

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 5

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

**Twenty-sixth Session,
Warsaw, Poland, 7-10 October 2008**

USE OF CODEX STANDARDS AT NATIONAL AND REGIONAL LEVEL (CL 2008/4-EURO, PART B)

Replies from the European Community, Lithuania, Norway, Portugal and Sweden

(i) Use of Codex standards and related texts at the national and regional level

EUROPEAN COMMUNITY

The international framework as regards food safety has developed significantly through the enhanced role of certain international organisations such as the Codex Alimentarius, the International Plant Protection Convention (IPPC) and the World Organisation for Animal Health (OIE) under the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement), the World Health Organisation (WHO) and the Food and Agriculture Organisation (FAO).

By engaging more resources through its accession to the Codex Alimentarius Commission, the EC wishes to play a bigger role in the elaboration of international food standards and takes into account all existing Codex standards and those under development when drafting new EC legislation. The EC contributes in the context of the *Codex Alimentarius* to the development of international standards, while ensuring that the high level of human health protection adopted in the Community is not reduced.

Because both EC legislation and Codex standards are based on science, they very often converge towards the same direction. Direct reference to Codex standards is used in the EC legislation when appropriate. For example the current "Proposal for a Regulation of the European Parliament and of the Council laying down procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin and repealing Regulation (EEC) N°2377/90" introduces an obligation for the EC to take over maximum residue limits (MRL) set by Codex without a further risk assessment by the EFSA for those Codex MRLs the EC has supported in the relevant Codex Alimentarius Commission meeting.

LITHUANIA

National food standards were harmonised with the regulations of the European Community and the latter regulations were set taking account of Codex standards and related texts. Therefore Codex standards and related texts carried an important weight, providing a basis for the food standards applied in the region.

The Ministry of Agriculture issue orders on the quality of foodstuffs harmonised with Codex standards:

Order No. 210 of Ministry of Agriculture of the Republic of Lithuania of 20 May 1999 On the Compulsory Quality Requirements (Valstybės žinios (Official Gazette), No. 46-1147, 1999; No. 65-2318, 2004):

VDIC drinkable milk (CN code 0401):

Fermented cheese (CN code 0406); Order No. 3D-335 of Ministry of Agriculture of the Republic of Lithuania of 13 June 2008 On Description of Quality Requirements for Cheese (Valstybės žinios (Official Gazette), No. 70-2675, 2008) – amended previous edition; edition coordinated with CODEX STAN A-6-1978, Rev.1-1999. Amend. 2006.

Processed cheese (CN code 0406.30);

Butter (CN code 0405.10,20);

Ice cream (CN code 2105);

Pickled Milk Drinks (CN codes 0403.90.51,53 ; 0403.90.61,63 and 0403.90.91,93) – Order No. 3D-335 of Ministry of Agriculture of the Republic of Lithuania of 8 July 2005 On Quality Requirements for Pickled Milk Products (Valstybės žinios (Official Gazette), No. 90-3393, 2005) canceled p. Requirements are prepared according to the CODEX STAN 243 -2003.

Order No. 488 of Ministry of Agriculture of the Republic of Lithuania of 11 December 2002 On Quality Requirements for Curd and Curd's products (Valstybės žinios (Official Gazette), No. 119-5366, 2002; No. 61-2176, 2005).

Order No. 3D-155 of Ministry of Agriculture of the Republic of Lithuania of 19 April 2006 „On the Confirmation of Quality Requirements for Dried Fruits“ (Valstybės žinios (Official Gazette), No. 45-1635, 2006). Requirements are prepared according to the CODEX STAN 130 -1981; CAC/RCP 3-1969.

Order No. 3D-548 of Ministry of Agriculture of the Republic of Lithuania of 11 October 2004 „On the Confirmation of Quality Requirements for Forest Mushrooms and their products“ (Valstybės žinios (Official Gazette), No. 153-5590, 2004). Requirements are prepared according to the CODEX STAN 38 -1981; CAC/RCP 5-1971; CAC/RCP 8-1976; CAC/RCP 2-1969.

Order No. 174 of Ministry of Agriculture of the Republic of Lithuania of 8 May 2002 „On the Confirmation of Compulsory Quality Requirements for Canned Strawberries and Canned Applies Sauce“ (Valstybės žinios (Official Gazette), No. 49-1917, 2002). Requirements are prepared according to the CODEX STAN 62-1981; CODEX STAN 17-1981.

Order No. 436 of Ministry of Agriculture of the Republic of Lithuania of 1 November 2002 „On the Confirmation of Compulsory Quality Requirements for Canned Cucumbers, Canned Carrots and Canned Cultivated Mushrooms“ (Valstybės žinios (Official Gazette), No. 112-5019, 2002). Requirements are prepared according to the CODEX STAN 115-1981; CODEX STAN 55-1981; CODEX STAN 116-1981.

Order No. 3D-353 of Ministry of Agriculture of the Republic of Lithuania of 28 August 2003 „On the Confirmation of Compulsory Quality Requirements for Quick Frozen Cauliflower and Quick Frozen Strawberries“ (Valstybės žinios (Official Gazette), No. 87-3946, No.106-4766, 2003). Requirements are prepared according to the CODEX STAN 111-1981; CODEX STAN 52-1981; CAC/RCP 8-1976.

Order No. 355 of Ministry of Agriculture of the Republic of Lithuania of 14 December 2000 „On Methods of Quality Research for Quick Frozen Fruits and Vegetables, Fruit Juices, Jams and similar Products“ (Valstybės žinios (Official Gazette), No. 109-3497, 2000; No. 104-3727, 2001). Requirements are prepared according to the CODEX STAN 52-1981; CODEX STAN 111-1981; CODEX STAN 140-1983; CODEX STAN 44-1981; CODEX STAN 48-1981; CODEX STAN 63-1981; CODEX STAN 161-1989; CODEX STAN 164-1989; CODEX STAN 79-1981.

NORWAY

The development of Codex standards has an indirectly influence on the Norwegian regulations due to the European Economic Agreement (EEA). National regulation in areas not regulated by EEA are based on Codex standards and related texts.

PORTUGAL

The use of Codex standards and related texts is indirectly at national level via EU food legislation

SWEDEN

Used indirectly at national level via EC legislation.

(ii) Non-use of Codex Standards and Related Texts at the National and Regional Level, with reasons where applicable.**EUROPEAN COMMUNITY**

On some occasions, when Codex standards are being developed on subjects already harmonised at EC level (the EC food safety legislation is already very comprehensive), divergences may occur, and either the EC legislation is put in line with Codex standards, or differences may persist when there is specific scientific evidence (e.g. consumption patterns, specific exposure to a hazard, etc.).

LITHUANIA

Codex standards are constantly analysed and applied in Lithuania (see i). EU requirements are applicable for those food products which have EU Directives, for example: dehydrated milk, casein and similar.

PORTUGAL

This is a European Commission competence

SWEDEN

This is EC competence

(iii) Difficulties encountered in the use or application of Codex standards and related texts at the national and regional level**LITHUANIA**

There are no many difficulties encountered in the use or application of Codex requirements in regulation of food composition and quality.

NORWAY

In cases where Norwegian and/or European risk analysis differs from scientific advice on which Codex standards are based, it may give rise to disputes. An example is when establishing MRLs on pesticide residues where intake considerations often differ between regions.

PORTUGAL

None

SWEDEN

This is EC competence. Some Codex text are outdated.

(iv) Relevance of Codex standards and related texts as a basis for harmonization of legislation and regulations, including in the perspective of economic integration**EUROPEAN COMMUNITY**

Codex standards are fully considered when drafting EC legislation.

LITHUANIA

It is accepted.

PORTUGAL

Legislation adopted in the EU is generally in line with Codex Standards

SWEDEN

Legislation agreed/adopted in the EU is generally consistent with Codex standards.

(v) **Any other health and/or trade problems related to standardization at the national or regional level**

EUROPEAN COMMUNITY

The EC and its Member States (ECMS) would like to propose to discuss several important subjects still under debate in other Codex Committees with the view to reach a regional position when feasible:

1- Labelling of Foods and Food Ingredients obtained through Certain Techniques of Genetic modification/Genetic Engineering

2- Code of Ethics for International Trade in food

NORWAY

As a general remark Norway would like to refer to our interventions in CCCF and the 31. session of CAC regarding the use of the ALARA principle (As low As Reasonably Achievable). We would prefer that GAP, GMP or “Codex Code of Practice Procedure” are used to form the basis for setting MLs (Maximum Levels), for the purpose of setting as low MLs as possible to avoid barriers to trade.