



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON RESIDUES OF VETERINARY DRUGS IN FOODS**

Twenty-second Session

San José, Costa Rica, 27 April – 1 May 2015

**DISCUSSION PAPER REGARDING THE ISSUES AND CONCERNS THAT IMPACT THE ABILITY OF THE
CCRVDF TO EFFICIENTLY PERFORM ITS WORK**

(prepared by the Chairperson of CCRVDF)

INTRODUCTION

1. As the chair of CCRVDF, I am writing this discussion paper for consideration by the CCRVDF. My hope is to cause a conversation, and to allow members of the Committee to reflect on how CCRVDF work better together to protect public health. In the recent past, we have had challenges in developing and progressing certain standards toward adoption. For example, the experience in adopting the MRLs for ractopamine at the Commission was extraordinarily discordant. These challenges have strained our ability to work effectively as a committee. This impact has a direct and serious impact on the future ability of CCRVDF to be able to address equally controversial matters.

2. A number of factors have caused these challenges and in many cases, ignited strained relationships, emotional reactions, a loss of trust of others, and suspicions of hidden agendas, all of which have made it more difficult to work effectively as a committee. We will continue to face controversial issues. The passion we bring to this committee for the safety of our food assures that there will be strong opinions and sometimes disagreements. In addition, the nature of the work that we do per our terms of reference carries with it an array of political controversies. Some of these political issues are rooted in societal values with regard to animal agriculture, animal welfare, and acceptance of any residues in food to name a few. These perspectives and their political manifestations influence our thinking and our delegations' positions.

3. I believe there is great hope that we can transcend these challenges. The reason I have such optimism is the amazing talent, competency and expertise among the members of CCRVDF. Over the years, I have seen the people in this committee face challenges and find pathways forward through very diverse and contradicting points of view.

4. While such a paper may be viewed by some as an unusual step by the Chair or this committee, I believe that by articulating our principles and values, discussing the factors that confound our ability to make progress, and setting a pathway forward, we can be a stronger more effective committee; one that is up to the task of meeting the challenges set before us.

5. Through this paper, I am posing a number of questions to guide the conversation to articulate our views, define parameters and reach a consensus toward how CCRVDF can be more effective. I would like for us to take a view of the future, a look forward, to where we want to be as a committee and how we choose to work together. So, I invite your engagement in this very necessary conversation.

WHAT ARE THE PRINCIPLES WE ASCRIBE TO IN OUR WORK?

What does success look like for CCRVDF?

When are we as a committee at our best?

6. CCRVDF is at its best when it is operating in an environment of high trust, minimal politics, good science, open dialog and communication and a willingness to strive for consensus. This does not mean that we are all in agreement on issues. In fact, we may have very different perspectives on issues. We thrive when we openly discuss the scientific merit of the food safety standards and strive to propose risk management recommendations that are useful, practical and easily applicable by the Codex membership .

WHAT ARE OUR FUNDAMENTAL SHARED VALUES?

7. As a starting point in our conversation, what are the values that we share that underpins our approaches to our work in Codex? I have suggested three possibilities below.
- i. People have a fundamental right to safe, affordable, and abundant food.
 - ii. People have a right to choose whether they do or do not desire a food, including a food that contains the residues of a veterinary drug.
 - iii. No country or group of countries has the right to impose its will on another group of countries whether it means forcing a country to accept food they do not desire or preventing a country from having access to a food that they do desire.

WHAT IS OUR RESPONSIBILITY AS MEMBERS OF CODEX TO THE WORLD?**Who are we protecting?****What are we facilitating?**

8. The purpose of Codex is to establish international food safety standards. These standards enable all countries to determine the levels of drugs, chemicals and contaminants that can be present in food and be considered safe for human consumption. For developing countries without the means to establish their own independent standards, Codex standards are important to ensure safe food for their people.

WHAT GETS IN THE WAY OF OUR EFFECTIVENESS?

9. I have listed some of the Chair's observations of things that get in the way of our effectiveness. This is not an exhaustive list and as such, I am seeking your input on what other items should be included in this section.
- i. One impediment is not in the Codex process and procedures but instead, how the Codex standards are used after they are established. When they are used to impose one group's will upon another, whether it is trade issues or societal values, it adversely affects our effectiveness as a committee. These uses or misuses of Codex adopted standards cause dedicated people to have to employ tactics within the Codex process to position, block advancement or modify proposed standards with a goal to optimize or minimize the impact of the adopted standards for their own country.
 - ii. The WTO recognition of Codex standards (http://www.wto.org/english/thewto_e/coher_e/wto_codex_e.htm). This recognition has created an inadvertent impact on the Codex process. As a result of this recognition, the implications of a trade concern for member delegations can supersede the priority of establishing food safety standards. When this occurs, the basis of the disagreements and ensuing controversy are the result of efforts of delegations taking positions with an eye on the potential for future trade issues and disputes rather than the merits of food safety standard itself.
 - iii. Some countries' delegations come to the committee meetings with set positions and the delegates do not have permission from their home government for flexibility around those positions. This restrictive approach precludes dialog and discussions where delegations can work together to meet the needs and interests of a broader group of countries and in some cases, develop a solution to an issue that is better than was originally proposed. Those countries who allow their delegates to operate within a [set of parameters] [reasonable boundary of options] with regard to their interests and needs often are the problem solvers and leaders in the committee's work.
 - iv. Political agendas introducing issues that are outside the charge for this committee or Codex. change the formula for decision making by introducing questions into the decision-making process that have no impact on safety or the Codex charge. In fact, the controversy and debate around these points can become so elevated that the original decision around safety is subordinated to these other factors. Occasionally, as other political agendas are introduced into the Codex process and the subsequent polarization of values and views ensues, the standard no longer represents the science supporting food safety. Instead, the proposed standards are established or not established based on the leveraged advantage of a particular group on the day of the decision. While we should be open to discuss these other issues, the committee's work is hampered when the food standard becomes altered or not progressed as a result of surrounding political issues.

HOW DO WE ALIGN OUR PRIORITIES EARLY IN THE PROCESS?

10. In this section, I am looking for opportunities to achieve alignment on how we will approach our work. Recently, we took a step in this direction by including the use of the Concern Form in our process. Used appropriately, this form will help us to identify issues of concerns, have them put on the agenda for discussion and through that discussion, hopefully align our thinking on how we will approach the issue of concern. We want to look for other opportunities to do this as well, including possible further updates of our working process. This might include enhanced discussions when we are considering compounds for the priority list, discussions that should occur at Step 3 to raise specific questions for consideration by member countries, or whether we have all of the information that we need to be able to make a decision on a food standard. For guidelines, this might include early discussions achieving clarity on the scope, purpose and intended outcome for these documents.

WHAT ARE SOLUTIONS?

11. In this section, I am seeking input based on your thoughtful consideration of the discussion above regarding what needs to change.

What are changes that are within our area of control or influence?**What are changes that are outside of our purview as a committee and may need to be raised to other groups or organizations?****WHAT CAN WE AGREE TO?**

12. I hope to fill this section in based on the conversation we have on this discussion paper at the next session of the committee.