

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

Agenda Item 6 b) and 6 c)

CX/EURO 00/8

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

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

DISCUSSION PAPER ON A) RISK ANALYSIS, INCLUDING THE PRECAUTIONARY PRINCIPLE AND FOOD SAFETY OBJECTIVES, AND B) THE ROLE OF SCIENCE AND OTHER LEGITIMATE FACTORS IN THE CODEX DECISION-MAKING PROCESS

(Prepared by Sweden)

INTRODUCTION

1. Codex Working Principles for Risk Analysis, including the Precautionary Principle, were discussed at the Fifteenth Session of the Codex Committee on General Principles (CCGP), held in Paris in April 2000. The proposed draft principles, which were returned to Step 3 for further comments and consideration by the next session of CCGP, are contained in Appendix III to the report of that meeting (ALINORM 01/33), to which the reader of the present document is referred. Risk analysis principles are also being discussed in several other Codex committees, for example CCFAC, CCFH and CCPR.
2. The question of “Food safety objectives” (FSOs) was briefly discussed at the 15th Session of CCGP. It was agreed that the concept of FSOs could be further developed by other relevant Codex committees in order to identify how it could be applied to specific food safety issues and that CCGP should continue to oversee the consistency of the definition and application of this concept.
3. France, with the assistance of Argentina, Australia, Canada, Denmark, Germany, India, Italy, Netherlands, Japan, New Zealand, Norway, Sweden, United Kingdom, United States of America and ICMSF, prepared a document (CX/FH 00/6: Proposed draft principles and guidelines for the conduct of microbiological risk management), which has been sent out for comment prior to its consideration at the next session of the Codex Committee on Food Hygiene (CCFH), to be held in Washington on 23-28 October 2000. This document includes, among other things, a section (5.2.1.1) on microbiological FSOs.
4. At the 15th Session of CCGP the role of science and the extent to which other factors are taken into account in Codex decision-making was discussed (Agenda Item 6). CCGP agreed that the Secretariat would develop draft general guidelines on this subject, based on paragraph 34 of document CX/GP 00/7 and that the revised text would be circulated for comments and consideration at the next session of CCGP. Further information on this subject and a summary of the discussions at the 15th Session of CCGP are to be found in documents ALINORM 01/33 and CX/GP 00/7.
5. Sweden considers that the 22nd Session of CCEURO provides a good opportunity to discuss the above subjects at a European regional level, in order to try to facilitate and expedite discussions which will take place at CCFH, CCGP and eventually at the CAC. These discussions should be based primarily on the Codex documents cited above.

RISK ANALYSIS, INCLUDING THE PRECAUTIONARY PRINCIPLE

6. At the 15th Session of CCGP considerable progress was made in reaching consensus on many of the total of 40 paragraphs in the *Proposed draft Codex working principle for risk analysis* (see Appendix III to ALINORM 01/33). However, consensus could not be reached on the question of the Precautionary Principle/approach and two alternative proposals for the wording of paragraph 34 were included, the first of which was proposed by Malaysia and the second the result of discussions during the meeting between several delegations, including some European countries and the USA. Paragraph 35 of the draft principles lists criteria to be taken into account to ensure the consistency and transparency of the decision process.
7. At the 22nd CCEURO meeting delegations could discuss Appendix III to ALINORM 01/33 (and in particular §§ 34 and 35), with a view to facilitating discussion at the next meeting of CCGP in April 2001.

FOOD SAFETY OBJECTIVES (FSOs)

8. Section 5.2.1.1 of document CX/FH 00/6 deals with the subject of microbiological FSOs and contains, among other things, a proposal for a definition/description of microbiological FSOs (“A MFSO is a statement [based on a risk analysis] which expresses the level of a hazard in a food that is tolerable in relation to an appropriate level of protection”). CCEURO may wish to discuss section 5.2.1.1 of document CX/FH 00/6, with a view to facilitating future discussions on this subject in CCFH and CCGP. In addition, CCEURO may wish to discuss if FSOs should be developed for hazards other than microbiological hazards.

THE ROLE OF SCIENCE AND OTHER LEGITIMATE FACTORS IN CODEX DECISION MAKING

9. The Statements of principle concerning the role of science in the Codex decision-making process and the extent to which other factors are taken into account are given in an appendix to the Procedural manual (page 180 in the English version of the 11th edition). The first two principles read as follows:
 1. *The food standards, guidelines and other recommendations of Codex Alimentarius shall be based on the principle of sound scientific analysis and evidence, involving a thorough review of all relevant information, in order that the standards assure the quality and safety of the food supply.*
 2. *When elaborating and deciding upon food standards Codex Alimentarius will have regard, where appropriate, to other legitimate factors relevant for the health protection of consumers and for the promotion of fair practices in food trade.*
10. As has already been pointed out by several delegations during discussions in CCGP, the Codex decision-making process already takes into account factors such as Good Agricultural Practice in the use of pesticides (GAP), Good Practice in the Use of Veterinary Drugs (GPVD) and Good Manufacturing Practice (GMP). These factors have without doubt a large scientific component. The question arises whether consideration of these factors in Codex decision-making should be regarded as being covered by the first statement of principle (*...sound scientific analysis and evidence, involving a thorough review of all relevant information...see above*) or whether they are to be considered under the second principle.
11. At present there appears to be confusion about which factors are covered by the first principle and which should be considered under the second principle. CCEURO may wish to consider this point, with the aim of facilitating future discussions on “Other legitimate factors” in CCGP and CAC. Clarification on this point could lead to more focussed discussion on the factors which clearly need to be considered in relation to the second principle.