

CODEX ALIMENTARIUS COMMISSION

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Food and Agriculture
Organization of the
United Nations



World Health
Organization

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REP16/EXEC

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

39th Session

Rome, Italy, 27 June-1 July 2016

REPORT OF THE SEVENTY-FIRST SESSION OF THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

FAO Headquarters, Rome, Italy, 20-23 June 2016

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INTRODUCTION

1. The Seventy-first Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC) was held at FAO Headquarters, Rome, from 20 to 23 June 2016. The Session was chaired by Mrs Awilo Ochieng Pernet (Switzerland), Chairperson of the Codex Alimentarius Commission, with the assistance of the three Vice-chairpersons, Dr Guilherme Antonio Costa Jr. (Brazil), Dr Yayoi Tsuchiyama (Japan) and Mr Mahamadou Sako (Mali). A complete list of participants is attached as Appendix I to this report.

OPENING

2. The Session was opened by Dr Renata Clarke, Head, Food Safety and Quality Unit, Agriculture and Consumer Protection Department, FAO. She highlighted the key role of CCEXEC in providing strategic guidance to ensure that the Codex system maintains its leadership in a highly dynamic global context. She noted that a number of important tasks faced the Committee including guidance to the Commission on: the role of Codex in addressing the complex matter of Anti-Microbial Resistance (AMR); progressing with the internal Secretariat-led review of the Codex work management; moving towards solutions for a sustainable Scientific Advice Programme. Dr Clarke noted that the Committee was also being asked to consider a new issue concerning the importance of the Codex system taking full consideration of relevant FAO and WHO policies in their deliberations.
3. Dr Kazuaki Miyagishima, Director, Department of Food Safety and Zoonoses, WHO, welcomed the members of the Committee on behalf of the Director General of WHO. He reiterated the important role the Committee was playing to better manage and guide the work of the Commission. He noted that the CCEXEC added value by analysing complex issues, examining advantages and disadvantages of different scenarios, and by generating options for solutions, rather than by duplicating or holding pre-emptive discussions ahead of the Commission.
4. The Chairperson in her opening remarks underlined the importance of scientific advice to Codex as the Joint FAO/WHO Expert Committee on Food Additives (JECFA) celebrated its 60th anniversary. She emphasised the importance of the critical review function provided by the CCEXEC in its deliberations and stressed the importance of awareness raising to increase the visibility of Codex.
5. The Secretary presented the roles, rules and function of CCEXEC as described in the Procedural Manual.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

6. CCEXEC adopted the Provisional Agenda as the agenda for the Session and agreed to consider under Agenda Item 2:
 - Emerging Issues: A proposed risk management approach to address detection in food of chemicals of very low public health concern (Proposal from New Zealand).

CRITICAL REVIEW (DRAFT STANDARDS AND RELATED TEXTS FOR ADOPTION; MONITORING OF STANDARDS DEVELOPMENT; AND PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS) (Agenda Item 2)²

7. CCEXEC considered the documents that had been submitted for Critical Review by the eleven Committees that had met since CCEXEC70, the three committees working by correspondence and the revised proposal for new work submitted by Botswana and Kenya.
8. CCEXEC noted that:
 - (i) Texts submitted to the Commission for final adoption and for adoption at Step 5 had duly followed the development process;
 - (ii) Overall the work of the committees was progressing according to their respective schedules;
 - (iii) All items proposed as new work had met the criteria of the critical review.
9. Therefore, CCEXEC recommended the Commission to:
 - (i) Consider for adoption all the texts as proposed and endorsed by the relevant committees, with the exception of those listed below for which CCEXEC made specific comments and recommendations;

¹ [CX/EXEC 16/71/1](#)

² [CX/EXEC 16/71/2](#); [CX/EXEC 16/71/2 Add.1](#); [CRD08](#); [CRD09](#) (Additional Comments from CCFFP Chairperson); [CRD10](#) (Comments from CCCF Chairperson)

- (ii) Note that the work of the committees was progressing according to their respective schedules, with the exception of those listed below for which it made specific comments and recommendations;
- (iii) Consider for approval all items proposed as new work, with the exception of those listed below, for which it made specific comments and recommendations.

CCFFV - Standard for Aubergines³

10. CCEXEC noted that CCFL43, when endorsing the labelling provisions of the Standard for Aubergines, had recommended to amend sections 6.1.1 and 6.2.2 to read "Name of Produce" as opposed to "Nature of Produce" which is the term currently used in all Codex standards from CCFFV. The proposed amendment by CCFL would make the food labelling provisions of the Standard for Aubergines inconsistent with all other CCFFV standards. The Secretariat therefore suggested that the proposed change be taken into account by CCFFV in the work on the FFV standard layout so that it could apply horizontally to all standards for fresh fruits and vegetables.
11. With regard to the views expressed by two members that it was premature to adopt the proposed draft standard at Step 5/8 due to the unsolved technical issues, CCEXEC noted that technical issues were not part of the critical review and would be considered by the Commission when discussing the standard.

Conclusion

12. CCEXEC:
 - (i) Noted that the standard development process had been duly followed for the proposed draft standard for aubergines and supported consideration for adoption at Step 5/8 of the standard without the changes proposed by CCFL43;
 - (ii) Recommended CCFFV to consider CCFL43 recommendation to amend section 6.1.1 and 6.2.2 to read "Name of Produce" in the context of its work on the Layout for Codex standards for fresh fruits and vegetables.

CCFFP - Guidance for histamine control in the *Code of Practice for Fish and Fishery Products* (CAC/RCP 52-2003) and sampling plans for histamine in standards for fish and fishery products⁴

13. CCEXEC noted that CCFFP had agreed to continue working by correspondence on guidance for histamine control and sampling plans as the amount of outstanding work did not warrant a physical session of CCFFP. CCEXEC further noted the recommendation of the CCFFP Chair (CRD9) that work on histamine be undertaken by CCFH as this "would facilitate progress on the remaining issue by normal working procedures and priorities".
14. With regard to assigning the work to CCFH, the Secretariat noted that CCFH had a procedure to manage its work (forward plan). Currently CCFH did not have a heavy workload (work on all items in the Step procedure had been completed and only two proposals for new work had been submitted for approval), and CCFH had endorsed levels of histamine in standards for fish and fishery products in the past.

Conclusion

15. CCEXEC:
 - (i) Recognising that the criteria for the critical review had been met, supported the approval of new work for histamine to be undertaken by CCFH; and
 - (ii) Recommended that once approved by CAC, CCFH should:
 - a. start work immediately, i.e. that it be included on the agenda of CCFH48; and
 - b. consider the timeline for completion of work in light of its forward workplan.

CCNFSDU - Amendments to the Annex of CAC/GL 2-1985: definition for Recognised Authoritative Scientific Bodies (RASB)⁵

16. The Secretariat noted that the proposed definition was inconsistent with section 3.1.2 of the Annex: General Principles for Establishing Nutrient Reference Values for the General Population to the *Guidelines for Nutrition Labelling* (CAC/GL 2-1985), which makes a distinction between FAO and WHO and other RASB and that, therefore some editorial changes were needed.

³ [REP 16/FFV](#), para. 51, Appendix III

⁴ [REP 16/FFP](#), paras 72 and 80, Annex II of CX/CAC 16/39/7

⁵ [REP 16/NFSDU](#), para. 50a, Appendix II Part II

Conclusion

17. CCEXEC agreed to propose an editorial amendment to the definition to make it consistent with section 3.1.2 of the Annex of the *Guidelines for Nutrition Labelling* (CAC/GL 2-1985) as follows:

“Other than FAO and/or WHO (FAO/WHO), recognized authoritative scientific body (RASB) as used in these Principles refers to ~~FAO and/or WHO (FAO/WHO), or~~ an organization supported by a competent national and/or regional authority(ies) that provides independent, transparent*, scientific and authoritative advice on daily intake reference values through primary evaluation** of the scientific evidence upon request and for which such advice is recognized through its use in the development of policies in one or more countries.”

CCNFSDU - Amendments to Section 10 (Methods of analysis) of the *Standard for infant formula and formulas for special medical purposes* (CODEX STAN 72-1981)⁶

18. CCEXEC noted that CCMAS had endorsed the methods of analysis for the provisions for Vitamin A palmitate (retinyl palmitate), Vitamin A acetate (retinyl acetate); total nucleotides; and pantothenic acid (REP16/MAS, Appendix II, Part 1). CCMAS had also endorsed other methods with questions or requests for clarification from CCNFSDU and had not endorsed some other methods.
19. CCEXEC noted that only the three methods of analysis endorsed by CCMAS without questions were submitted for adoption by CAC38.
20. CCEXEC noted the concerns expressed by one member on the typing of some of the methods, and the inclusion of extremely costly methods that could present difficulties to developing countries, in particular.

Conclusion

21. CCEXEC, noting that the standard development process had been duly followed, recommended the consideration of adoption by the Commission of three methods of analysis as presented in REP16/MAS, Appendix II, Part 1.

CCNFSDU - NRV-R for Vitamin D and the dietary equivalents and conversion factors for Vitamin E⁷

22. On the proposal to have both the conversion factors and NRV-R for Vitamin E finalised and adopted at the same time, the Secretariat clarified that the result of the CCNFSDU discussion on the conversion factor for the NRV for vitamin E would not affect the NRV itself.

CCNFSDU - NRV-NCD for EPA and DHA long chain omega-3 fatty acids⁸

23. CCEXEC noted that this work would not be completed on schedule (2016).

Conclusion

24. CCEXEC agreed to request CCNFSDU to review the target year for the completion of work.

CCCF - Proposed draft maximum levels for lead (*General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF))⁹

25. CCEXEC noted work on the revision of the remaining maximum levels for lead in the GSCTFF was behind schedule (target year 2015).

Conclusion

26. CCEXEC agreed to request CCCF to prepare a workplan with a realistic deadline for the completion of work.

CCCF - Proposed draft maximum level for total aflatoxins in ready-to-eat peanuts (*General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF))¹⁰

27. CCEXEC noted that CCCF9 had suspended this work and had agreed that India would prepare a proposal for a maximum level based on the outcome of the evaluation of the 83rd JECFA (November 2016) for consideration by CCCF11 (2017).

Conclusion

28. CCEXEC agreed to request CCCF to prepare a workplan with a realistic deadline for the completion of work.

⁶ REP16/NFSDU, para. 96, Appendix V Part II

⁷ REP16/NFSDU para. 52b and Appendix II Part III

⁸ REP16/NFSDU para. 80

⁹ [REP16/CF](#) para. 85

¹⁰ REP16/CF para. 173

CCPR - Classification of Food and Feed

29. CCEXEC noted the work on the revision of the *Classification* had been due for completion for several years.

Conclusion

30. CCEXEC agreed to request CCPR to prepare a workplan with a realistic deadline for the completion of work.

CCFL - Revision of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Organic Aquaculture¹¹

31. CCEXEC discussed the recommendation of CCFL to consider that the work be undertaken by another relevant technical subsidiary body or be discontinued. Noting that the work was behind schedule, CCEXEC considered the following options: to extend the timeline for completion; or to find a different platform for the work; or discontinue work.
32. CCEXEC noted: that CCFL had made every effort to progress work, but the highly technical issues that remained were too complex for CCFL to resolve; that there were varying opinions or interpretations of what entailed organic aquaculture; and that assigning this work to another subsidiary body would not necessarily lead to a resolution of the technical issues.
33. The Secretariat clarified that the issue of organic foods was part of a more complex matter of how to deal with consumer preference claims and that CCFL would be embarking on work on how to deal with such claims.
34. CCEXEC further noted that the original work on organically produced foods had started at a time when there was very little international guidance on the production, processing, labelling and marketing of such foods, but that since then there had been many developments internationally and that consideration should be given to whether such further work was needed in Codex.

Conclusion

35. CCEXEC supported the recommendation to discontinue work on the revision of the *Guidelines for the production, processing, labelling and marketing of organically produced foods: organic aquaculture*.

CCFL – Guidance for the Labelling of Non-Retail Containers¹²**Conclusion**

36. CCEXEC recognising that all the criteria for the critical review had been met, supported the approval of new work and recommended that CCFL keep CCFICS informed of this work noting that there might be aspects of interest to CCFICS.

CCMMP - Standard for Dairy Permeate Powders¹³

37. CCEXEC recognized the major outstanding issues were related to the use of anticaking agents and food additives in general.

Conclusion

38. Noting that the standard development process had been duly followed, CCEXEC supported consideration for adoption by the Commission of the proposed draft Standard at Step 5 and recommended CCMMP to continue work by correspondence.

CCMMP - General Standard for Processed Cheese¹⁴

39. The Secretariat noted that after many years of discussion, no significant progress had been made on the standard and a number of issues remained unresolved, including minimum cheese content, use of certain categories of food additives (e.g. stabilisers and thickeners). These unresolved issues reopened the discussion on the “*amenability of the commodity to standardisation*”.
40. Members not in favour of discontinuing work were of the view that this standard was needed, in particular to provide consumers with clear information on the nature of this product. These members also pointed out that good progress had been made and some consensus reached; and that only a few issues remained to be addressed. These members suggested to extend the timeframe for completion of work to address the outstanding issues.

¹¹ [REP 16/FL](#), paras 26 and 27

¹² [REP 16/FL](#), para. 54, Appendix III

¹³ [CX/CAC 16/39/4 Add.2](#), Annex 1

¹⁴ [CX/CAC 16/39/13 Add.1](#)

41. Members in favour of discontinuing work were of the view that considerable time, effort and resources had already been spent without reaching consensus and that extending the timeframe would not guarantee solving the outstanding issues.

Conclusion

42. CCEXEC noted that the CAC37 decision to approve new work on the development of a general standard for processed cheese had been taken in view of the support and willingness of members to engage in the development of a more general standard; that the work would require members to compromise on core issues; that despite all efforts made to find consensus, a number of outstanding issues remained to be resolved; and that it was unlikely that consensus could be found by extending the target year for completion of work.
43. Therefore, CCEXEC:
- (i) Recommended discontinuation of development of this standard, noting that this was not supported by all regions;
 - (ii) Noted that interested countries might submit a new work proposal, which should in particular elaborate on the amenability of the products (scope of the work) to standardisation and identify the responsible body for the work.

CCS - Standard for Non-centrifuged Dehydrated Sugar Cane Juice¹⁵

44. The Secretariat explained that the timeframe for completion of the work had been extended for three consecutive years. However, there were still unresolved issues including name of product, scope, chemical characteristics, labelling and methods of analysis. The Secretariat noted that Colombia, as host country of CCS, had proposed to convene a physical meeting of CCS to address these issues.
45. CCEXEC noted that holding a physical meeting might not guarantee progress on all the outstanding issues identified in CL 2016/15-CS. Therefore, CCEXEC considered that having an agreement on the scope of the standard and clear support from Codex members to develop a worldwide standard for this product was necessary before taking a decision on either discontinuing the development of the standard or convening a physical meeting of CCS.
46. CCEXEC further noted that: (i) if agreement on the scope could not be reached, consideration should be given to discontinuation of work without further discussion; or (ii) if only a few countries expressed interest in this standard (and such interest was limited to a particular region), the standard could be developed as a regional standard.

Conclusion

47. CCEXEC recommended that the Commission request CCS, working by correspondence, to clarify the scope of the standard only and to provide evidence of the international support for the defined scope. CCS would subsequently report back on the findings to the next session of the Commission in order to determine how to proceed further with this work e.g. discontinuation, finalisation as a worldwide or regional standard.

Regional Standard for Dried Meat (CCAFRICA)¹⁶

Conclusion

48. CCEXEC, recognising that the criteria for the critical review had been met, supported approval of new work on the development of a regional standard for dried meat by CCAFRICA, with the understanding that the work would focus on:
- (i) Dried meat produced and traded in the Africa region only, while products currently traded in the international markets would be excluded;
 - (ii) Quality aspects, while safety aspects (i.e. hygiene, contaminants and pesticide and veterinary drugs residues) would be addressed by reference to existing Codex texts).

¹⁵ CX/CAC 16/39/13 Add.2

¹⁶ [REP 15/EXEC](#), para. 30, Annex 1 of [CX/CAC 16/39/7 Add.1](#)

Emerging Issues: A proposed Risk Management Approach to Address Detection in Food of Chemicals of Very Low Public Health Concern¹⁷

49. The Member for South-West Pacific presented CRD8 noting that many of the chemicals that constitute a very low exposure and very low public health concern were currently not covered by Codex. He indicated that CCCF would be an appropriate starting point for work on this matter.
50. The Representative of FAO commended New Zealand on this proposal and agreed that it was very timely and appropriate for Codex to consider, among others the TTC (threshold of toxicological concern) approach. He further noted that while CCCF was one of the main committees concerned with this over-arching issue, other committees may have some interest in such work including CCPR, CCFA and CCRVDF.
51. He underlined the need to better hone the question and supported the approach of holding an FAO/WHO expert meeting of risk managers and risk assessors for this purpose. The Representative of FAO, however, emphasised their concern with the timelines currently identified in the proposed project document which were not feasible given current resource constraints.
52. The Representative of WHO reiterated the timeliness and importance of the matter. New technologies now allowed for screening for low level presence of chemicals and often there was zero tolerance in place for compounds that did not fall into any of the existing categories of chemicals for which the approaches to assessing and managing risks had been established, though they might not actually constitute appreciable risk. The suggested consultation would bring together risk assessors and risk managers to further analyse what a project proposal could contain. In this sense, CCCF could be the first point of reference.
53. CCEXEC agreed that the matter was relevant to several committees, but mainly to CCCF. It noted that a decision on new work could only be taken after the proposal had been examined by CCCF taking into account its mandate and workload.

Conclusion

54. CCEXEC:
 - (i) Acknowledged the importance of the issue and the need for Codex to address it;
 - (ii) Recommended to forward the document (CRD8) to CCCF for further examination.

Other Issues

55. The Member from North America informed CCEXEC that CCPFV was near to completing its priority work on the revision of the standards for processed foods and vegetables and the host country (United States of America) might propose adjourning the Committee *sine die*, depending on the outcome of CCPFV28 (September 2016).
56. The Representative of WHO observed that the experiences being gained by CCEXEC through the conduct of the critical review were valuable and could usefully inform the future exercise of the critical review by CCEXEC. The Representative suggested that several case studies be made of the failures of the Commission to complete work within the specified time frame and the lessons learnt be documented and made accessible to CCEXEC.

CODEX WORK ON ANTIMICROBIAL RESISTANCE (AMR) (Agenda Item 3)¹⁸

57. The Secretariat introduced CX/EXEC 16/71/3, prepared jointly with FAO and WHO, which based on the analysis of the replies to CL 2015/21-CAC and information from FAO and WHO, included recommendations with regard to: (i) new work on AMR, i.e. revision of the *Code of practice to minimise and contain antimicrobial resistance* (CAC/RCP 61-2005) and development of guidance on integrated surveillance of antimicrobial resistance; (ii) the establishment of a Task Force to carry out this work; (iii) provision of scientific advice on AMR by FAO and WHO in collaboration with OIE; and (iv) the development of a FAO and WHO capacity development programme.

¹⁷ [CRD8](#) (Proposal from New Zealand - Emerging Issues: A proposed Risk Management Approach to Address Detection in Food of Chemicals of Very Low Public Health Concern)

¹⁸ [CX/EXEC 16/71/3](#), [CX/EXEC 16/71/3 Add.1](#) (Comments of Argentina, Brazil, Costa Rica, Canada, Cuba, Dominican Republic, El Salvador, European Union, Ghana, Japan, Kenya, Malaysia, New Zealand, Norway, Republic of Korea, United States of America, Consumers International, International Poultry Council, Health for Animals); [CRD11](#) (Comments of El Salvador, Papua New Guinea and Thailand)

Discussion

58. CCEXEC acknowledged that AMR was a pressing, global issue, high on the political agenda of many countries and reiterated the importance for Codex to take concrete steps in this area.
59. Members stressed the importance that the work: be within the mandate of Codex; be based on sound science and evidence; not overlap with the work of other organisations; be coordinated and consistent with the work of FAO, WHO and OIE; prioritise areas where potential gaps had been identified; engage international expertise; and be carried out in the most efficient manner.
60. The Representative of FAO noted the concerns expressed by some members about risks of duplication and ongoing efforts within a One-Health framework. She assured the Committee that a multi-disciplinary approach was indeed being taken by FAO involving the Food Safety Unit, the Codex Secretariat and a number of relevant disciplines throughout the Organization. Furthermore, she noted that FAO, WHO and OIE were actively coordinating and collaborating on AMR through the well-established tripartite mechanism.
61. The Representative of FAO briefly outlined the areas in which FAO were supporting the global effort to address AMR, complimentary to the efforts of WHO and OIE, namely in awareness raising, governance, improved surveillance and data collection, and implementation of practices to minimise the need for antimicrobials and to support their prudent use. She highlighted the importance of Codex texts in supporting governance particularly in developing countries.
62. The Representative of WHO reminded CCEXEC that regular and close coordination mechanisms were in place between FAO, OIE and WHO at strategic and technical levels to synergize their actions on AMR. The past Codex work on AMR benefited from this solid inter-agency coordination and resulted in Codex texts that were fully consistent with OIE standards. In his view, possible future work of Codex could take full advantage of the tripartite platform in the provision of scientific advice as well as in standard setting.
63. The Representative of WHO also reminded CCEXEC that the Global Action Plan on AMR, which was part of the World Health Assembly resolution adopted in May 2015, called specifically on Codex to contribute to the implementation of the plan through development or revision of relevant Codex texts.
64. The Secretariat explained that the proposed revision of [CAC/RCP 61-2005](#) (by addressing all food products) was filling a significant gap as the current Codex text and those developed by OIE were focusing only on food of animal origin. The Secretariat also noted that work on an integrated surveillance system would support the implementation of the WHO AGISAR guidance. The Secretariat underlined the fact that there was currently strong momentum to address the matter and noted that the Republic of Korea, host country of the former Task Force on AMR (2007-2010), in their comments had expressed interest in hosting the Task Force if established by CAC39.

Conclusion

65. CCEXEC recognised that AMR was an issue requiring urgent attention and action, that it was important for Codex to take advantage of the current momentum and show leadership in this area; that it was important that Codex work is carried out in coordination with the work undertaken by FAO, WHO and OIE in order to ensure consistency and synergy, and that work on AMR be carried out in a dedicated forum.
66. CCEXEC supported the recommendations to:
- (i) Establish an *Ad-Hoc* Intergovernmental Task Force on AMR with the proposed ToR (Appendix II):
 - a. The host country would be identified and selected by the Commission;
 - b. The first duty of the Task Force would be to examine the two project documents (CX/EXEC 16/71/3, Appendix, part 1 and 2) and forward the revised project documents to the Commission (through CCEXEC);
 - (ii) Request scientific advice to FAO and WHO (in collaboration with OIE) (Appendix III);
 - (iii) Request FAO and WHO to keep the Commission informed of their capacity development programme on AMR.

CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE (Agenda Item 4)¹⁹

67. The Secretariat recalled the decision of CAC38 that CCEXEC would consider the consolidated version of the Terms of Reference (ToR) for the Secretariat-led internal review, prepared by CCGP30.

Discussion

68. CCEXEC noted that CCGP30 had not finalised the revision of the draft ToR and had not been able to find consensus on the purpose and scope of the review.
69. CCEXEC considered the options presented by CCGP (REP16/GP Appendix II). It was agreed that the sections of the ToR not discussed by CCGP (shaded areas of text) were organizational aspects and were the responsibility of the Secretariat (i.e. consultation process, roles and responsibilities, timetable etc.).
70. After thoroughly discussing the two options presented by CCGP, CCEXEC did not proceed with further modifications of the ToR as it was of the opinion that it had proved difficult to reach a compromise on the text and consensus was unlikely due to continuing diverging views on the purpose and scope of the review.
71. CCEXEC noted that the internal Secretariat-led review of the work management of Codex was consistent with the monitoring of the Codex Strategic Plan 2014-2019, which was the responsibility of the Codex Secretariat, and whose findings were reported to CCEXEC.
72. CCEXEC acknowledged the fact that FAO and WHO had the authority and prerogative to conduct an evaluation of the Codex programme whenever they consider it necessary or appropriate.
73. CCEXEC agreed that the objective of the review was to improve Codex work management and practices.

Conclusion

74. CCEXEC recommended the Commission to:
- (i) Discontinue discussion on the ToR of the internal Secretariat-led review, and instead
 - (ii) Request the Codex Secretariat to regularly review Codex work management as part of the monitoring of the Codex strategic plan and regularly inform both the CCEXEC and CAC on the findings and recommended actions.
75. CCEXEC noted, that as part of the ongoing Codex work management review, Members could identify specific ideas for improvement, which could be brought to the attention of CCEXEC and CAC. This approach would also allow the Commission to explore alternative options for improving Codex work management and practices.
76. CCEXEC noted that these recommendations, based on continuous assessment, constituted a strategic approach to continuously improving Codex work management.

CODEX STRATEGIC PLAN 2014-2019 - GENERAL IMPLEMENTATION STATUS (Agenda Item 5)²⁰

77. The Secretariat introduced the report on the monitoring of the second year of implementation (2015) of the Codex Strategic Plan, including a report on the preliminary outcome of the Codex Communications Strategy (Appendix III).
78. CCEXEC noted its overall approval for the implementation of the Strategic Plan, but expressed concern on the implementation of strategic goals 2, 3 and 4. In particular, Members called for further assistance from FAO, WHO and the Secretariat to increase the input of developing countries in the provision of scientific advice (objective 2.3).
79. Regarding the effective participation of developing countries in the work of Codex (objective 3.1), concern was expressed that the rules of the new Codex Trust Fund could lead to a decrease in Codex meeting attendance. Members also expressed concerns over targets for effective work management under strategic goal 4 (i.e. timely distribution of documents) and emphasised the need for improvement.
80. The Representative of WHO reassured CCEXEC that the strengthening of developing countries' capacity to effectively engage in Codex remained a priority for WHO and FAO. The country projects to be supported by the new Codex Trust Fund, launched in January 2016, could include elements related to the strengthening of scientific capacity of beneficiary countries as well as their physical participation in selected Codex meetings within an overall logical framework.

¹⁹ [REP 16/GP](#) Appendix II, [CX/EXEC 16/71/4](#) (Comments of Brazil, Canada, Chile, Costa Rica, Cuba, Ghana, Kenya, Member States of the European Union, Mexico, Norway, Thailand) ; [CRD12](#) (Comments of Japan and Nicaragua)

²⁰ CX/EXEC 16/71/5

81. The Representative of WHO further noted that in parallel, WHO and FAO were making efforts to extend the roster of experts and the sources of data to achieve better geographical coverage and ensure universal relevance of scientific advice. He further stated that according to available data, many developing countries had been able to sustain their participation in Codex meetings with their own funding after their graduation from the Codex Trust Fund.
82. The FAO Representative noted that the “revitalised” FAO/WHO Coordinating Committees (RCCs) should play a significant role in furthering the achievements of the Codex system, in accordance with the Codex Strategic Plan, in line with the reflections of RCC members. She recalled the intention of the “revitalisation” process to better facilitate dynamic discussion on food safety and quality issues facing the region. This would lead to an enhanced capacity of Codex to pick up on emerging issues; a better understanding of challenges faced by developing countries in implementing Codex standards, and better orientation of FAO and WHO capacity development programmes to respond to the needs of the regions.

Conclusion

83. CCEXEC recommended to the Commission to request the Secretariat to:
 - (i) Discontinue the monitoring of five finalized activities (1.1.2, 2.2.3, 3.1.4, 4.1.2 and 4.1.4);
 - (ii) Take note of the concerns expressed over the achievement of the Strategic goals, especially in involving developing countries in the risk analysis process;
 - (iii) Take note of the continuing difficulties concerning the monitoring of activities that include unclear or unmeasurable indicators and carefully considers the measurability of indicators when developing the Strategic Plan 2020-2025;
 - (iv) Present a Status Report on the 2016 implementation of the Strategic Plan to CCEXEC73;
 - (v) Prepare a report on the outcome of the Codex communications strategy 2015-17 and present a new draft communications strategy (2017-2019) to CCEXEC73.

PREPARATION OF THE CODEX STRATEGIC PLAN 2020-2025 (Agenda Item 6)²¹

84. The Secretariat introduced the document, recommending a process and timeline for developing a new Strategic Plan for the period 2020-25, noting that the current Strategic Plan was very detailed and had many indicators, some of which had proved to be unmeasurable.
85. CCEXEC expressed its satisfaction with the high-level structure of the current Strategic Plan. Rather than starting a completely new drafting process Codex should use the current plan as a foundation that through consultation could evolve into a better next Strategic Plan.
86. The Committee questioned whether the suggested three years of preparation time was too generous, as the plan itself would not be in use for more than six years. The Secretariat replied that the three years were needed to ensure sufficient contributions from the RCCs, and allowing ample input from the regions could allow the RCCs to include their concerns in the global Codex Strategic Plan rather than continuing to develop their own.
87. The Committee noted that the preparation of a draft Strategic Plan could be entrusted to the Chair and Vice-Chairs of the Commission, but that also CCEXEC should be involved in its preparation at suitable stages of drafting. Furthermore, it was stressed that relevant outcomes of the Codex work management review should feed into the drafting process.

Conclusion

88. CCEXEC recommended to the Commission to request the Secretariat to start the process of developing a new Strategic Plan for Codex, taking note of the following:
 - (i) The current Strategic Plan 2014-2019 should be the starting point for the new plan;
 - (ii) Relevant findings from the on-going internal work management review should feed into the Strategic Plan development process;
 - (iii) The effectiveness and measurability of indicators, with an aim to substantially reduce their number;
 - (iv) The strategies/work programmes of FAO and WHO, and especially whether they will have an influence on the chosen timeframe of the plan;
 - (v) UN goals outlined in the 2030 Agenda for Sustainable Development.

²¹ [CX/EXEC 16/71/6](#)

CODEX BUDGET PLANNING (2016-17) AND REPORT ON EXPENDITURE (2014-15) (Agenda Item 7)²²

89. The Secretariat introduced CX/EXEC 16/71/7 noting that CAC38 had encouraged the Secretariat “to adopt a more effective and realistic process when developing the budget”²³ and expressed appreciation for the contributions of host governments and governments who seconded staff to the Secretariat.
90. The Secretariat noted that efforts have been made to link the budget of the biennium 2016-17 to the Codex Strategic Plan (Appendix I of CX/EXEC 16/71/7).
91. In response to issues raised on the links between the Codex Budget (2016-17) and the Strategic Goals, which indicate low contributions to Strategic Goals 2 and 3, the Secretariat clarified that the Codex Budget did not cover FAO/WHO scientific advice or capacity development activities of FAO and WHO.

Conclusion

92. CCEXEC took note of the report on expenditure (2014-15) and Codex budget planning (2016-17) and expressed appreciation for the continued financial support from FAO and WHO, contributions from Codex Host countries and in-kind contributions from Germany, Japan and the Republic of Korea.

Budget Proposal 2018 – 2019²⁴

93. The Secretariat introduced CX/EXEC 16/71/7 Add. 1 and explained that the budget proposal did not show any increase compared to the current biennium. The Secretariat added that staff costs were slightly increased and consultancy costs lowered due to the plan to increase professional staff. In addition, as no internal review was planned for the biennium, the contingency was lowered.

Conclusion

94. CCEXEC took note of the budget proposal 2018 -19.

FAO/WHO SCIENTIFIC SUPPORT TO CODEX (Agenda Item 8)**Report on Activities (Agenda Item 8.1)²⁵**

95. The Representative of WHO introduced CX/EXEC 16/71/8 and highlighted that the scientific advice provided by FAO and WHO through JECFA, JMPR, JEMRA and *ad hoc* expert meetings remained a high priority for both organizations, and continued to serve as the essential basis for Codex food safety standards.
96. CCEXEC congratulated FAO and WHO on the 60th anniversary of JECFA.

Conclusion

97. CCEXEC:
- (i) Noted the significant amount of work undertaken as well as the number of pending requests requiring further funding, a matter that needed to be addressed in order not to delay the work of Codex;
 - (ii) Expressed appreciation to FAO and WHO for the scientific advice provided and reaffirmed its trust in the scientific rigor and independence of the FAO/WHO scientific advice as the preeminent scientific support to the work of Codex.

FAO/WHO Scientific Support to Codex (budget and expenditures) (Agenda Item 8.2)²⁶

98. The Representative of WHO introduced CX/EXEC 16/71/9 and noted that overall the contribution of FAO and WHO to the provision of scientific advice amounted to approximately USD 10 million per biennium. This was a significant contribution by FAO and WHO to SG2 of the Codex Strategic Plan. She underlined that it was of paramount importance to ensure at least this level of funding from both organizations to deliver scientific advice at the current rate.

Discussion

99. The discussion focused on the need to ensure the funding for the essential scientific advice to Codex.

²² [CX/EXEC 16/71/7](#)

²³ REP15/CAC para. 133 b)

²⁴ [CX/EXEC 16/71/7 Add.1](#)

²⁵ [CX/EXEC 16/71/8](#)

²⁶ [CX/EXEC 16/71/9](#)

100. The Representative of WHO agreed that requests for scientific advice should be requested to JEMNU when required by concerned Codex Committees, such as CCNFSDU. The Representative further indicated that JEMNU would neither be constituted nor begin to work until the required funds were made available. Therefore, she noted that requests for scientific advice from JEMNU would increase the funding gap for the WHO work on nutrition, as indicated in CX/EXEC 16/71/10, which was entirely funded through extra-budgetary contributions.
101. The Representative of WHO also noted that Codex could consider to use relevant scientific advice and existing guidelines developed by WHO or FAO as part of the normative work carried out by WHO or FAO in response to the request from Member States, or in response to a mandate given by the governing bodies, rather than by making a new request to JEMNU, as had been the case with CCNFSDU when developing NRV-NCDs.
102. The Representative of FAO, in response to a question about the activation of JEMNU, noted that requests for scientific advice on nutrition should be based on a need and not on the availability of funds. Within FAO, the protection given to the food safety scientific advice budget was based on the recognized demand and demonstrated impact of the advice. In the absence of a demonstrated demand it was extremely difficult for FAO to argue for an increased budget allocation to the JEMNU Secretariat.

Conclusion

103. CCEXEC recommended the Commission to encourage:
- (i) FAO to further protect the budget for scientific advice to maintain the neutrality and the sustainability of the scientific advice in support of Codex;
 - (ii) WHO to find suitable mechanisms to secure a higher level of funding for its scientific advice programme within the regular budget, to guarantee the neutrality and increase the sustainability of the scientific advice in support of Codex.

Increasing Sustainability (Agenda Item 8.3)²⁷

104. The Representative of FAO introduced CX/EXEC 16/71/10 noting that the development of international food safety standards through Codex Alimentarius was core to the mission of both FAO and WHO which was why the budget of the Codex Secretariat had been included as part of the regular budgets of FAO and WHO.
105. The Representative further noted that the current funding and staffing levels for the provision of scientific advice to Codex were inadequate to undertake all necessary and requested work. An equally predictable and stable funding base for joint risk assessment work as well as the scientific advice secretariats was critical and essential for the future development of international food safety standards. Additional resources that went beyond the current funding levels were required to improve efficiency, modernize methodologies, reduce backlogs and accelerate the delivery of scientific advice.

Discussion

106. The Committee discussed possible, innovative financing mechanisms for Codex and the need for increased communication between Member States and the FAO and WHO secretariats. Such communication could be aided by the development of materials that underscore the public health and economic impacts of Codex work underpinned by scientific advice. Material of this kind would be critical in convincing financing authorities at the national level.

Conclusions

107. CCEXEC recommended to the Commission to:
- (i) Encourage FAO to continue their efforts to protect the current funding levels for the scientific advice programme (including the Secretariat);
 - (ii) Encourage WHO to provide support to the scientific advice programme through the regular budget;
 - (iii) Call on Members to provide additional resources in such a way that would increase the funding of the scientific advice programme in a predictable manner until a long-term solution is found for the implementation of the enhanced work programme (Annex 1 of CX/EXEC 16/71/10);
 - (iv) Strongly encourage Codex Members to increase in-country communication between the health and agriculture sectors with a view to heightening awareness within the governing bodies of FAO and WHO on the urgent need for critical core funding.

²⁷ [CX/EXEC 16/71/10](#)

APPLICATIONS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS FOR OBSERVER STATUS IN CODEX (Agenda Item 9.1)²⁸

108. The Secretariat introduced the paper and noted that the Secretariat and the Offices of the Legal Counsel of FAO and WHO, with due regard to the advice of the Office for Partnerships, Advocacy and Capacity Development of FAO (OPC) had checked the six applications contained in the working document and found that two of them, namely DRC and FIA, were complete and receivable.
109. CCEXEC recommended that the Directors-General of FAO and WHO approve the following applications:
 - DRC (Fruit and Vegetable Dispute Resolution Corporation)
 - FIA (Food Industry Asia)
110. CCEXEC also recommended to request additional information from AGROCARE, C4CCES, GHI and RCP²⁹ and to discuss their applications during its next meeting based on the information requested.

REVIEW OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN OBSERVER STATUS (Agenda Item 9.2)³⁰

111. The Secretariat introduced the paper and informed the Committee that following the recommendation of CCEXEC70, the Secretariat, in consultation with the Offices of the Legal Counsel of FAO and WHO, had started a review of the status of current observers in light of the criteria set forth in the Principles Concerning the Participation of International Non-Governmental Organizations (NGOs) – Procedural Manual Section VII.
112. CCEXEC recommended maintaining observer status for the NGOs indicated in table III and IV of CX/EXEC 16/71/12 (page 4) and recommended to the Directors-General of FAO and WHO the termination of observer status of the organizations contained in table I and II (page 3) in accordance with the above Codex rule.

RELATIONS BETWEEN FAO AND WHO POLICIES, STRATEGIES AND GUIDELINES AND CODEX WORK (Agenda Item 10)³¹

Introduction

113. The Representative of FAO introduced the working document and explained that FAO and WHO establish policies in areas of relevance to the work of Codex, and given the almost identical membership of FAO/WHO and Codex, highlighted that it was in the interest of Codex Members to fully consider FAO and WHO policies in implementing their work.
114. The Representative of FAO pointed out that the examples outlined in the working document illustrated the relevance of related FAO and WHO policies and showed that a variety of approaches had been used to facilitate communication on these issues. In order to ensure consistency in appropriate consideration of FAO and WHO policies by the Codex system, she stated the willingness of FAO/WHO to develop proposals, for later consideration by CCEXEC and CAC. These proposals could include a synthesis of “good practice” for achieving effective communication at all levels of the Codex system (global, national and regional levels) and possible amendments to the Procedural Manual.
115. The Representative of WHO noted that there had been a number of references and requests to Codex made by the World Health Assembly (WHA) calling on Codex to strengthen its work in supporting public health efforts, and simultaneously encouraging Member States to use Codex standards and guidelines to protect and promote human health. For example, resolution WHA 56.23 Urged Member States to “*make full use of Codex standards for the protection of human health throughout the food chain, including assistance with making healthy choices regarding nutrition and diet*”, and resolution WHA 57.17 Requested Codex to “*give full consideration to evidence-based action it might take to improve the health standards of foods, consistent with the aims and objectives of the Global Strategy*” on Diet, Physical Activity and Health. The latter led to the initiation of Codex work on the prevention of obesity and diet-related NCDs by CCNFSDU and CCFL.

²⁸ [CX/EXEC 16/71/11](#); CRD1 (AGRO-CARE a.i.s.b.l.); CRD2 (C4CCES); CRD3 (FIA); CRD4 (RCP-Network)

²⁹ AGROCARE concerning the restrictions in having ALINA as one of its four member associations and consequent potential double representation; C4CCES concerning its meeting the definition of an international organization; GHI regarding its meeting the international requirement, adding value to Codex and link to the United Nations; RCP on its meeting the requirements of internationality.

³⁰ [CX/EXEC 16/71/12](#)

³¹ [CX/EXEC 16/71/13](#)

116. The Representative of WHO noted that more recently, the reference to Codex and the use of its standards and guidelines were facing challenges in discussions at WHA. For example, during a series of informal consultations with Member States and Non-State Actors as part of the preparation for the discussion at WHA in May 2016 on the guidance on ending inappropriate promotion of foods for infants and young children, a proposal to include a recommendation for Member States to implement, through national legislation, relevant Codex standards and guidelines and to ensure that adequate resources are available to enact, monitor and enforce such legislation was challenged by some Member States and Non-State Actors on the ground that Codex guidelines were not always developed consistent with WHO policies, guidelines and recommendations.
117. The Representative of WHO further noted that this situation, if not remedied, could undermine the good reputation of Codex within WHO's governing bodies and might negatively impact on the resource mobilisation within WHO in support of Codex and related activities. The Representative appreciated the interest CCEXEC was taking in this matter and hoped that further reflection be made and solutions identified at a future session of the Committee to ensure consistency between the standards and related texts developed by Codex and the policies, strategies and guidelines of WHO, bearing in mind that both Codex and WHO were governed by Member State-driven processes.

Discussion

118. It was noted that one of the difficulties while analysing the working document was that the paper had been made available late, which did not allow for substantive participation by Members in the discussion.
119. It was further noted that Codex works to ensure both public health and also fair practices in food trade, whereas neither of the parent organizations had the same dual mandate. More dialogue was necessary to enhance confidence between Members and the parent organizations. Members take into account their position on FAO and WHO policies, strategies and guidelines when presenting their national interests in Codex.
120. The Representative of the Legal Office of FAO noted that FAO had significant discomfort with notions of 'inconsistency' and 'contradiction' between decisions of Codex on the one hand and FAO/WHO policies on the other, and that FAO is equally uncomfortable with related assumptions and implications regarding the legal status of decisions of FAO and WHO. He recalled that the only issue addressed in the joint FAO/WHO submission under this item was to ensure that relevant policies of FAO and WHO are fully considered by Codex in arriving at any decision that it wishes to make.

Conclusion

121. CCEXEC noted that FAO and WHO adopt and implement policies, strategies and guidelines which may be relevant to those of the Codex Alimentarius Commission. CCEXEC also noted the need to increase and facilitate the dialogue and communication between Codex, FAO and WHO and further noted that the aim of the paper was to raise awareness so that the Commission fully considers FAO and WHO policies, strategies and guidelines when Codex undertakes its work.
122. However, due to the very late availability of the document, CCEXEC was not able to discuss it in detail at the present Session.

DISCUSSION PAPER ON COMMITTEES WORKING BY CORRESPONDENCE (Agenda Item 11)³²

123. The Chairperson noted that, due to late availability of the working document, CCEXEC was not in a position to discuss Agenda Item 11 and that the matter would be considered by CCEXEC72 (30th August – 1st September 2016).

OTHER BUSINESS (Agenda Item 12)

124. No matters were raised under this agenda item.

³² [CX/EXEC 16/71/14](#)

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Appendix II**TERMS OF REFERENCE OF THE AD HOC CODEX INTERGOVERNMENTAL TASK FORCE ON
ANTIMICROBIAL RESISTANCE****Objectives**

To develop science based guidance on the prudent use of antimicrobials in agriculture and on integrated surveillance, taking full account of the work and standards of other relevant international organizations, such as FAO, WHO and OIE and the One-Health approach. The intent of these guidance documents is: (i) to ensure that measures are taken across the food chain to minimise the development and spread of AMR and (ii) to ensure a coordinated approach to surveillance of antimicrobial resistance.

Terms of reference

- (i) To revise the *Code of Practice to Minimise and Contain Antimicrobial Resistance* (CAC/RCP 61-2005) to address all uses on antimicrobials in agriculture products (i.e. animals and crops). The revision should also take into account new developments, including the establishment of Lists of Critically Important Antimicrobials, and the work of FAO, WHO and OIE in this area.
- (ii) To develop guidelines on integrated surveillance of Antimicrobial Resistance, taking into account the guidance developed by the WHO Advisory Group on Integrated Surveillance of Antimicrobial Resistance (AGISAR).

Time frame

The Task Force shall complete its work within three (max four sessions), starting in 2017.

Appendix III**TERMS OF REFERENCE FOR THE PROVISION OF SCIENTIFIC ADVICE ON ANTIMICROBIAL RESISTANCE****Objectives**

To provide scientific advice to support the revision of the *Code of Practice to Minimise and Contain Antimicrobial Resistance* (CAC/RCP 61-2005) and ensure that it is based on the most recent evidence and scientific analysis regarding foodborne antimicrobial resistance, that the scope appropriately reflects the role of the food and agriculture sector in minimizing the development of AMR and that a range of risk management options are available for consideration by Codex. Furthermore, the scientific advice should seek to identify any further issues that need to be considered in the revision of existing codex texts and/or development of new Codex texts.

Some of the key questions to be addressed:

- i. Undertake a review of new data relevant to the development and transmission of antimicrobial resistance through the food chain with the objective of:
 - Identifying all potential sources/contributors and practices related to the development and/or transmission of foodborne AMR
 - Identifying and evaluating risk management measures at different points in the food chain to address AMR and provide advice accordingly on the efficacy of such risk management options.
- ii. With particular reference to the WHO and OIE lists of Critically Important Antimicrobials, existing Codex MRLs and the most recent scientific information on resistance and its occurrence in the food chain
 - Revisit the discussion of the 2007 expert meeting on this issue and update the advice based on current knowledge to provide evidence based advice on how to guide the Codex membership in the use of these lists in managing foodborne AMR, taking into consideration the need to balance public health needs with animal health and food security needs.
- iii. Considering the challenge faced by the food and agriculture sector to change practices as well as meet the global food needs, provide advice on alternatives to antimicrobials, in particular value chains, which would support behaviour change and encourage the implementation of practices aimed at addressing AMR.