codex alimentarius commission E

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

WORLD HEALTH ORGANIZATION

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Agenda Item 6 **CX/EXEC 09/63/8**

ENGLISH ONLY

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Sixty-third Session

WHO Headquarters, Geneva, 8 – 11 December 2009

STUDY ON THE SPEED OF THE CODEX STANDARD-SETTING PROCESS

Background

1. While discussing the role of private standards at the 32nd Session of the Commission[1] the issue of the speed of the Codex standard-setting process was brought up as one of the factors leading the private sector to create their own standards in areas where standards were needed but the public standard setting bodies were not reacting quickly enough. The issue is mentioned in the consultant's report on the role of private standards (ALINORM 09/32/9D Part II e.g. para 19[2]). The Commission agreed to request the Secretariat to prepare an analysis of the speed of the Codex standard-setting process for consideration by the Executive Committee.[3]

2. The Codex standard-setting process allows under favourable conditions to develop and adopt a standard within one year. In this study new work started between 1994 and 2008 has been considered and its course through the procedure mapped in a table and then analysed. The table has not been included in this document because of its size.

Methodology / Exceptions

3. The main purpose of this document is to bring some objectivity to the discussion on the speed of the Codex. There are constraints as to how accurately the speed can be measured. Not all Codex work has a precise start and end date especially before the critical review process was introduced. Work may split into separate parts or be integrated into other work. The complexity of work differs considerably and no attempt was made to take this into account in the present study. Work was considered only after either the Commission or the Executive Committee approved it as new work even though in some cases work already starts before that formal agreement. A number of choices (some mentioned in the following paragraphs) had to be made that mainly contributed to increasing the average overall speed.

4. Procedural work of CCGP is mostly not in the step process and was not considered (with the exception of the *Code of Ethics for International Trade in Food* and the *Working Principles for Risk Analysis for Food Safety for Application by Governments* that went/ are going through the step procedure).

5. The *Code of Practice for Fish and Fishery Products* is considered as ongoing work and not considered in the statistics because it is difficult to define when work on individual sections started. The main part of the code took 9 years to develop and annexes are developed every 1-3 years.

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[1] ALINORM 09/32/REP, paras 246 -271

[2] See ftp://ftp.fao.org/codex/CAC/CAC32/al329Dbe.pdf - english; ftp://ftp.fao.org/codex/CAC/CAC32/al329Dbf.pdf - french and ftp://ftp.fao.org/codex/CAC/CAC32/al329Dbs.pdf - spanish.

[3] ALINORM 09/32/REP, para 271

6. The Amendments to the International Numbering System of Food Additives, development of MRLs for Pesticides, and Veterinary Drugs and maximum limits for food additives were considered as ongoing (thus not considered in this study) - unless they were specifically named. The speed of standard setting for these "numerical" standards will need some further consideration but it is in most cases among the fastest within Codex (1-2 years).

7. Work on group standards sometimes proceeds at different speed for different parts, which has only been taken into account if the Commission agreed it as new work. For example the "Standard for certain canned vegetables" was adopted at step 8 in 2009 for the general provisions but provisions for packing media and annexes were adopted at step 5/8. Originally *Guidelines for Packing Media for Canned Vegetables* were considered as separate work but discontinued when they were included as part of the Standard for Certain Canned Vegetables.

8. The Codex Committee on Processed Fruits and Vegetables was reactivated in 1998 after its adjournment sine die in 1986 to comply with the directive of the CAC19 (1991) to initiate the revision of commodity standards in order to make them more horizontal and simpler with a view to facilitating their acceptance by governments. At that time the Critical Review process was not yet in place. Although the default year for the revision of all PFV existing texts is 1998 in practice this happened on a consequential basis by taking some standards while the others were waiting. The actual starting year of the revision thus does not necessarily correspond to 1998 for all the PFV standards.

9. Standards for canned bamboo shoots, kimchi, pickles (renamed pickled fruits and vegetables) and aqueous coconut products were initially developed by CCASIA and then added to the work programme of CCPFV to finalise them. This additional work increased the time needed for the revision of the existing PFV standards (more examples of this can be found for other Committees).

10. The *Code of Practice for the Processing and Handling of Quick Frozen Foods* was not discussed by CCPFV but developed by correspondence by the International Institute of Refrigeration between 2001-2002 (decision by CCEXEC47 (2001)). CCPFV21 (2002) requested advice from CAC on to how to proceed with the revision as the code covered all quick frozen foods not only fruits and vegetables. The Code was subsequently revised by the Codex/US Secretariats from 2004-2006 following the decision of CAC27 (2004) and then finalized by the Task Force on Quick Frozen Foods from 2006-2008 (decision of the CAC29 (2006)). It has taken 7 years to finish the work and it has been counted for CCPFV.

Conclusions

11. The results of this study show that the average overall speed for work started and finished between 1994 and 2008 taken into account in this study is 4.2 years. For food safety matters it is 3.5 years. Looking at the charts it can be concluded that work has sped up slightly after the year 2000. The possibility of omitting steps 6 and 7 is used frequently whereas the accelerated procedure is used only on few occasions.

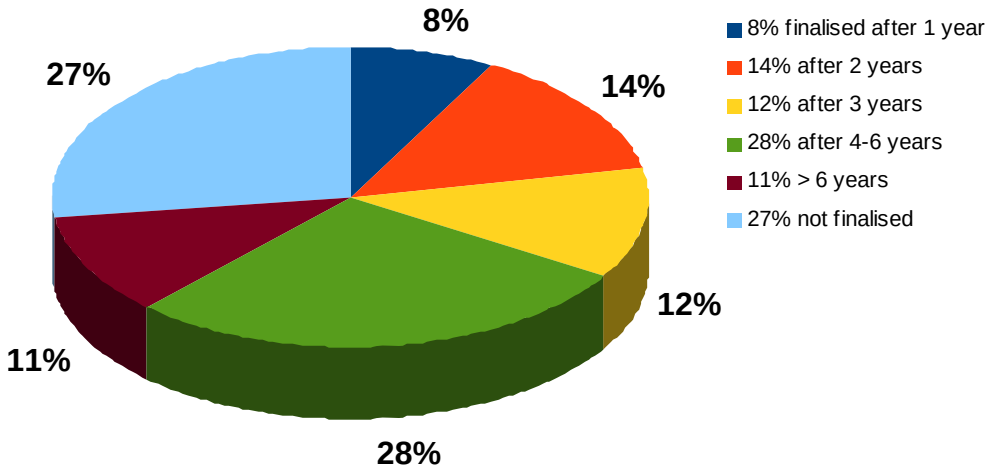
12. A more complete study should include the numerical standards.

APPENDIX: RESULTS

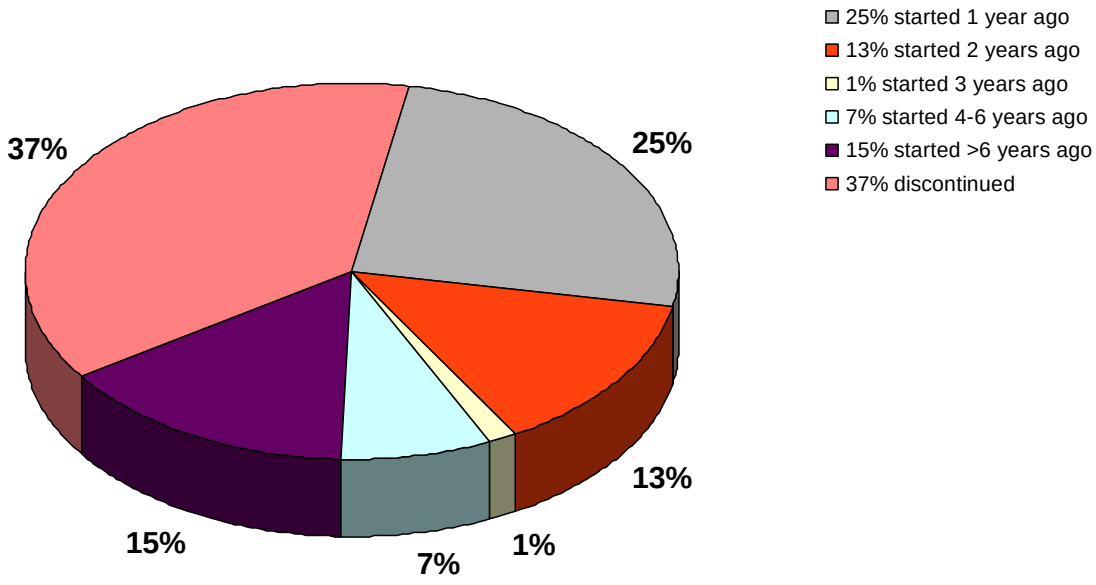
(a) Overall speed

Overall speed (average number of years of all work finalised)	4.2 years
Overall number of work items started	245
Overall number of work items finalised	178
Accelerated procedure used	6
5/8 (omission of steps 6 and 7)	45

Progress of all work started between 1994 and 2008



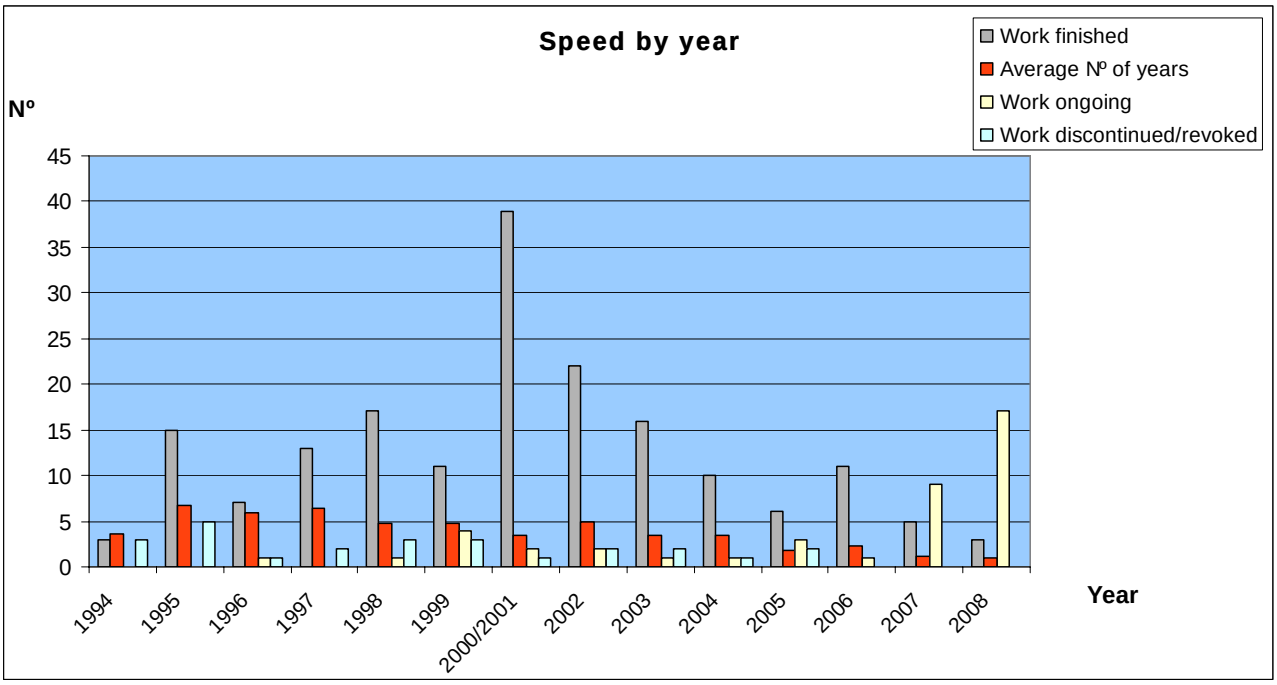
Status of work started between 1994 and 2008 and not finalised by 2009



(b) Speed by year/ biennium

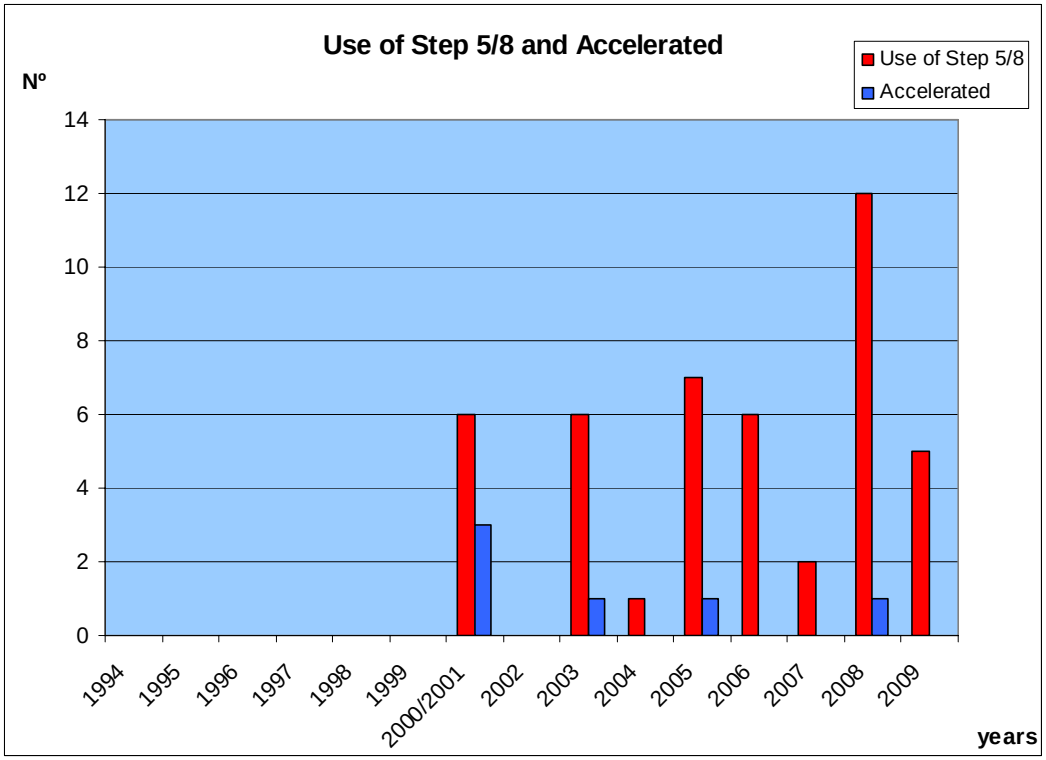
The following graphic shows:

- Number of work items finalised that was started that year/biennium
- Average number of years needed to finalise work started in the year/biennium
- Number of work ongoing in 2009 that was started that year/biennium
- Number of work discontinued that was started that year/biennium

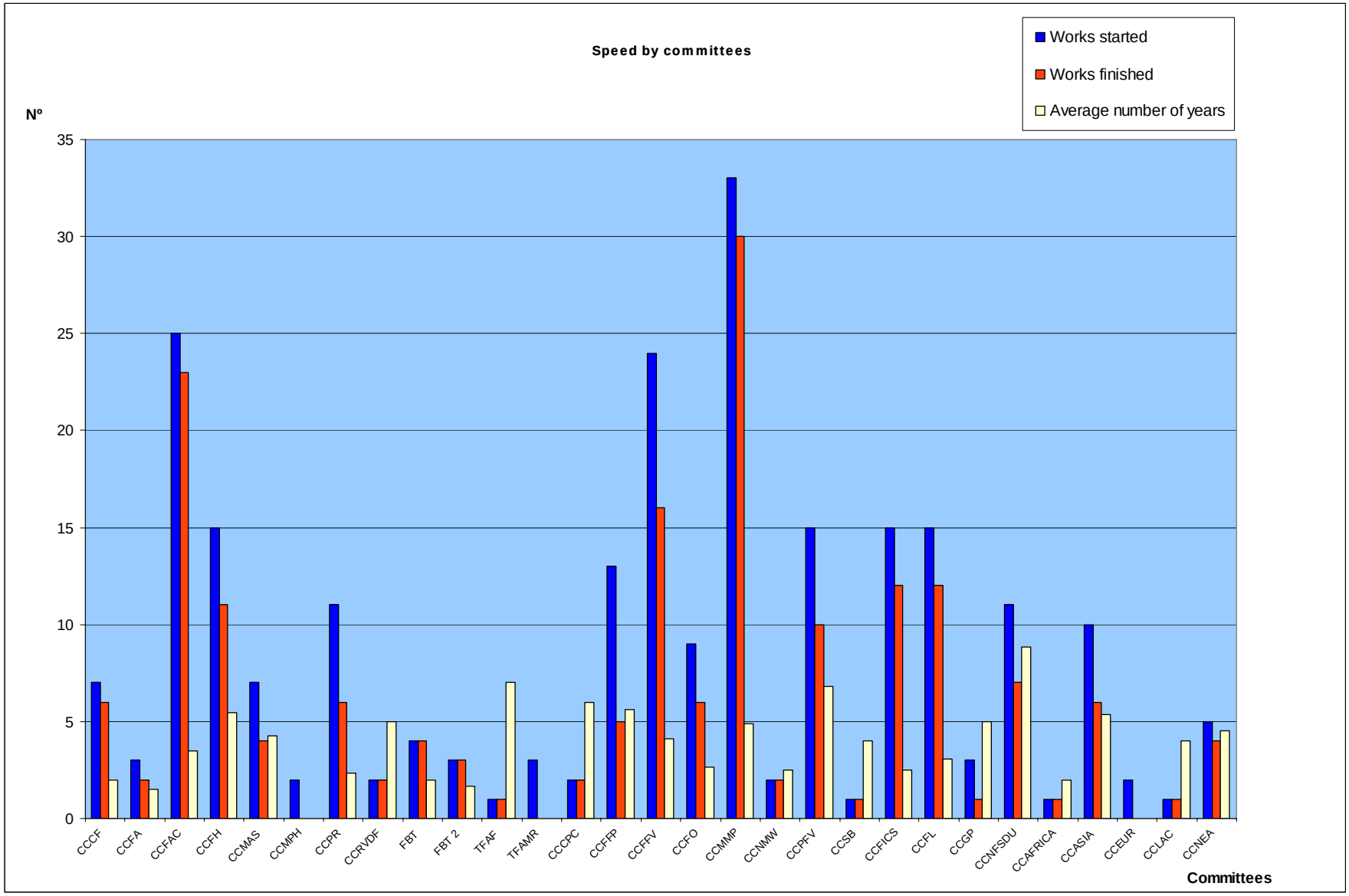


(c) Use of 5/8 and use of the accelerated procedure

- Number of items for which steps 5/8 were used for final adoption.
- Number of items for which the accelerated procedure was used for new work.



(d) Speed by committees



The chart on the previous page shows:

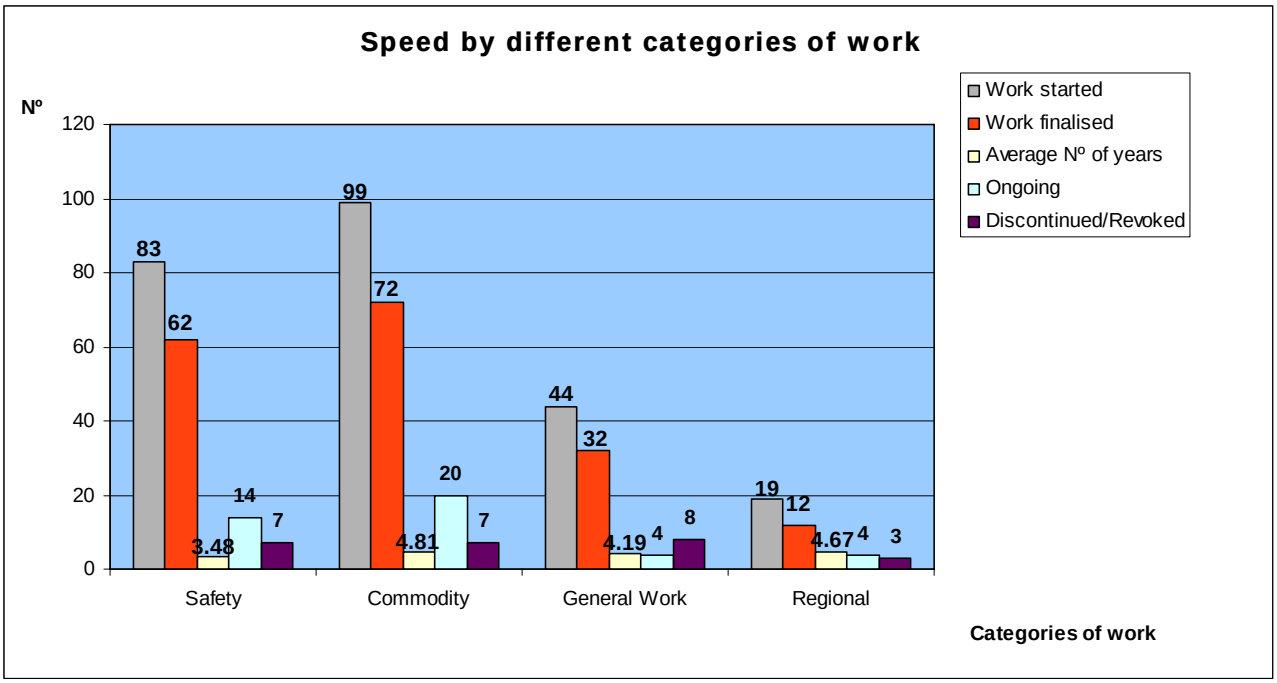
- Number of work items started by a committee
- Number of work items finalised by a committee
- Average number of years needed to finalise work by a committee

The following table shows addtionally:

- Number of work ongoing in 2009 in a committee
- Number of work discontinued by a committee

Committee	Work started	Work finished	Average Nº of years	Work ongoing	Work discontinued
CCCF	7	6	2.00	1	0
CCFA	3	2	1.50	1	0
CCFAC	25	23	3.46	0	2
CCFH	15	11	5.45	3	1
CCMAS	7	4	4.25	2	1
CCMPH	2	0	0.00	0	2
CCPR	11	6	2.33	4	1
CCRVDF	2	2	5.00	0	0
FBT	4	4	2.00	0	0
FBT 2	3	3	1.67	0	0
TFAF	1	1	7.00	0	0
TFAMR	3	0	0.00	3	0
CCCPC	2	2	6.00	0	0
CCFFP	13	5	5.60	8	0
CCFFV	24	16	4.13	5	3
CCFO	9	6	2.67	2	1
CCMMP	33	30	4.90	2	1
CCNMW	2	2	2.50	0	0
CCPFV	15	10	6.80	3	2
CCSB	1	1	4.00	0	0
CCFICS	15	12	2.50	1	2
CCFL	15	12	3.08	1	2
CCGP	3	1	5.00	1	1
CCNFSDU	11	7	8.86	1	3
CCAFRICA	1	1	2.00	0	0
CCASIA	10	6	5.33	3	1
CCEUR	2	0	0.00	0	2
CCLAC	1	1	4.00	0	0
CCNEA	5	4	4.50	1	0
	245	**178**		**42**	**25**

(e) Speed by different categories of work



In the above chart the following classification of committees was used:

Safety: CCFA, CCCF, CCFA, CCPR, CCRVDF, CCFH,CCMAS, TFFBT, TFAF, TFQFF, CCMH TFAMR
Commodity: CCMMP, CCFFV, CCPFV, CCFFP, CCFO, TFFJ, CCCPC, CCNMW, CCSB
General work: CCGP, CCFL, CCFICS, CCNFSDU
Regional: CCAFRICA, CCASIA, CCEURO, CCLAC, CCNASWP and CCNEA