

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 8

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN

12th Session

Santo Domingo, Dominican Republic, 13 – 16 February 2001

CONSUMERS' PARTICIPATION IN CODEX WORK AND RELATED MATTERS

BOLIVIA

*** Review and promote the issue of national legislation that will ensure that consumer associations are represented in the various Codex Alimentarius bodies and will guarantee the full involvement of consumer organizations in the activities and work of Codex.

*** Consumer participation in Codex Alimentarius should abide by criteria of total independence of organizations represented, which should have no ties to commercial, profit, corporate, political/partisan, confessional or other aims or interests, so as to avoid duality of representation and poor transparency.

*** Consumer organizations participating in the work of Codex Alimentarius should be legally established and recognized by its Member States, and should possess current and approved juridical status, statutes and regulations.

*** Consumer organizations should be represented in national delegations attending regional and international meetings to ensure transparency, accountability and effectiveness, and to defend the interests of the people they represent.

*** Consumer organizations urge the Governments and States of the Region to provide support and resources to consumer protection institutions so that these may participate actively in the Codex Alimentarius.

*** The Secretariat of the Codex Alimentarius is requested to provide consumer organizations with appropriate and timely access to Codex technical documents and programmes of activities.

*** FAO, WHO and national governments should collaborate with national and international consumer organizations to enhance the contents and provisions of Codex Standards which, in the interest of consumers, should not be based exclusively on scientific and technical criteria, but should also take into account social factors and realities of each country to ensure that they are genuinely useful to the community.

*** Consumer organizations should participate in national, subregional and international workshops and seminars on Codex-related topics organized by FAO, WHO and national governments.

PARAGUAY

Law N° 1334 of March 1998 "Protection of the Consumer and User" specifies that the Ministry of Industry and Trade shall be responsible for its application at national level and the Municipalities at local level, with both able to act concurrently. This law is partially regulated by Executive Branch Decree N° 2533 of 16 April 1999 which sets out the administrative procedure for the substantiation of summary processes on matters of consumer protection.

Paraguay has the General Directorate of Consumer Protection, under the Ministry of Industry and Trade (MIT), and another in the Municipality of the Capital, charged with registering public complaints, which are then examined by relevant technical officers.

This is to explain the functional structure of the bodies receiving consumer complaints. As regards the participation of consumers in the National Codex Committee itself, contact has been made with consumer NGOs, without these being as yet members of the Technical Working Sub-Committees and/or having participated actively in their work.

URUGUAY

Uruguay adopted Law 17.250, entitled "Law on Consumer Relations", on 11 August 2000. Although there already existed laws whose content, nature or purpose defended the consumer, this law regulates consumer relations (i.e. relations between consumers and suppliers).

One of the basic rights stipulated in this law is that of association in organizations whose specific purpose is to protect and represent the consumer. Article 42/E states that one of the duties of the Department of Consumer Protection is to encourage the formation of consumer associations and that it should keep a register of such associations, which need to be civil in status.

Decree 244/000 of 23 August 2000, regulating the Law on Consumer Relations, specifies in Article 10 the documentation that a consumer association needs to provide to be registered:

- Certified copy of its approved and registered statutes;
- Certificate of existence of the association;
- Notary's certificate sanctioning the composition of its executive body and number of members;
- Certified copy of the minute book and statement of assets and income, prepared according to generally accepted accounting practices.

Two consumer associations have so far been formed, one having completed its registration and the other in the process of doing so. Uruguay is therefore at the initial stages; it has precise regulations in this area enabling any NGOs meeting the set requirements to participate.