

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

CX/AF 04/5/2
April 2004

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

AD-HOC INTERGOVERNMENTAL CODEX TASK FORCE ON ANIMAL FEEDING

Fifth Session

Copenhagen, Denmark, 17 – 19 May 2004

MATTERS REFERRED AND/OR OF INTEREST TO THE TASK FORCE ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

1. GENERAL DECISIONS OF THE 26th SESSION OF THE CODEX ALIMENTARIUS COMMISSION (30 June – 6 July 2003)

1.1 AMENDMENTS TO THE PROCEDURAL MANUAL¹

Clarification of Rule VI.4 (Voting and Procedures)

1. The Commission amended Rule VI.4 on Voting and Procedures to include a reference to Rule X.2 related to the adoption or amendments of Codex standards by consensus.

Membership of Regional Economic Integration Organizations

2. The Commission amended the Rules on Membership to allow regional economic integration organizations to exercise rights of membership within the Codex Alimentarius Commission and its subsidiary bodies under specific conditions.

Measures to Facilitate Consensus

3. The Commission adopted the *Measures to Facilitate Consensus* for inclusion in the Procedural Manual as a general decision of the Commission.

Principles for the Establishment of Methods of Analysis

4. The Commission adopted the amendment to the *General Criteria for the Selection of Methods of Analysis using the Criteria Approach* and the new section addressing *Working Instructions for the Implementation of the Criteria Approach in Codex*.

1.2 RISK ANALYSIS²

5. The Commission adopted the *Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius* and the definitions related to risk analysis.

¹ ALINORM 03/41, paras. 15-31 and Appendices II and III.

² ALINORM 03/41, paras. 146-147 and Appendix IV and Procedural Manual, 13th Edition

1.3 JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS

6. The Commission took several decisions concerning the implementation of the recommendations of the Evaluation, enacting some immediately and requesting the Codex Committee on General Principles to draft the amendments to the Procedural Manual required implementing others. Some selected decisions are summarized below. Further details on this matter can be found in the report of the 26th Session of the Codex Alimentarius Commission.³

General Aspects

Annual meetings of the Commission

7. The Commission agreed to meet annually for the next two years, but that in future each session would consider the timing for the following session and the general nature of the agenda in order to achieve the appropriate balance between standards issues, general direction of work and policy matters, and taking into account the resources available for adequate participation.

Implementation of the Evaluation

8. The Commission decided that the responsibility for following up and monitoring progress in the implementation of the recommendations from the Evaluation Report would be entrusted to the Executive Committee. Twice-yearly sessions of the Committee would be scheduled in order to absorb the additional workload.

Priorities for implementation

9. The Commission decided that the priorities should be:

- (a) Processes for standards management, with due regard to the special needs of developing countries.
- (b) Functions and composition of the Executive Committee, including the participation of observers in the Executive Committee and Executive Committee procedures.
- (c) Review of the Committee structures and mandates (including Regional Committees).
- (d) Review of Rules and Procedures including guidelines for Codex Committees.

10. The Commission concluded that all four priorities were of equal importance, and that the ranking was made on the grounds of speed of potential progress.

Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces, including Regional Committees

11. The Commission decided that all the Committees and Task Forces would be reviewed together bearing in mind the objective of reducing the number of meetings while also keeping them short and focused. The Commission endorsed the recommendation made by the Executive Committee concerning the selection of consultants that would be entrusted with the review,⁴ and stressed the critical importance of transparency in the process.

Improved Processes for Standards Management

Critical review of proposals to undertake work and monitoring progress of standards development

12. The Commission decided to endorse the critical review process, including the preparation of project documents for major standards as well as the closely related proposal to revise the Criteria for the Establishment of Work Priorities in order to ensure the relevance of Codex standards at the international level.

³ ALINORM 03/41, paras. 149-183.

⁴ ALINORM 03/4, para. 23.

Standards management responsibility

13. The Commission decided that the Executive Committee be the body to undertake the critical review of new work. The Commission did not favour the replacement of the Executive Committee with an Executive Board.

Time-bound decision-making

14. The Commission decided that the body responsible for standards management (i.e. the Executive Committee) should review the status of development of draft standards at the end of a specified time-frame, normally not more than five years, and report its findings to the Commission. The time-frame could be less than five years, where this was appropriate or had been established during the critical review process for new work.

Simplified procedures for standards development

15. The Commission decided to retain the 8-Step process, with the existing mechanisms to accelerate the process when necessary.

Use of facilitators and establishment of electronic and/or physical working groups

16. The Commission agreed in principle to all three proposals but decided that the modalities would require clarification by the body responsible for reviewing the Procedural Manual. With respect to electronic working groups, the Commission noted that these were an avenue for exchanging views and not for decision making. Physical working groups should be ad hoc, open to all members, take account the problems of developing country participation and only be established where there is consensus in the Committee to do so and other strategies have been considered.

Adoption of Standards

17. The Commission decided that adoption of standards with a limited amendment should be allowed, provided that the draft standard had been forwarded to the Commission on the basis of consensus, based on the recommendation of the Executive Committee.

Review of the Rules of Procedure and Other Procedural Matters***Responsibility for the Procedural Review***

18. The Commission decided that the procedural review would be undertaken by the Codex Committee on General Principles, at special sessions and under a limited time-frame. The Commission agreed that the Committee would need clear instructions, terms of reference from the Commission and support from the Codex Secretariat.

Amendment of the Codex Mandate

19. The Commission decided that the current Codex Mandate as expressed in Article 1 of the Statutes of the Commission should be retained but that it might be discussed in the future.

Criteria for the establishment of work priorities

20. The Commission requested the Codex Committee on General Principles to redraft the *Criteria for Work Priorities* to reflect the current priorities of the Commission and in a manner that would provide explicit judgment tools for assessing work proposals against priorities.

1.4 FAO/WHO TRUST FUND FOR PARTICIPATION OF DEVELOPING COUNTRIES IN CODEX STANDARD SETTING PROCEDURES

21. The Commission welcomed the progress made on the FAO/WHO Trust Fund for Participation of Developing Countries in Codex Standard Setting Procedures and expressed the hope that it would achieve the desirable threshold before the end of 2003, so that it would be operational by the time of the next Session of the Commission.⁵

2. DECISIONS OF THE 26th SESSION OF THE CODEX ALIMENTARIUS COMMISSION CONCERNING THE WORK OF THE TASK FORCE

22. The Commission **adopted** the proposed draft Code on Good Animal Feeding at Step 5 and advanced the text to Step 8 (with the omission of Steps 6 and 7), with the exception of the definition of “feed additive” and paragraphs 11, 12 and 13 that were advanced to Step 6 only for further consideration by an additional session of the *ad hoc* Task Force on Animal Feeding. The Commission agreed that the Task Force would not consider any other issues. The text that had been advanced to Step 8 **was held** at that Step by the Commission pending finalization of the outstanding issues.⁶

3. UPDATE OF THE DISCUSSIONS CONCERNING TRACEABILITY/PRODUCT TRACING

Codex Committee on General Principles

23. The eighteenth Session of the Committee (April 2003) considered a document on Traceability/Product tracing, prepared by the Codex Secretariat, which contained several options to take in pursuit of this matter. The Committee concluded that there was sufficient support only to proceed with the development of a definition of “traceability/product tracing” for Codex purposes and agreed to establish an open-ended electronic working group under the delegation of France to develop a draft for the consideration of the next regular Session of the Committee (May 2004).

24. In view of the divergence of opinions on the other options contained in the Secretariat’s paper, the Committee was unable to arrive to a consensus opinion, but agreed to keep the matter under review in the light of the ongoing work in the Codex Committee on Food Import and Export Inspection and Certification Systems.⁷

Ad hoc Intergovernmental Codex Task Force on Food Derived from Biotechnology

25. The fourth Session of the Task Force (March 2003) conducted an open discussion on traceability. The main elements of the discussion included: consideration of traceability had started in this Task Force and there was consensus to continue further discussion in the framework of Codex; traceability or product tracing was an important element to ensure food safety throughout the food chain; it could address the request of consumers for transparency and improved information; and its implications for developing countries should be further considered, especially to ensure fair trade.⁸

Codex Committee on Food Labelling

26. The thirty-first Session of the Committee (April 2003) continued the discussion initiated at its previous Session on whether or not and if so how the Committee would proceed with work on traceability, based on a background document prepared by Canada presenting current discussions in various Codex Committees. It agreed to continue the discussion on traceability/product tracing at the next Session (May 2004) taking into account the progress made by other Committees.⁹

⁵ ALINORM 03/41, para. 189.

⁶ ALINORM 03/41, para. 41 and Appendix VI.

⁷ ALINORM 03/33A, paras. 85-98

⁸ ALINORM 03/34A, paras. 64-80

⁹ ALINORM 03/22A, paras. 120-125

Codex Committee on Food Import and Export Inspection and Certification Systems

27. The twelfth Session of the Committee (December 2003) agreed to continue its discussion on traceability/product tracing in the context of food inspection and certification systems at its next meeting. It was agreed that the Australian Secretariat would prepare a document containing a preliminary set of “principles on traceability/product tracing”, based on the discussion that has occurred over the past two years in the Regional Coordinating Committees, and this document will be circulated for comment through a Circular Letter to all Member countries and international organizations with observer status in Codex. Furthermore, the Committee agreed that the Australian Secretariat would prepare a discussion paper, based on the above document, together with the comments received, the outputs and recommendations from seminars and workshops (as appropriate), discussions in the Codex Committee on General Principles and other relevant Codex Committees and Regional Coordinating Committees, and other relevant documents, for circulation and discussion at its next meeting.¹⁰

¹⁰ ALINORM 04/27/30, paras 72 and 74.