

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

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ORGANIZATION



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Agenda Item 2

CX/FICS 04/13/2  
November 2004

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME  
CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION  
AND CERTIFICATION SYSTEMS**

*Thirteenth Session*

*Melbourne, Australia, 6 – 10 December 2004*

**MATTERS REFERRED AND/OR OF INTEREST FROM THE CODEX ALIMENTARIUS  
COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES**

**PART 1 27<sup>th</sup> SESSION OF THE CODEX ALIMENTARIUS COMMISSION (Geneva,  
Switzerland, 28 June – 3 July 2004)<sup>1</sup>**

**AMENDMENTS TO THE PROCEDURAL MANUAL<sup>2</sup>**

1. As the quorum specified in Rule V.6 of the Rules of Procedure was not constituted, the Commission was unable to adopt the following proposed amendments and agreed that their consideration should be deferred to its next session.

- Proposed Amendments concerning the enlargement of the Executive Committee, the functions of the Executive Committee and matters related to budget and expenses
- Proposed Amendments to Rules VIII.5 - Observers

2. The Commission adopted the following proposals to amend other sections of the Procedural Manual.

- Amendments to the Procedures for the Elaboration of Codex Standards and Related Texts
- Criteria for the Appointment of Chairpersons
- Guidelines to Host Governments of Codex Committees and *ad hoc* Intergovernmental Task Forces
- Guidelines on the Conduct of Meetings of Codex Committees and *ad hoc* Intergovernmental Task Forces
- Guidelines to Chairpersons of Codex Committees and *ad hoc* Intergovernmental Task Forces
- Matters related to Methods of Analysis and Sampling
- General Criteria for the Selection of Single Laboratory Validated Methods of Analysis Principle
- Amendments to the Analytical terminology for Codex Use

<sup>1</sup> Full report of the 27<sup>th</sup> Session of the Commission is available from: <http://www.codexalimentarius.net>

<sup>2</sup> ALINORM 04/27/41, paras 9-20

- Definitions of Risk Analysis Terms related to Food Safety (see below), on an interim basis, for inclusion in the Procedural Manual with the understanding that the Committee on General Principles would reconsider these definitions if required in the light of the advice of the Committee on Pesticide Residues, the Committee on Food Additives and Contaminants, the Committee on Residues of Veterinary Drugs in Foods, the Committee on Meat Hygiene, and the Committee on Food Import and Export Inspection and Certification Systems.

The Committee **is invited to consider the definitions of Risk Analysis Terms related to Food Safety and provide advice**, as required.

**Food Safety Objective (FSO):** *The maximum frequency and/or concentration of a hazard in a food at the time of consumption that provides or contributes to the appropriate level of protection (ALOP).*

**Performance Objective (PO):** *The maximum frequency and/or concentration of a hazard in a food at a specified step in the food chain before the time of consumption that provides or contributes to an FSO or ALOP, as applicable.*

**Performance Criterion (PC):** *The effect in frequency and/or concentration of a hazard in a food that must be achieved by the application of one or more control measures to provide or contribute to a PO or an FSO.*

- Definition of Traceability/Product Tracing. The Commission adopted the definition as proposed by the Committee on General Principles (see below) and **requested the CCFICS** to present a proposal for new work on principles for the application of traceability/product tracing as a matter of priority. The Delegations of Mexico, Argentina, Chile and India maintained the view that the application of the definition should be deferred until the principles under development had been finalized.

**Traceability/Product tracing:** *the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.*

3. The adopted amendments will be included in the 14<sup>th</sup> Edition of the Procedural Manual.

### STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION<sup>3</sup>

4. The Commission endorsed the decision of the 53<sup>rd</sup> Session of the Executive Committee to discontinue the elaboration of the Medium-Term Plan, with the understanding that its elements would be used as a basis for a list of programmes/activities to be incorporated into the new Strategic Plan 2008-2013. In the absence of a Medium-Term Plan, the Commission agreed that the Executive Committee would exercise its critical review functions, closely coordinate work between different Codex Committees and monitor the progress of standards development in accordance with the current Strategic Framework and the *Criteria for the Establishment of Work Priorities*.

5. The Commission agreed to initiate the preparation of a new Strategic Plan for the period 2008-2013, and recommended that:

- The Executive Committee, at its next session, discuss the structure and format for a new Strategic Plan covering a six-year period of 2008-2013 as well as the ways to further proceed with the development of the Strategic Plan;
- The Strategic Plan state strategic objectives and priorities of the Commission and incorporate a list of programme areas/planned activities with a clearly defined timetable for each of the activities;
- After requesting the views of Regional Coordinating Committees, the draft Plan be submitted to the Commission for adoption by 2007; and
- The Strategic Plan, once adopted, be renewed every two years on a rolling basis.

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<sup>3</sup> ALINORM 04/27/41, paras 120-126

**ACTION PLAN FOR CODEX-WIDE DEVELOPMENT AND APPLICATION OF RISK ANALYSIS PRINCIPLES AND GUIDELINES<sup>4</sup>**

6. The Commission noted that several Committees had developed or were in the process of developing guidance on risk analysis in their respective areas, for inclusion in the Procedural Manual. The Commission endorsed the recommendations of the 53<sup>rd</sup> Session of the Executive Committee and decided to:

- a) request each relevant Codex Committee, when developing or completing specific guidelines on risk analysis, to review and document the mechanism it uses to identify and prioritise proposals for new work, particularly in the light of needs for and availability of scientific advice;
- b) request the Committee on General Principles, when examining specific guidelines submitted by other Committees, to ensure as much consistency as possible between the guideline texts;
- c) request the Committee on General Principles to continue the revision of the Criteria for the Establishment of Work Priorities, especially from the viewpoint of the need for clear prioritisation of requests for scientific advice; and
- d) monitor the progress of all the work mentioned above and take into account its outcome in the development of the next Strategic Plan.

7. The Commission recalled that the Committee on General Principles was considering the revision of the Criteria for the Establishment of Work Priorities, while the Executive Committee was developing new criteria for the prioritization of requests for scientific advice within Codex.

**REVIEW OF THE MANDATES OF CODEX COMMITTEES AND TASK FORCES<sup>5</sup>**

8. The Commission adopted the following Terms of Reference of the Review:

- a) With the objective of reducing the number of Codex meetings while also keeping them short and focused, the review should concentrate on:
  - adequacy of the current structure of general subject committees to meet member countries' needs in a flexible and timely manner;
  - adequacy of the current structure of commodity committees to meet member countries' needs in a flexible and timely manner;
  - areas of overlap and areas where coverage of the subject matter is inadequate, taking into consideration the needs that were not covered or new issues that may arise in the future; and
  - relationship between all committees and task forces, particularly the relations between commodity and general subject committees (task forces);
- b) Based on a detailed study of the points above and inputs received from various sources, recommendations should be formulated for consideration by the Commission. These may include proposals for revision of the existing committee mandates with a view to rationalisation, proposals for redistribution of tasks and responsibilities between committees, and proposals to split or merge committees.
- c) The recommendations to the Commission should also take into account the ability of all members of the Commission to participate in the standards development process, including the sustainability of the subsidiary body structures and their work programmes, especially in the light of the holding of annual sessions of the Commission and the operation of the FAO/WHO Trust Fund for Enhanced Participation in Codex.

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<sup>4</sup> ALINORM 04/27/41, paras 124-126

<sup>5</sup> ALINORM 04/27/41 paras 132-136

9. The Commission agreed that the recruitment of a small team of consultants (three or four) would be initiated after the Commission and that the time frame presented in document ALINORM 04/27/10C would be followed in order that recommendations be submitted to the 28<sup>th</sup> Session of the Commission. The Commission agreed that a Circular Letter would be sent to all Codex Members to ask for their views on the review of the mandates of Committees and Task Forces. The review will also include Regional Coordinating Committees.

#### **FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX<sup>6</sup>**

10. The Commission generally supported the use of the Trust Fund for projects other than for travelling to Codex sessions. It was however stressed that participation in training activities on Codex should not be the primary focus of the Trust Fund, but should rather be covered by the Regular Programme and extra-budgetary resources of FAO and WHO as part of their capacity building activities.

11. The Commission requested that the criteria used in the distribution of funds should be kept under review. Further consideration should be given to ensuring adequate regional representation and the effectiveness of the participation of the beneficiary countries in Codex work.

#### **RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS<sup>7</sup>**

12. In accordance with Article 6 of the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission*, the Secretariat reported to the Commission on the cooperation with NGOs, as presented in ALINORM 04/27/10E and LIM 7.

##### ***Relation between Codex and ISO***

13. The Commission recalled that the 53<sup>rd</sup> Session of the Executive Committee had agreed that the Codex Secretariat establish preliminary contact with the International Organization for Standardization (ISO) to obtain information on the current status of food safety work within ISO.

14. The Commission agreed that the Secretariat should maintain its contacts with ISO and report to the Executive Committee and the Commission on ISO activities of relevance to Codex work.

#### **CONSIDERATION OF DRAFT STANDARDS AND RELATED TEXTS**

15. The Commission adopted various standards and other texts elaborated by the Codex Committees and Task Forces. A complete list of these texts and details of their consideration could be found in ALINORM 04/27/41, Appendices III and IV and paras 32-86. The Commission made the following observations on the text submitted by the Committee:

##### ***Proposed Draft Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations<sup>8</sup>***

16. The Commission amended the proposed draft Principles and Guidelines at Step 5/8 as follows: i) in paragraph 10 the term “a large geographical area” was changed to “a given geographical region”; ii) in paragraph 17 (a) “any” was added to “assumptions”; and, iii) in paragraph 22 “whenever possible” was added after “initial notification of the food safety problem including”. With these amendments and some editorial changes to the Spanish version, the Commission adopted the proposed draft General Principles and Guidelines at Steps 5 and 8.

#### **CONSIDERATION ON PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS**

17. The Commission approved the elaboration of new standards and related texts as summarized in ALINORM 04/27/41, Appendix VI and paras 88-102. The Commission approved the elaboration of new work as proposed by the Committee and, in addition, made the following observations:

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<sup>6</sup> ALINORM 04/27/41, paras 188-196

<sup>7</sup> ALINORM 04/41, paras 181-187

<sup>8</sup> ALINORM 04/27/41, para. 47

***Appendices to the Guidelines on the Judgement if Equivalence of Sanitary Measures Associated with Food Inspection and Certification***<sup>9</sup>

18. The Commission agreed that the comments of the 54<sup>th</sup> Session of the Executive Committee (see below) would be taken into account by the Committee in the elaboration of the appendices.

54<sup>th</sup> Session of the Executive Committee (ALINORM 04/27/4, paras 18-19)

The Committee had an exchange of views on the inclusion of "information relating to technical assistance to be provided by importing countries to exporting countries" in the "aspects to be covered" by the Appendices. It was pointed out that matters related to technical assistance were not covered in Codex texts, as they were the responsibility of FAO and WHO. It was however noted that this was an essential issue for developing countries and that other Codex texts on inspection and certification included general references to the need for technical assistance and cooperation between the importing and exporting countries.

The Committee therefore recommended rewording paragraph 3) of the Project Document in order to make it more consistent with other Codex texts in this area and recommended approval as new work.

**PART 2. DISCUSSION ON TRACEABILITY/PRODUCT TRACING IN OTHER CODEX COMMITTEES, TASK FORCES AND COORDINATING COMMITTEES**

**CODEX COMMITTEE ON GENERAL PRINCIPLES (Twentieth Session, Paris, France, 3-7 May 2004)**<sup>10</sup>

19. The Committee held a general discussion on the definition presented in document CX/GP 04/20/6, particularly with regard to its scope and degree of detail. Many delegations emphasized the importance of developing a Codex definition, especially in the light of the work of the Codex Committee on Food Import and Export Inspection and Certification Systems and other Codex Committees and expressed the view that the definition of traceability/product tracing should be more precise and concise and should not cover objectives or principles of specific traceability/product tracing application.

20. Some other delegations were of the view that the definition should be sufficiently broad and include such elements that would facilitate the application of the concept as a management tool and also to ensure fair practices in the food trade. It was suggested that animal feed and food producing animals should be covered by the definition, as traceability/product tracing in some cases could include them. It was also suggested by the Delegation of India that the definition should have the flexibility to exclude primary production. Some delegations, including Chile and Costa Rica, that had not sent written proposals, put forward a proposed definition of traceability/product tracing during the meeting.

21. The Committee agreed to convene an ad hoc drafting group chaired by the Delegation of France in order to proceed with the further elaboration of the definition by accommodating the views of delegations, including the written comments received.

22. On the basis of the work of the drafting group, the Committee agreed on a new definition of traceability/product tracing as follows:

***Traceability / product tracing:*** *the ability to follow the movement of a food through specified stage(s) of production, processing and distribution.*

23. It was understood that the term "ability" should be used, as it would leave possibilities to specify the person(s)/organization(s) having this ability when guidelines for specific applications would be drafted.

24. It was noted that the phrase "to follow the movement of" was appropriate since the use in the body of a definition words having the same root as the word to be defined was unhelpful and might result in a lack of clarity. It was also agreed not to use the verbs trace/track at this point. The phrase agreed upon already implied that the item traced has been properly identified and that the insertion of the verb "identify", as some written comments had suggested, was not needed.

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<sup>9</sup> ALINORM 04/27/41, para. 98

<sup>10</sup> ALINORM 04/27/33A, Paras 85-96

25. It was noted that the inclusion of feed and food producing animals in this Codex general definition might pose difficulties. It was recognized that traceability/product tracing could cover these parts of the food chain, only in so far as, in some situations, there was an impact on the food itself and as guidelines for specific applications would so establish. It was also noted that the Codex definition of “food” only covered products for human consumption and not “feed”; that the Commission had established an *ad hoc* Intergovernmental Task Force on Animal Feeding; and that this Codex general definition might still be able to be used by this Task Force.

26. It was agreed to introduce some flexibility by using the wording “through specified stage(s) of” in order to take into account the specific conditions of the primary production sector in developing countries, recognizing that detailed guidelines for specific applications would have to deal with this issue.

27. The phrase “production, processing and distribution” was also chosen in order to describe succinctly the range of the operation of traceability/product tracing. It was also agreed that the term “production” could be interpreted in such a broad manner as to cover food producing animals, feed, fertilizers, pesticides, veterinary drugs, and any input of plant or animal origin, etc., if relevant for specific applications of traceability/product tracing to food.

28. The Committee expressed its appreciation to the Delegation of France for the achievement made and for its contribution to the consensus building process.

#### **CODEX COMMITTEE ON FOOD LABELLING (Thirty-second Session, Montréal, Canada, 10-14 May 2004)<sup>11</sup>**

29. The Committee noted the information on current work related to traceability/product tracing in other Codex Committees presented in the document. In addition, the Secretariat indicated that the Committee on General Principles (CCGP) had finalized a definition of traceability/product tracing that would be submitted to the Commission for adoption and inclusion in the Procedural Manual.

30. The Delegation of Ireland, speaking on behalf of the member states of the EU present at the session, noted its support for the definition developed by the CCGP and expressed the view that traceability has broad applications that extend beyond health and safety matters.

31. The Delegation of Mexico, supported by several delegations, expressed the view that it was premature to initiate work on traceability/product tracing and food labelling until such time as the work currently underway in the Committee on Food Import and Export Inspection and Certification Systems had been completed. Some delegations also recalled that the current provisions in the General Standard for the Labelling of Prepackaged Foods adequately allowed to identify and trace back products when required.

32. The Observer from Consumers International stressed the importance of traceability not only to ensure food safety but to provide clear and accurate labelling to consumers.

33. The Committee agreed that work on food labelling and traceability/product tracing would be removed from its agenda. The Committee noted it may be required to reconsider this issue as an agenda item after the work of other relevant committees is completed. It was also noted that the Committee would be advised if the Commission or Executive Committee decided that specific work in this area was required.

#### **AD HOC INTERGOVERNMENTAL TASK FORCE ON ANIMAL FEEDING (Fifth Session, Copenhagen, Denmark, 17 - 19 May 2004)<sup>12</sup>**

34. The Task Force in considering paragraph 12 and 13 of the Draft Code on Practice on Good Animal Feeding, agreed to add a footnote to the title of Section 4.3 “Traceability/Product Tracing and Record Keeping of Feed and Feed Ingredients” to indicate that the definition developed by the Codex Committee on General Principles applied to the Code as appropriate.

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<sup>11</sup> ALINORM 04/27/22, paras 117-121

<sup>12</sup> ALINORM 04/27/38, paras 24-27

35. The Task Force also agreed that traceability/product tracing of feed and feed ingredients, including additives, should be enabled by proper record keeping; it deleted the reference to labelling in recognising that labelling was already dealt in Section 4.2 of the Code and that feed is also traded in bulk. In noting the difficulties in certain production systems to trace back and forward throughout the entire feed chain, the Task Force specified the paragraph to read that “the prompt trace-back of feed and feed ingredients should be to the immediate previous source and trace-forward should be to the next subsequent recipients”. The Task Force agreed to the following revised paragraph and footnotes:

*Traceability/product tracing of feed and feed ingredients, including additives, should be enabled by proper record keeping for timely and effective withdrawal or recall of products if known or probable adverse effects on consumer health are identified. Records should be maintained and readily available regarding the production, distribution and use of feed and feed ingredients to facilitate the prompt trace-back of feed and feed ingredients to the immediate previous source and trace-forward to the next subsequent recipients if known or probable adverse effects on consumers health are identified* <sup>(2)</sup>.

<sup>(1)</sup> *As appropriate, the definition of Traceability/Product Tracing developed by the Codex Committee on General Principles (CCGP) applies.*

<sup>(2)</sup> *Development of detailed measures on traceability/product tracing should await the conclusion of discussions on traceability/product tracing in the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS).*

**FAO/WHO COORDINATING COMMITTEE FOR ASIA** (Fourteenth Session Jeju-Do, Republic of Korea, 7-10 September 2004)<sup>13</sup>

36. Noting that the definition of traceability/product tracing had been adopted by the 27<sup>th</sup> Session of the Commission, the Delegation of India, supported by several other delegations, stated that mechanisms and procedures already existed at the national and international levels for facilitating the recall of unsafe foods and that the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS), if it was to decide to proceed with the elaboration of principles for the application of traceability/product tracing, should consider the implementation of traceability/product tracing only on a case-by-case basis after taking into account all the following criteria:

- The nature and extent of risk has to be determined on the basis of specific risk assessment and only after this assessment should a product be considered for traceability;
- It should be demonstrated that traceability was an effective management option for the identified risk and that there was no other more cost effective alternative to manage that risk;
- The extent of application of traceability in the food chain should be clearly listed out on the basis of the risk assessment, practical applicability and the cost effectiveness;
- The cost/benefit analysis should be worked out in advance before traceability is considered for a particular product; and
- There should be a clear demonstration of the fact that traceability tracing will not be used as a technical barrier to trade.

37. The Delegation of India also stated that traceability/product tracing should apply only to processed foods and that primary products and processes should be excluded. Some other delegations expressed the view that it was premature, at this stage, to recommend precluding primary products from the areas where traceability/ product tracing could be applied. These delegations stated that experiences in emergency situations such as those related to bovine spongiform encephalitis (BSE) had shown that there were cases where traceability/product tracing needed to be applied starting at the primary production level. The Observer from IACFO stated that traceability/product tracing could also be used for the purpose of consumer information.

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<sup>13</sup> ALINORM 05/28/15, paras 5-6

**FAO/WHO COORDINATING COMMITTEE FOR EUROPE** (Twenty-fourth Session, Bratislava, Slovak Republic, 20-23 September 2004)<sup>14</sup>

38. The Delegation of the Netherlands, speaking on behalf of the Member States of the European Union present at the Session, and referring to the EC common position in CRD 3, expressed the view that traceability/product tracing was a tool that might be applied within a broader food inspection and certification system for different purposes and that the scope of traceability/product tracing measures should be considered and justified on a case-by-case basis. The Delegation stated that, while drawing up principles for traceability/product tracing the Committee on Food Import and Export Inspection and Certification Systems should take into account the work of the ISO Working Group TC 34.

39. It was also recalled that the position of the CCEURO at its last session was “traceability/product tracing could be used for the purposes of food safety or as another legitimate objective, for example to ensure the authenticity of the product. Both aspects were equally important and should be addressed in the framework of Codex, while ensuring coordination with other international organizations in this area, especially ISO” (ALINORM 04/19, para. 31). This position was supported by the Delegations of Norway and Switzerland. The Committee agreed that Circular Letter CL 2004/6-FICS did not correctly reflect the position of the CCEURO.

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<sup>14</sup> ALINORM 05/28/19, paras 26-27