreed that the matter should be discussed at the Codex Regional Committees and that the Secretariat should explore ways of conducting a pilot study for generating such information. The Executive Committee noted that several countries and organizations have conducted studies in this field and suggested that a literature review be made on the subject by the Secretariat.

The Executive Committee strongly supported closely coordinated and early action by FAO and WHO and the Codex Alimentarius Commission on microbiological food safety issues within their respective areas of responsibility.

The Executive Committee noted that most of the recommendations in Annex II of the document were already being addressed by the relevant Codex Committees (Recommendations 1, 3, 5, 7, 10, 15, 20) or by FAO/WHO (Recommendations 2, 9, 13, 19). Others (Recommendations 11, 12, 13, 14, 16, 17, 18, 21) would need to be examined in relation with the discussion of the Medium Term Plan (Agenda Item 6) and/or by the Codex Regional Coordinating Committees. The recommendations mentioned are attached in Annex 1. In relation to Recommendation 5, the Committee recommended that FAO/WHO consider holding special workshops on the issue of "precaution" prior to the future sessions of the Codex Coordinating Committees to facilitate the debate on this subject at the Committee on General Principles.

The Executive Committee recognised the need to develop guidelines for determining equivalence of food control systems, covering not only safety but also quality and conformity (ALINORM 01/3, paras. 23-26).

6. MEETINGS OF THE CODEX ALIMENTARIUS COMMISSION

The CCEXEC had the following discussion on this subject.

There was general agreement that the Commission should meet on an annual basis, as provided for in the Rules of Procedure. Some Members questioned the proposal to divide the annual sessions between policy issues and standards issues, stating that the Commission should always give attention to the adoption of standards. The Executive Committee considered the fact that annual meetings of committees would pose additional burdens on developing countries and the costs and benefits of such a decision would have to be taken into account.

The Executive Committee noted that the question of the abolition of the Executive Committee was under discussion by the Committee on General Principles. It further noted that the status of the Executive Committee was guaranteed under Article 6 of the Statutes and its composition and function were governed by the Rules of Procedure. It recommended that the Secretariat in preparing its paper for the Committee on General Principles consider these facts as well as all available options in regard to abolition or possible changes in the composition and responsibilities of the Executive Committee should it be retained.

It was further proposed that the Chairpersons of Codex Committees and Task Forces and the Chairperson and Vice-Chairpersons of the Commission should meet at the time of each Commission session to improve coordination between committees (ALINORM 01/3, paras. 64-66).

B. MATTERS ARISING FROM THE COMMITTEE ON GENERAL PRINCIPLES

The 14th Session of the Committee on General Principles recommended an amendment of the Rules of procedure to clarify that the request for a roll-call vote was subject to Rule X.2 that refers to the adoption of standards by consensus (ALINORM 01/33, para. 73, Appendix II). The Committee also proposed practical measures to facilitate consensus (paras. 68-69).

The Committee considered the Proposed Draft Working Principles for Risk Analysis in detail and made a number of amendments to the text, which was returned to Step 3 for further comments. The section of the Principles covering the use of precaution in risk management will be redrafted in the light of the comments received by a drafting group for further consideration by the next session (April 2001). The Committee agreed that the concept of “food safety objectives” could be developed further by other relevant committees and that it was premature to generalize it with a specific definition at this stage.

The Committee agreed to consider further the following questions at its next session: the revision of the Code of Ethics for International Trade in Food (para. 108); the role of “other legitimate factors” in relation to risk analysis (para. 95); the composition of the Executive Committee and related matters, including an alternative proposal to hold the Commission on an annual basis (see also section 6. above).

C. COMMITTEE ON NUTRITION AND FOODS FOR SPECIAL DIETARY USES

Information on the conclusions of the CCNFSDU is provided since its work was specifically discussed by the last session of the CCEURO. The Committee advanced to Step 8 the Draft Conditions for Claims concerning 1) protein and 2) vitamins and minerals in the Guidelines for Use of Nutrition Claims. The Committee did not forward any other text under consideration to a further Step in the Procedure due to lack of consensus.

As regards gluten-free foods, the Committee recognized that there was no consensus either on the levels or on the method of determination of gluten at that time, and therefore decided to keep the current Draft Standard at Step 7 and seek the Commission’s advice on how to deal with this issue (ALINORM 01/26, para. 35). The text has not been sent for further comments and no further action is required from Codex Committees and member countries until the Commission considers this question.

**RECOMMENDATIONS OF THE INTERNATIONAL CONFERENCE ON FOOD TRADE
BEYOND 2000: SCIENCE-BASED DECISIONS, HARMONIZATION, EQUIVALENCE AND
MUTUAL RECOGNITION**

Import/Export Systems, Equivalence and Information Exchange:

11) The Conference recommended that governments should make available, preferably by electronic means, information on food goods that had been detained or rejected at the point of import. This information should be made available for further follow-up by the exporting country and also to alert other countries of possible problems related to food imports.

12) The Conference recommended that FAO, WHO and Codex Alimentarius should study the need, feasibility and practical conditions of introducing an international system allowing exchanges of information about the existence of potentially hazardous foodstuffs in the international trade.

13) The Conference recognized the importance and urgency of developing Codex guidance on the judgement of equivalence, initially in a generic sense and subsequently in relation to specific topics such as equivalence of inspection and certification systems, and measures to ensure food hygiene.

General Issues:

14) The Codex Alimentarius Commission, whilst acknowledging that food safety standards cannot be compromised, should, when elaborating and deciding upon Codex standards and any related texts, take into consideration the special needs of developing countries including infrastructure, resources, technical and legal capabilities. Codex standards and related texts should not have the effect of creating unnecessary, unjustified or discriminatory obstacles to the exports of developing countries.

16) With the aim of more intensively pursuing the objectives of protecting the health of consumers, ensuring fair practices in the food trade and facilitating the international trade in food, the Codex Alimentarius Commission should continue to elaborate food standards providing for compositional, sensory and safety criteria, and examine and recommend ways to reduce problems of food quality and safety, reduce levels of detentions and rejections of food moving in international trade, and reduce levels of food adulteration.

17) The Conference stressed that Codex standards for food quality and safety, including labelling aspects, should be carefully prepared to ensure that they were not over-prescriptive and not more restrictive than necessary to meet the objectives of the Joint FAO/WHO Food Standards Programme.

18) Codex Alimentarius should continue to work along these principles and promote the application of HACCP principles as laid down in the Codex General Principles of Food Hygiene. These principles should be applied to all foodstuffs, throughout the whole food chain and include feedingstuffs.

Enhancing Participation:

21) The Codex Alimentarius Commission should consider reaffirming the effectiveness of written comments, which should be fully discussed at Codex meetings, especially written comments from countries not able to be represented at meetings. Chairpersons should ensure that all written comments received before the meeting are systematically tabled for discussion at Codex meetings and decisions made should be recorded in the report accordingly.