



Food and Agriculture
Organization of
the United Nations



World Health
Organization

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REP15/GP

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-eighth Session

Geneva, Switzerland, 6 - 11 July 2015

REPORT OF THE TWENTY-NINTH SESSION OF THE CODEX COMMITTEE ON GENERAL PRINCIPLES

Paris, France, 9 – 13 March 2015

NOTE: This report contains Codex Circular Letter CL 2015/7-GP



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**CL 2015/7-GP
March 2015**

To: Codex Contact Points
Interested International Organizations

From: Secretariat,
Codex Alimentarius Commission,
Joint FAO/WHO Food Standards Programme
Viale delle Terme di Caracalla
00153 Rome, Italy

Subject: Distribution of the Report of the Twenty-ninth Session of the Codex Committee on General Principles (REP15/GP)

The report of the Twenty-ninth Session of the Codex Committee on General Principles will be considered by the 38th Session of the Codex Alimentarius Commission (Geneva, Switzerland, 6-11 July 2015).

MATTERS FOR ADOPTION BY THE 38TH SESSION OF THE CODEX ALIMENTARIUS COMMISSION

Proposed Amendments to the Procedural Manual

- 1. Proposed amendments to the Terms of Reference of the Committee on General Principles (para. 41 and Appendix III);**
- 2. Proposed amendments to the *Procedures for the Elaboration of Codex Standards and Related Texts* (para. 49 and Appendix IV).**

Governments and international organizations wishing to submit comments on the above texts should do so in writing to the Secretariat, Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme, FAO, Viale delle Terme di Caracalla, 00153 Rome, Italy (e-mail: codex@fao.org) **before 30 May 2015**.

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SUMMARY AND CONCLUSIONS

The Twenty-ninth Session of the Codex Committee on General Principles reached the following conclusions:

Matters for adoption by the 38th Session of the Commission:

The Committee forwarded to the Commission the following amendments to the Procedural Manual for adoption:

- Its revised Terms of Reference (TORs) (Para. 41 and Appendix III);
- Revised Procedures for the Elaboration of Codex Standards and Related Texts (Para. 49 and Appendix IV).

Matters of interest to the Executive Committee and the Commission:

The Committee:

- Agreed not to discuss Agenda Item 5 (Consistency of the Risk Analysis Texts across the Relevant Committees) and agreed to consider this item at its next session based on a document that is to be prepared by the Secretariat (Para. 12);
- Agreed to forward the replies identifying activities of the Strategic Plan 2014-2019 to which the Committee could contribute (Para. 27 and Appendix II) to the CCEXEC70 and CAC38 for consideration;
- Held an open and free discussion on Agenda Item 6 (Codex Work Management and Functioning of the Executive Committee) without taking any decision or making any recommendation on this matter or searching for consensus (Paras 12 and 51-100).

Other matters of interest:

- The Committee replied to CCMAS on the establishment of CODEX STAN 234-1999 as the single reference on methods in Codex and the resulting changes in the procedures.

INTRODUCTION

1. The Codex Committee on General Principles (CCGP) held its Twenty-ninth Session in Paris, France, from 9 to 13 March 2015 at the kind invitation of the Government of the French Republic. Professor Michel Thibier (France) chaired the session. The session was attended by delegates representing 75 member countries, one Member Organization, 14 international organizations, and FAO and WHO. A full list of participants, including FAO and WHO and French and Codex Secretariats, is attached as Appendix I.

OPENING

2. Dr Jean-Luc Angot, Deputy Director of the General Directorate for Food at the French Ministry of Agriculture, Agrifood and Forestry - Chief Veterinary Officer of France, opened the Session and welcomed the participants on behalf of the French Government. In his opening remarks, Dr Angot recalled that the first Session of the Committee was held 50 years ago and during this time the Committee had made important contributions to the work of Codex. A copy of Dr Angot's opening remarks is presented in [CRD8](#).

Division of Competence

3. The Committee noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II of the Procedure of the Codex Alimentarius Commission, as presented in [CRD1](#).

ADOPTION OF THE AGENDA (Agenda Item 1)¹

4. The Codex Secretariat noted that no document had been prepared for Agenda Item 5 "Consistency of risk analysis texts" and proposed to remove this item from the Agenda of this session.

5. The Delegation of Costa Rica, as regional coordinator for the Latin America and Caribbean (LAC) region, recalled that at the last CCLAC meeting the need to resolve the differences among the risk analysis texts developed by various committees and the importance of the CCGP work on the consistency of risk analysis texts had been highlighted ([REP15/LAC](#) para. 64). The delegation also highlighted the importance of discussing this matter at the next session of CCGP because of the mandate given on this matter by CAC35 and as agreed by CCGP28. This position was supported by several countries of the LAC region present at the session.

6. The Committee agreed not to discuss Agenda Item 5 and agreed to consider this item at its next session based on a document prepared by the Secretariat.

7. The Delegations of Brazil, Colombia and Costa Rica stated that they opposed the discussion of Agenda Item 6 "Codex Work Management and Functioning of the Executive Committee" at this session because the late availability of CX/GP 15/29/6 had not had allowed adequate time to fully consider the document and develop positions. They noted that the provisions in the Procedural Manual regarding the timely availability of documents needed to be respected. This position was supported by the delegations of Cuba, El Salvador, Panama, Paraguay, Trinidad and Tobago and Uruguay.

8. Other delegations, while acknowledging the late availability of CX/GP 15/29/6, were of the opinion that it was important for the Committee to retain Item 6 in the Agenda of the session and to have a fruitful discussion on this very important matter. They noted that CCGP29 had previously been scheduled for 2016 and had been convened this year at the request of CAC37 to specifically consider this matter (REP14/CAC para. 103). They noted that omission of any discussion of Agenda Item 6 at the present session would waste the considerable amount of resources that countries have invested to participate in this session.

9. The Committee agreed to the proposal of the Chairperson to have an open and free discussion on Agenda Item 6 but without taking any decisions nor making any recommendations nor referring any text to other committees or the Commission, and that the discussion on this agenda item would be reflected in the report of the session.

10. The Committee noted that following the request of CAC37 the same working document has been included in the provisional agenda of CAC38.

11. The Delegations of Brazil, Colombia and Costa Rica expressed their reservation on the decision to keep Agenda Item 6 in the agenda of the session for the reasons stated above.

¹ CX/GP 15/29/1.

Conclusion

12. The Committee agreed to adopt the provisional agenda as the agenda for the session, with exclusion of Agenda Item 5 that will be considered at the next session. With regard to Agenda Item 6, the Committee agreed to have a preliminary discussion without taking any decision or making any recommendation on this matter or searching for consensus.

MATTERS REFERRED TO THE COMMITTEE (Agenda Item 2)²

13. The Committee noted that several matters were submitted to it for information and that the decision of CAC37 related to the proposed amendments to the Terms of Reference of CCGP, to Procedures for the Elaboration of Codex Standards and Related Texts and to the Codex Work Management and Functioning of the Executive Committee would be discussed under Agenda Item 3, 4 and 6 respectively.

Codex Strategic Plan 2014-2019

14. The Committee agreed to consider this matter on the basis of a proposal, prepared by the CCGP and Codex Secretariats ([CRD6](#)).

General Comments

15. The Committee noted that the purpose of the questionnaire was to identify activities of the Strategic Plan 2014-2019 to which the Committee could contribute and that the replies of the Committee should be based on its current work.

16. The Committee agreed with a number of proposed replies and commented and made decisions on the other proposals as follows.

Activities 1.2.1 and 1.2.2

17. Delegations commented that CCGP, in contrast to technical Committees, was not directly using the scientific advice of FAO and WHO and that the contribution of the Committee to the implementation of the Strategic Plan's activities was not quantifiable in accordance with the indicators identified in the Strategic Plan. The Committee agreed that for a number of activities it was thus not possible to categorically respond that the activities were or were not relevant to the work of CCGP.

18. For activity 1.1.1, the Committee clarified that the criteria laid down in the Procedural Manual in its work were used in its work.

Activity 2.1.2

19. Delegations highlighted the importance to engage academia and scientific institutions in the work of Codex.

Activity 2.1.3

20. The Committee further clarified the response by adding a paragraph which emphasised that CCGP could only take into account in its work legitimate factors relevant to the health of consumers and the promotion of fair practices in food trade.

Activities 3.1.5

21. Delegations were of the view that all efforts should be made to promote and encourage the use of all Codex official languages, including in working groups, as this would allow more delegations to participate actively and effectively in the work of Codex. In this regard it was mentioned that CCLAC had discussed the use of a translation platform as a means to facilitate participation of members in Electronic Working Group (EWG).

22. It was also commented that the use of all official Codex languages and to present all information related to working groups more systematically and more user-friendly would facilitate the work of Codex members and in particular the Codex Contact Points. It was further noted that there was a need to limit the number of WGs as their proliferation could result in a burden to Codex members. The importance of implementing procedures laid down in the Procedural Manual concerning the timely availability of documents was also emphasised.

23. Delegations expressed concerns that the proposed reply, indicating co-chairing as a way to improve the current situation, might imply an obligation for co-chairing countries to provide for translation in other

² CX/GP 15/29/2, CX/GP 15/29/2-Add.1; Comments of Chile, Egypt, El Salvador, European Union, Ghana, Kenya ([CRD 2](#)); Philippines ([CRD5](#)); Mali ([CRD7](#)); Tanzania ([CRD9](#)); Codex Strategic Plan 2014-2015 – Draft reply to the questionnaire, prepared by the CCGP and Codex Secretariats ([CRD6](#)).

languages. Therefore, the Committee clarified that co-chairing was only an example that could assist in providing translations.

24. With regards to participation in Codex meetings, a number of delegations expressed concerns as to the difficulties of African countries to obtain visas to participate in some Codex sessions and wished to draw the attention of the Commission to this issue. The Committee noted that Strategic Goal 3 “Facilitate the effective participation of all Codex Members” included several other activities which contributed to improve participation in Codex work and that the issuance of visas was not the direct responsibility of Codex committees.

Activity 4.1.5

25. The Committee noted that CCGP, meeting only in alternate years, could not make a firm commitment to have Physical Working Group (PWG) meetings taking place only in conjunction with its sessions. The reply was amended accordingly.

Activity 4.2.1

26. The Committee amended the reply to recognise that CCGP had recently had difficulties to reach consensus and included a new response to the question on what more could be done to reach consensus.

Conclusion

27. The Committee agreed to forward the replies (Appendix II) to CCEXEC70 and CAC38 for consideration.

Matters from CCMAS36

Annex on Practical examples to the proposed draft *Principles for the Use of Sampling and Testing in International Food Trade* (CAC/GL 83-2013)³

28. The Committee noted that this matter had been referred to the FAO and WHO Legal offices.

Review and Update of Methods in *Recommended Methods of Analysis and Sampling* (CODEX STAN 234-1999)⁴

29. The Committee agreed to reply to CCMAS that the amendment to the Procedural Manual to indicate a single reference for methods of analysis was possible but that CCMAS should prepare the proposed amendments for endorsement after completion of the work on the revision of CODEX STAN 234-1999.

PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF CCGP (Agenda Item 3)⁵

30. The Committee recalled that CCGP28 had forwarded a simplification of its Terms of Reference (TORs) to CAC37 for adoption. CAC37 had referred the text back to CCGP for further consideration together with an alternative text proposed by the Representatives of FAO and WHO. The Committee had further noted in its report that there was no intention to expand its authority in the revised TORs (REP14/GP para. 43).

31. The Committee noted editorial corrections to the document (deletion of the first four words of the text proposed by FAO/WHO and replacing in the Spanish version the term “in particular” with “incluyendo”).

Discussion

32. A number of delegations supported the text proposed by FAO and WHO, noting that the proposed wording “review or endorsement” better reflected the current practice of the Commission to handle texts to be endorsed by CCGP in the years when the CCGP did not meet.

33. Other delegations proposed to retain only the introductory paragraph of the text proposed by FAO and WHO, as in their view the examples in the two bullet points were unnecessary and could limit the work of CCGP in the future. They noted that the original reason for amending the TORs was to remove the list of examples of past work. The objective had not been to change the mandate of the Committee.

34. Other delegations supported the text proposed by CCGP28, which in their view better reflected the current work of the Committee.

³ REP15/MAS par. 101-112.

⁴ REP15/MAS par. 101-112.

⁵ CX/GP 15/29/3, CX/GP 15/29/2-Add.1; Comments of Egypt, El Salvador, European Union, Ghana, India, Kenya, Nigeria, Senegal, Thailand, (CRD3); Philippines (CRD5); Tanzania (CRD9).

35. The Representative of WHO observed that CCGP had effectively carried out the tasks assigned to it by the Commission under the current TORs and that these had allowed for a high degree of flexibility and freedom in the way the Commission handled subject matters of varying character and various degrees of complexity. The TORs proposed by CCGP28 would imply a clear departure from the current TORs, resulting in particular from the establishment of direct referral links with other subsidiary bodies; reduced authority of the Commission to handle general or procedural matters without consulting CCGP where appropriate; and possible self-tasking of CCGP through initiation of new work without explicit approval by the Commission.

36. The Representative further observed that the past work of CCGP had been very broad and had not been limited to the Procedural Manual, a publication whose content was a mixture of rules, decisions, statements and information. The Representative finally stressed that the unique nature of CCGP had over the decades successfully assisted the Commission, working in tandem, to adapt the whole Codex system to the emerging challenges in a timely manner.

37. In response to a query, it was confirmed that the proposed TORs allowed CCGP to continue to make proposals to CAC for new work and that CCGP can continue its current way of working. It was further confirmed that the proposed TORs were not substantially different from the existing TORs and that the change was only a replacement of the specific examples with more general ones.

38. Several Spanish-speaking delegations expressed concern with regard to the Spanish translation of the term “endorsement” with “ratificación” as it could be interpreted as adoption. The Secretariat explained that the term endorsement (“ratificación”) was used throughout Codex when referring to the function of horizontal committees reviewing provisions of their competence in commodity standards and that the CAC is the only body with authority to adopt Codex texts.

39. The Committee agreed to include the words “and recommendation” in the second bullet to better reflect the work of the Committee.

40. The FAO Representative shared her view that the chapeau of the proposed language covers the remainder of the revised text.

Conclusion

41. The Committee agreed to forward the revised TORs to CAC38 for adoption (Appendix III).

PROPOSED AMENDMENTS TO THE PROCEDURES FOR THE ELABORATION OF CODEX STANDARDS AND RELATED TEXTS (Agenda Item 4)⁶

42. The Secretariat recalled that CAC37 had returned to the CCGP for review the proposed amendments to the *Procedures for the Elaboration of Codex Standards and Related Texts* to the CCGP.

Discussion

43. A number of delegations were not in favour of the proposed amendments as they were of the opinion that problems related to the coordination between committees were more related to not sufficiently applying existing procedures rather than to missing procedures. It was also pointed out that the word “ongoing” in the proposed amendment was not clear and could be interpreted differently; leading to confusion as considering ongoing work might prejudice the outcome of negotiations. It was further cautioned that the amendments should not impose a heavy burden on proponents of new work to have to scan all ongoing Codex work.

44. Other delegations supported the amendments, which in their view would increase the transparency and effectiveness of any forthcoming proposals to undertake new work, especially as regards timely coordination between commodity and general subject committees.

45. Some delegations supported only the amendment to para.1, while others favoured the amendment to para.3.

46. The Secretariat clarified that “ongoing work” referred to work that is in the Codex step procedure and did not prejudice the outcome of the negotiations. The Secretariat further noted that the proposed amendments dealt with:

- An additional requirement to consider other ongoing Codex work in the project document (additional text to para. 1); and
- Additional guidance on the need for coordination of work across subsidiary bodies in the Critical Review of new work proposals (new bullet to para. 3).

⁶ CX/15/29/4; Comments of Brazil, Colombia, Costa Rica, Egypt, El Salvador, European Union, Ghana, India, Kenya, Nigeria, Norway, Senegal, Thailand, USA ([CRD4](#)); Philippines ([CRD5](#)); Mali ([CRD7](#)); Tanzania ([CRD9](#)).

47. With regard to the additional requirement in project documents, the Secretariat noted that it was usually a committee drafting a project document and that the Secretariat was able to assist collecting part of the required information.

48. The Delegation of Brazil stated that given the explanations and in a spirit of compromise they could live with the proposed amendments.

Conclusion

49. The Committee agreed to forward the proposed amendments to CAC38 for adoption (Appendix IV).

50. The Committee noted the reservations of Argentina, Paraguay and Uruguay to the addition to para.1 and the reservation of Brazil and Costa Rica to the additions to both paras 1 and 3.

CONSISTENCY OF THE RISK ANALYSIS TEXTS ACROSS THE RELEVANT COMMITTEES (Agenda Item 5)⁷

(See Agenda Item 1)

CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE (Agenda Item 6)⁸

51. The Secretariat introduced the documents, explaining that they were not to be understood as a strict proposal, but rather as a set of reflections by the Secretariat, FAO and WHO, with the aim of stimulating discussion. It was explained that the documents, which will also be considered at CCEXEC70 and CAC38, took the 42 recommendations of the 2002 Evaluation as its starting point, with recommendations 1-31 specifically considered in the first document (CX/GP 15/29/6). The Secretariat informed the Committee it had identified five areas of possible improvement, which were presented in Section 3 of the document. The Committee noted that the second document (CX/GP 15/29/6 Add.1), covering those recommendations related mainly to the scientific advice provided by FAO and WHO, had been prepared mainly for information purposes.

52. The Chairperson re-iterated the decision taken at the adoption of the agenda, which stated that no conclusions or decisions or recommendations would be taken due to the late distribution of document.

53. The Committee considered the document as follows.

General observations

54. Delegations expressed their appreciation for the document and the important topics it addressed.

55. Delegations made the following observations:

- The late distribution of the document had not given members sufficient time for preparation and prevents the Committee from making any conclusions;
- The document is a good start for a global evaluation of the effectiveness, inclusiveness and transparency of Codex;
- The document is very dense and contains a number of elements that raise serious concern;
- The document contains a number of areas consistent with the Codex Strategic Plan and further development should focus on practical recommendations which support the Strategic Plan;
- FAO/WHO Coordinating committees could be ideal fora for consideration of this document;
- The discussion in CCGP should focus on what has prevented the Codex from working efficiently;
- A number of recommendations of the 2002 Evaluation were not accepted by CAC25 and CAC26. The reason for their rejection remained valid and they should not be revisited as this wastes resources and is divisive;
- This provides a welcome opportunity to challenge our current thinking and shows what might be possible;
- This is an opportunity for improving strategic focus and effectiveness of Codex;

⁷ CX/GP15/29/5 (NOT ISSUED); Comments of Mali ([CRD5](#)).

⁸ CX/GP 15/29/6; CX/GP 15/29/6 Add.1; Comments of Australia, Costa Rica, India, Japan, New Zealand (CX/GP 15/29/6-Add.2); Brazil, Dominican Republic, El Salvador, European Union, Ghana, Guinea, United States of America, IFAH (CX/GP 15/29/6-Add.3); Philippines ([CRD5](#)); Mali ([CRD7](#)); Tanzania ([CRD9](#)).

- The overall objective should be that Codex continues to be the leading food safety standards setting body.

Mandate and Priorities (3.1)

56. The Codex Secretariat explained that the proposals related to this area addressed: examining the amount of Codex resources spent on health-related vs. other work (3.1.1); evaluating the use made and the impact of Codex standards (3.1.2); and developing mechanisms to strategically identify and include emerging issues in the Codex work programme (3.1.3). The Secretariat indicated that especially 3.1.2 might necessitate an external evaluation.

57. Delegations made the following observations:

- A study of resources spent by Codex based on a division between health-related and other work could be difficult to perform, as outcomes very often reflect the dual mandate of Codex;
- While the protection of the health of consumers is given a high priority in Codex work, ensuring fair practices in the food trade is also important, especially for developing countries;
- Food safety work should always be based on sound science and scientific analysis and consider legitimate factors relevant to the mandate of Codex in consistency with the Procedural Manual;
- Although an external evaluation on the impact of Codex work could be useful, its cost-benefit ratio should be carefully considered because of the potentially high costs;
- An evaluation of the role of Codex standards could provide useful insights and might feed into proposal 3.1.3, but is maybe not an issue of highest priority, especially if done externally and thereby using up the limited resources of Codex;
- Any such evaluation should not prevent Codex from starting work where progress is possible;
- Any impact evaluation should be conducted only after careful and transparent reflection on the indicators to be used, in order to avoid the exercise becoming a simple quantification of standards approved in various Codex committees;
- The Codex Strategic Plan already requires committees to implement a systematic approach for identification of emerging issues;
- The Commission could benefit from adopting a reflection on emerging issues as a standing item on its agenda;
- The development of a document, as the one developed by CCFICS in the context of the Codex 50th anniversary identifying emerging issues, could assist other committees to have a more strategic approach to their work;
- An analysis on the impact of Codex standards could give direction to Codex work;
- Studies on the use of Codex work could assist in the allocation of resources to the activities of Codex;
- A questionnaire could be developed to collect information on the use of Codex standards.

58. The Representative of FAO provided information on their work on emerging food safety issues. The FAO Committee on Agriculture and the FAO Council at the end of 2014 had called on FAO to strengthen its efforts to systematically identify emerging food safety issues in order to facilitate preparedness by FAO Member Countries. In this context FAO is preparing itself to better contribute to global food safety foresight and to strengthen the capacities of countries to understand, and appropriately apply, foresight methodologies as they deem fit. This dovetails nicely into ongoing discussions on the revitalization of Regional FAO/WHO Coordinating Committees where there is interest in using these meetings as an occasion to identify emerging issues of relevance to Codex. The Representative underlined her interest in exchanging views with Members on how this work of FAO/WHO could support a forward-looking Codex.

59. The Representative of WHO observed that there were currently no evidence-based indicators for the proportion of Codex resources being used to food safety versus non-food safety matters. If such indicators or proxy estimates could be developed and measured without heavy machinery, they could usefully assist in regular consultations between WHO and FAO on the share of the Codex budget by the two parent bodies, among others, and ultimately in sustaining WHO's financial contribution to the Codex programme at an appropriate level.

Management of the Codex Programme and links to FAO/WHO (3.2)

60. The Codex Secretariat explained that the 2002 Evaluation had made recommendations concerning the interaction between Codex and FAO and WHO which related to autonomy and visibility. Those recommendations had been implemented.

61. The Codex Secretariat explained that the proposals related to this area addressed: relation of Codex and FAO and WHO governing bodies, policies and strategies (3.2.1); the need for a transparent and predictable budget planning process (3.2.2); modalities for FAO and WHO inputs to Codex work (3.2.3); and the process for Observer applications (3.2.4).

62. The Secretariat clarified that proposal 3.2.1 addressed both ways of communication between Codex and FAO and WHO: how Codex could be more visible and give input and how the strategies of FAO and WHO could influence and guide the work of Codex.

63. Delegations made the following observations:

- The Codex Secretariat and FAO and WHO are well placed to follow up with the recommendation on the management of Codex;
- FAO and WHO play an important role in the work of Codex;
- Codex should continue to be a member-driven organization and is supported by the scientific advice provided by FAO and WHO in its standard setting work;
- Codex should continue to maintain its independence;
- Communication between Codex and FAO and WHO should be two-way;
- There is no need to reopen the discussion on Codex autonomy as this topic had already been thoroughly debated and implemented;
- There is a need to clarify which strategic and policy guidance of FAO and WHO is relevant to Codex work and how it could be taken into account;
- Mechanisms were already in place to allow FAO and WHO to provide timely inputs to the work of Codex as they are;
- There is a need to strengthen the coordination between delegates attending Codex, FAO and WHO at the national level;
- The “business plan” which links the Codex budget with the Strategic Plan should be revisited as it could help to improve budget transparency and provide justification for provision of funding by FAO and WHO; the plan could also assist in identifying the percentage of resources allocated to health and trade related work;
- Information on budget is provided too late to enable countries to advocate for funding in the governing bodies.

64. The Representative of WHO observed that Codex was not very visible within the WHO governing bodies, namely the World Health Assembly (WHA) and the Executive Board, in the latter of which only JECFA, neither Codex nor other scientific bodies, was included in the agenda as a standing item. Article 5 of the Statutes of the Codex Alimentarius Commission, on the basis of which Codex could gain due visibility in and desirable interactions with WHO governing bodies, had not been used for a long time, and in order to reactivate and put into practice what was implied by the provisions of Article 5, the Commission would have to make an explicit decision and draw the attention of the Director General of WHO to it. More intimate relations between the Commission and the governing bodies of WHO would be beneficial to ensure smooth operation of the Codex programme, including for the biennial budgeting process.

65. The Representative further clarified that Codex, as a subsidiary body of FAO and WHO and not withstanding certain autonomy it was enjoying in its standard setting work, was legally anchored to the parent organizations. The work of WHO was guided by the resolutions of the WHA and by the strategies and policies developed under the guidance of Member States. Consequently, the standards, guidelines and other recommendations developed by Codex should not contradict but should support, or at least be in line with, WHO resolutions and other adopted policies.

66. In relation to the Review process followed for observer application (point 3.2.4), the Representative of WHO pointed out that the Member States of an international intergovernmental organization such as WHO were increasingly keen to exercise direct scrutiny over the relations such an organization entertains with non-State actors. The current mechanisms involving the Executive Committee in the review of observer applications had actually been put in place to address such desire. The Representative invited member

countries to provide their views on what they saw as most appropriate as procedures for managing observers in Codex.

67. The Representative of FAO noted that in contrast to the situation with WHO, Codex was frequently mentioned at FAO governing bodies. It was none-the-less important to maintain efforts to ensure a high level of interest and awareness of Codex and related work in the governing bodies. The Representative highlighted that there was a side event at the upcoming 151st Session of the FAO Council (23-27 March 2015) that would include a feature on the work of Codex, IPPC and related capacity development.

68. The Representative of FAO further noted that several delegates expressed confusion about the need for proposal 3.2.3 (*Explore the best modalities to incorporate FAO and WHO input to Codex work at different levels*) given that they considered that the modalities already existed. The Representative pointed out that, while mechanisms might exist for FAO/WHO input, it was clear that Codex members were unaware of the challenges faced by the Organizations to actually provide input. The Representative gave the example of participation in Working Groups while FAO had important information to contribute to most of these, the large number of Working Groups impeded their engagement. The Representative regretted that the time available during the CAC to discuss FAO/WHO matters relevant to the work of the CAC was often too limited to allow the membership to have a good appreciation of such issues.

Strategic governance within Codex - "Executive Board" (3.3)

69. The Codex Secretariat introduced its reflections on replacing the CCEXEC with a smaller structure ("Executive board" (CX-EB)) noting that different ways might be possible to improve the strategic and managerial advice to Codex and that the following premises had been assumed when they developed the following ideas:

- The Commission should be strategically supported by a smaller body that acts in the interest of the Commission as a whole to give strategic and managerial advice;
- The structure and ways of working of the present Executive Committee do not seem to facilitate fulfilling the strategic and managerial functions expected of it but rather replicate the Commission;
- There is also often a confusion of the distinct roles of members and coordinators since the coordinators became full members. This enlargement has led to clarification being provided on the application of Rule V.1.

70. The Secretariat explained that the 2002 Evaluation proposed an executive board, however, the Commission did not agree with this at the time. The proposal may have not been sufficiently developed and may also have seemed too radical. It may merit reconsideration today in light of experience gained.

71. The Secretariat noted that positive work had been done in the CCEXEC and especially in subcommittees and the group of Chair and vice-Chairpersons.

72. Delegations made the following observations:

- Inclusiveness, transparency and efficiency are fundamental to Codex work. A reduced board would reduce transparency and inclusiveness;
- Limited reporting and language coverage could also be a problem in any such executive board;
- An executive board might entail more costs;
- The proposal for an executive board was extensively discussed in the follow-up to the 2002 evaluation and not agreed on and the reasons are still valid today;
- There is not enough justification to change the structure of the CCEXEC;
- It is important to give further consideration to an executive function for Codex with the goal to maximise the capacity for Codex to deliver. At this point it is not necessary to determine the exact shape of the executive function. At this stage it is more useful to define the primary purpose of such an executive function and to agree on a set of principles that would guide it in its work; steps should be taken to ensure inclusiveness, transparency and balance in the composition of any such executive body;
- Advisors are important to the members;
- Procedures of Codex, when applied correctly, will ensure proper strategic management;
- The way of working of the CCEXEC should be considered and it is more important to improve the functioning rather than to change the structure;

- The election mechanism is very important as the coordinator is chosen by the region and not by the whole Commission, which ensures that the regions have appropriate influence;
- The implications of modifying the CCEXEC need to be considered;
- The objective of Codex is to implement its strategic plan in accordance with the Procedural manual;
- The originality of Codex should be maintained;
- Codex might benefit from a step by step approach by first considering the primary purpose of any such executive function and then look at what would be the changes and what the objectives of the changes would be. This to be able in the future to look back and review if the intentions are met;
- Before changing the structure we need to define what we want to improve;
- The current strategic plan should be implemented before considering changing the CCEXEC;
- There could be merit in a clear and objective evidence based review;
- Areas for improvement should be identified within the scope of the priorities of the strategic plan. The replacement of the CCEXEC with a CX/EB is only one option. At the moment there is not enough information on how the proposal would enhance the standard setting process;
- Codex should address issues of strategic governance; the present structure has resulted in duplication of discussions of the Commission in the CCEXEC;
- The selection of advisors is not transparent. The incorporation of coordinators as full members of the CCEXEC created a problem for election of vice-Chairpersons and role confusion. Some issues may be resolved pragmatically without structural change;
- The CCEXEC seems to duplicate CAC discussions and sometimes to prepare them. A revisited CCEXEC should be supportive to the maximum, transparent, operational and not political;
- More time is needed for ideas to mature as well as for rigorous analysis as there are some sensitive and controversial subjects;
- Fewer delegates in an Executive Board are expected to move quicker. Should big regions be represented by the same number of people than smaller regions?
- If Codex wants to be the preeminent world food standards body then it needs to continue the discussion on governance. More in depth discussion could be held in a working group. Experiences of present and previous members of the CCEXEC could be sought;
- A board should have a clear action plan;
- Codex should always attempt to modernise itself;
- Many things can be improved with regards to the implementation of the executive function: the criteria for conducting the standards management and critical review should be reviewed and institutionalised; creation of a standards development plan; and budget planning;
- One of the biggest problems is that members of the CCEXEC should act on behalf of the Commission as a whole and thus they need to part from national and regional positions.

73. The Representative of WHO stated that in relation to the governance of Codex, analyses could be conducted not only on the positive effects of annual sessions of the Commission but also on their negative repercussions. These could include: the imperative to squeeze the meetings of subsidiary bodies into a window of 8 months every year given that no Codex sessions could be held during the two months prior to and following a Commission session in order to ensure reporting and interaction between Codex bodies; the time limitation imposed on governance or strategy-related projects (evaluations, analyses etc.) that could not exceed the one-year cycle of the Commission for their implementation; permanent workload on the Codex Secretariat; and consequential, structural delays in document translation and distribution. The Commission should therefore take all elements carefully into consideration when deciding on the adequate interval between two consecutive sessions. The possibility might exist to consider assigning a two-year period to certain projects requiring ample time for implementation.

74. The Representative also indicated that there might be ways to boost the executive function of the Executive Committee by scheduling a very short (half-day) meeting of the Executive Committee immediately after each regular Commission session, in order that the Executive Committee, after the election of its members at the said session of the Commission, could immediately act on the Commission's key instructions to the Executive Committee, including through the establishment of sub-committees provided for under Rule

V.4 of the Rules of Procedure. To make a more effective use of sub-committees, the Executive Committee might benefit from an enlarged membership.

Structure of Codex Subsidiary Bodies (3.4)

75. The Codex Secretariat informed the Committee that the document did not analyse in detail the implementation of the recommendations of the evaluation of the committees (2005 Evaluation), which had followed the 2002 Evaluation. The Secretariat noted that the 2005 Evaluation contained some radical proposals, such as a “Super commodity committee” and that some recommendations had been implemented while others had not. Overall the implementation of the 2005 Evaluation had not resulted in big changes in the structure and the ways committees were working.

76. The Secretariat explained that proposal 3.4.1 proposes to analyse whether the Codex structure could be improved, in particular for commodity committees. The mention of the super commodity committee did not intend to combine all commodities in one committee but to see if there was merit in a body that would take on a coordination role over all commodity work especially given that many had adjourned and new work might become necessary that could be done in a quick and flexible way i.e. through working groups. This could decrease the overall number of subsidiary bodies and lighten the coordination work of the Commission. He further said that it could also be envisaged to examine if the format of Codex commodity standards was still adequate or if it could be simplified (i.e. no work on sizing for fresh fruits and vegetables).

77. The Secretariat further clarified that the reference to the Committee on Spices and Culinary Herbs (CCSCH), had been used as an example of a recommendation which had not been implemented and noted that the decision of CAC36 to establish the CCSCH had been unanimous.

78. The Representative of WHO pointed out that there was an inevitable link between the number of Codex subsidiary bodies and the number of Codex sessions per year including those of Working Groups. The more subsidiary bodies Codex has, the more meetings were likely to be convened, putting greater strain on Members to effectively participate in Codex work. The Representative further stated that an increased number of subsidiary bodies implied that the field of expertise covered by one body would be narrower, and the risk would be greater for a subsidiary body meeting not being able to reach the quorum required by the Rules of Procedure.

79. In response to the enquiry from one delegation on the need for a Task Force on Nanotechnology, The Representative of FAO noted that FAO and WHO had held an expert meeting on the food safety implications of nanotechnologies applied to foods in 2009⁹ and continue to track new information in this regard. There has so far been no need to establish a Task Force: issues that have arisen, such as nano-sized food additives, have been dealt with by existing Codex bodies.

80. Delegations made the following observations:

- Codex should focus on a way forward rather than revisiting previous decisions; The reason for rejecting some proposals of the 2005 Evaluation seem still valid, therefore it does not seem appropriate to reopen discussion on these proposals;
- The recommendation of the 2002 Evaluation to establish a standard management committee could be revisited now as the situation has changed (e.g. the number of commodities committees has decreased) to deal with emerging issues e.g. food loss and waste;
- The creation of new committees creates an additional burden for Members to participate in the work of the new bodies;
- The proposal of a super commodity committee could be further elaborated;
- Consideration should be given to the efficiency of committees' work, i.e. how to optimise outputs for a given level of resources, rather than the revision of their structure or the establishment of new committees;
- The Procedural Manual contains detailed provisions which, together with the CCEXEC Critical Review, can guide the work of the committees;
- The life span of subsidiary bodies should be shortened and Task Forces should be established to deal with new and emerging issues.

Efficiency of Committee Work (3.5)

81. Delegations considered each of the six proposals related to this area.

⁹ <http://www.fao.org/docrep/018/i3281e/i3281e.pdf>

Review of the way Codex reports are drafted and the use made of current audio recording (3.5.1)

82. The Codex Secretariat explained that written reports of meetings would continue to be adopted in accordance with Rule X of the Rules of Procedure as the record of meetings. The proposed use of audio recordings would supplement the short and output oriented meeting reports with audio recordings of the plenary discussion to reduce translation costs, free up secretariat time, and to address the need of readers who cannot attend a session to better appreciate the debate. The Secretariat noted that audio recordings of the Commission and CCEXEC sessions were posted on the Codex website, but that the use made of these and the more general interest in audio recordings should be reviewed.

83. Delegations made the following observations:

- The reports, as currently drafted, are generally of high quality and adequately informative; they are of great importance for preparing for the meeting as they include the essential aspects of the discussion and serve the Members who cannot attend the meetings;
- It is important that reports do not only focus on conclusions but also reflect the discussion;
- Any further shortening of the report does not necessarily result in more time for discussions;
- While shorter reports can reduce the work load of Committee meetings, it is important that they continue to be understandable to Codex stakeholders in order to ensure the transparency of the Codex process;
- Reports have developed through the years; as currently drafted they comply with Rule X.1 of the Rule and Procedure of the Codex Alimentarius Commission, i.e. “*..a report embodying its view, recommendations and conclusions, including when requested a statement of minority views.*”
- Listening to a raw audio recording is time consuming; if used, the recordings should be edited, easy to use, and accessible, in particular for developing countries;
- Audio recordings may have cost implications and legal restrictions, and may alter the dynamic of the discussion, including consensus building;
- Audio recordings could supplement written reports but not replace them, and could help to better understand the discussions;
- Codex Committee meetings have the status of inter-governmental meetings of FAO and WHO. As such, the meetings enjoy privileges and immunities that guarantee their independence and inter-governmental character. Requirements stemming from national laws, including those regarding intellectual property rights, privacy and IT security, could raise issues that would need to be resolved in a manner consistent with the status of Codex meetings;
- Audio recordings can influence the nature of the debate, affect the consensus building process, complicate the process and may not increase its transparency;
- Consideration should also be given to video recording of conferences;
- The current practice of not naming the delegations in the report is a lack of transparency.

Propose to simplify the present 8-Step procedure to have only 5 steps (3.5.2)

84. The Secretariat stated that the present procedures on the 8-Step and Accelerated Procedure were complex and difficult to understand, and that nothing would be lost by simplifying them to 5 steps: new work would be approved at Step 1, drafted at Step 2, circulated for a first round of comments at Step 3 and discussion at Step 4. If redrafting was needed the work could be returned to Step 2, otherwise it would be forwarded to the Commission for final adoption at Step 5.

85. The Secretariat stressed that complicated procedures made participation in Codex more difficult for new participants and even now there was confusion within Codex on the difference between the “Accelerated Procedure” (5-Step procedure finishing at Step 5A) and the adoption of standards at Step 5/8, with the omission of Steps 6 and 7, where the former was rarely used.

86. The Representative of WHO provided further clarification that the Codex Commission and its subsidiary bodies were empowered to assign different Steps in the Step Procedure to different sections of a draft standard, including maintaining a text at the same Step or returning to a previous Step. Combined with the use of square brackets to mark certain parts of text, the Codex system was enjoying full flexibility in conducting standard development. The possible elimination of Steps 6 and 7, the advancement to which were procedurally equivalent to returning to Steps 3 and 4, would have no consequences to the openness, transparency and inclusiveness of Codex.

87. Delegations made the following observations:

- Often countries want drafts to go forward quickly, but sometimes it is better to proceed more slowly, so that all countries are given the opportunity to feed into the standard preparation process;
- There is no apparent benefit from a simplified procedure and not much difference with the current one, which has the advantage to allow for more time to consider key outstanding issues that require more discussion and to take decision more swiftly;
- More attention can be given to the drafting of discussion papers which will lessen the need for redrafting during the Step process;
- If the procedures would be simplified, there should be clear rules regarding the square bracketing of texts that are sent back for redrafting, otherwise there is a risk that the drafting process would be go on endlessly;
- More reflection is needed before considering a simplification of the Step procedure; it would be wise to look at past standard preparation processes, and analyse whether any of them would have had a different outcome in a 5-Step procedure;
- The present system with adoption at either Step 5/8 or 8 gives committees room for negotiation and more flexibility in managing their agenda; it also allows for more thorough discussion before sending a document for adoption;
- Adoption at Step 5/8 is predominantly used today. This could be made the normal rule with the possibility for extending to Steps 6 and 7 where necessary.

88. The Representative of WHO further stated that the current 8-Step procedure was needed in 1960s where there was neither fax nor internet and where communication with and consultation between members were exclusively through time-consuming document dispatch by postal mail and physical meetings of Committees. Today, prompt document dispatch by posting on website and by email, together with the use of electronic and physical working groups convened prior to Step 3 or at Step 4, increased greatly the opportunities for member countries to analyse text under development and interact with each other. For these reasons, Steps 6 and 7, rendered obsolete, were actually skipped in many cases. Another approach to simplifying the procedures might be to eliminate the Accelerated Procedure, which was rarely used and was not necessarily yielding speedier standard development compared to the normal procedure.

89. The Representative of FAO noted the caution that had already been raised by several delegations in relation to risk of re-opening issues that were agreed when standards are sent back in the Step procedure. This was indeed a real risk that has already been encountered in the past, as highlighted by the Secretariat; it would be important that reports clearly record the scope of the "re-discussion".

Continue striving for consensus and examine to what extent voting could assist Codex in case of blockages without being divisive (3.5.3)

90. The Secretariat introduced the item stating that it was clear that consensus should be the main way of taking decisions in Codex using all possible tools such as facilitation, mediation etc. as well as considering any new ways for consensus building. In this regard he recalled that in previous discussions on defining consensus it had been considered that the main task of consensus building lies with the Codex chairs and that a strict definition of consensus might constrain the Chairs' flexibility in managing the debate. The Secretariat said further that workshops for Codex chairs continued to be organized and were seen as useful to ensure equivalent application of rules and guidelines while allowing for flexibility in the heterogeneous world of Codex committees.

91. The Secretariat noted that voting was very rare in Codex. When it had happened in the past, it had usually been seen as divisive even though it was in fact part of the democratic Codex process as laid down in the rules of procedure. He said that the question had arisen to what extent and under what conditions and in what mode votes could be helpful in moving forward in blocked situations. He noted that the repeated discussion of blocked items in Codex with the goal of consensus finding was very costly and took the time away from the Commission to deal with other items and it was not always the case that all members had the same interest in such matters. One option that was proposed was that the Executive Committee (or Board) could recommend a vote in a blocked situation where all attempts to find a consensus have failed. The Secretariat noted finally that as Codex worked on creating global public goods, which need to have the vast support of members to be of value, votes should be the last resort.

92. Delegations made the following observations:

- Consensus is a core value of Codex and should be the main way of taking decisions; Codex should always strive for consensus;

- Codex as an international standards setting body should work on the basis on consensus; if we want to have Codex standards universally applicable they should be universally accepted;
- Voting for the purpose of adopting standards and related texts should only be the last resort and should be fully justified and predictable, i.e. it shall be clearly established when and under which conditions a vote will take place. Voting should also be based on two thirds qualified majority aligned to the voting procedures of the OIE and IPPC; this will contribute to making voting part of the Codex democratic process and would not be divisive;
- Codex differs from OIE and IPPC in a number of procedural aspects; In some international organizations two thirds qualified majority rule is reserved for constitutional and binding legal agreements;
- Voting has been very rare and nobody would like to reverse this trend; if there is a need for a vote we should stick at simple majority as any change in the current voting system would negatively affect the inclusiveness of the Codex process and its efficiency;
- We need to continue working with Codex Chairs on the different approaches used in committees to facilitate consensus building;
- CCLAC18 has discussed voting and decided against changing the rules in the Procedural Manual¹⁰;
- In principle voting is not necessary; however, clear criteria on when and how voting would take place could be useful to prevent voting from being divisive and to promote the transparency and inclusiveness of the Codex decision making process;
- It should be examined how reservations impact on the Codex decision making process.;
- To suppose that voting would not be divisive is naïve, as is also the hope that requiring a two thirds majority rule would reduce blockages; A two thirds majority rule may lead to an increase in call for voting, especially when there is an interest in blocking action;
- The current discrepancy between consensus decisions (ostensibly 100% approval) and voting by simple majority (all the way down to 50% approval) especially in controversial cases is very hard to defend; requiring a qualified majority would be the logical middle ground;
- Voting is the norm for taking democratic decisions, and deciding on a more robust voting procedure will enable Codex to move forward on controversial issues, including those arising from objections based on other than scientific considerations;
- The discussion on voting is a healthy sign of an organization moving forward; changing from single to qualified majority voting should have the effect of promoting consensus building, as proponents of a standard would have to work harder to find a common ground in the face of losing a vote because of a blocking minority;
- Voting should only be used for elections but not for standards adoption;
- Voting is exceptional in Codex and consensus is far more important. However, if consensus is forced it can create more discomfort than voting. Codex needs to work harder on reaching real consensus;
- Active consensus building is key to Codex work. Strategic Goal 4 seeks to improve this especially through activity 4.2.2 by working with chairs. If necessary additional guidance could be developed;
- The subjects of consensus and voting mechanisms have been widely discussed in Codex and agreement have been reached on these matters therefore it is not necessary to reopen the discussion on these subjects;
- The issue of changing voting procedures in Codex has been repeatedly discussed and it is unclear why it is being raised again. For example in 2009 and 2012 the CAC and CCGP discussed the issue at length and decided to retain the current procedures and to focus instead on steps to achieve consensus.

Explore ways to ensure a more equal geographic distribution of committees while not obstructing the standard setting process (3.5.4)

93. The Secretariat explained that a rotation system would give more countries the opportunity to host and chair a committee, but that efficient hosting demands both resources and experience. If there would be a strict limit of years or sessions a country can host a committee, there should be mechanisms in place with

¹⁰ REP13/LAC.

which to guarantee a smooth succession of responsibility. Another possibility worth exploring would be to introduce stable co-hosting or co-chairing arrangements.

94. The Secretariat further asked the Committee to reflect on the effectiveness of the guidance given to host countries on how to select the chairperson of a committee or task force.

95. Delegations made the following observations:

- There is quite a varied experience in co-hosting and more robust co-hosting arrangements can be explored;
- Co-hosting is a resource intensive exercise and the investment that countries make in co-hosting a meeting should have a more long-term impact and should be used for more than just one meeting;
- Sometimes the selection of the host-countries has been controversial and has involved a vote;
- There is support for rotation, but the selection of a new host should take place at least 2-3 years earlier, in order to give the new host an opportunity to learn from the previous host;
- Co-hosting should last for two consecutive sessions to allow effective and efficient co-hosting of Codex meetings;
- Co-hosting is distinct from hosting and co-hosting experience may prepare a country to take a country to take on host country responsibilities in the future;
- A similar proposal has already been discussed by the CCEXEC in 2008, so it would be advisable for this Committee to have a look at those deliberations;
- A rotation of hosts is maybe more suitable for commodity committees than for horizontal committees, which benefit from a long experience in hosting the subject matter;
- The problem with limited host rotation might be a theoretical one, as sometimes it has been difficult for present hosts to find countries with enough resources to even co-host a single meeting;
- Co-hosting has been largely successful, as it brings the work of Codex closer to regions and increases its visibility and raises Codex on the political agenda; it also strengthens countries' collaboration and sharing of experiences;
- The benefits of co-hosting include the increased attendance of countries in the region;
- There is a pronounced element of capacity-building for developing countries which are engaged as co-hosts, and a more stable co-hosting arrangement might enable even better use of experiences gained and protocols established as part of the co-hosting arrangement;
- Increased co-hosting, including the CAC and CCEXEC, is the easiest way forward;
- The proposal regarding the selection of chairs is interesting but we need to see its practicability, as the selection of the chair is the prerogative of the host-country.

96. The Representative of FAO noted the wealth of the perspectives that had emerged from the delegates during the discussion on co-hosting. The Representative highlighted that there seemed to be two distinct considerations in relation to the positive impacts of co-hosting. Firstly, the observations of many delegates pointed to the high "capacity development" value of the co-hosting that has occurred so far. Secondly there was the potential advantage of newer and more stable co-hosting arrangements allowing an opportunity for countries that had matured in their Codex engagement to take on a greater role on the Codex system. Such stable co-hosting arrangements might have the potential to overcome some of the inefficiencies that have been noted in the past and could avoid the disruptions that were considered by some delegates as being associated with the proposal for rotating host countries. She looked forward to further discussion on this.

97. The Representative of WHO drew the attention of the Committee to the impact one-time co-hosting arrangements may have on the participation of member countries in a Codex meeting. When a Codex meeting was held in a country with no previous experience in hosting Codex sessions, the Letter of invitation to delegates tended to leave the Codex Secretariat later than usual because of the need to obtain diplomatic and protocol clearance. The timely issuance of visas for delegates by the venue country were subject to the familiarity of the foreign and consulate services of the country as well as the presence of an embassy or a consulate of the country in the capital cities of all other Codex member countries. WHO, in implementing the Codex Trust Fund, had experienced a number of cases where delegates could not participate in Codex sessions because of the failure of venue countries to issue a required visa in time.

Review of the effectiveness of working groups (3.5.5)

98. The Codex Secretariat recalled that currently more than 50 EWGs were working in parallel and that it would be useful to review their effectiveness and functioning and the need to revise the Guidelines for electronic and physical working groups in the Procedural Manual. The Secretariat noted that India had already done an analysis of the effectiveness of EWGs and had prepared a proposal to review the *Guidelines for Electronic Working Groups*, as presented in Annex 1 of CX/GP 15/29/6 Add.2.

99. The Delegation of India introduced the analysis, which highlighted that EWGs had been playing an important role by reducing the workload of plenary sessions of Codex and dealt with a vast range of topics. Although the number of EWGs had continued to increase over the years, the analysis had showed that the participation of developing countries was quite low, i.e. 13.3% in 2013, considerably lower than that of developed countries (65.2%) and even observers (21.3%). In view of this India had prepared the proposal, which aimed at strengthening participation of developing countries and making the EWGs more inclusive.

100. Delegations made the following observations:

- EWGs and PWGs have worked in a satisfactory way and assisted Codex to make progress; however, there is room for improvement;
- EWGs are often the only choice to work efficiently; however, the workload is impressive and further reflection is necessary on how EWGs can be conducted in a more efficient and participatory way; e.g. which techniques could guarantee a real-time EWG with all working languages;
- EWGs are not always necessary and Committees should prioritise work;
- Many countries do not participate in EWGs because of the language problem or because of some limitations for experts;
- The cause of the low level of participation of developing countries in EWGs should be further explored, e.g. through a questionnaire to identify the problems encountered and what has hindered participation;
- EWGs are useful mechanism to share work; however, it is important for a country to identify the right participants;
- PWGs do not always use all working languages and for inclusiveness purposes they should be strongly encouraged to do so;
- It is not always efficient for EWGs to work in all Codex languages as this has major cost implications and for the vast number of Codex members speaking in other languages it would complicate their participation further because they would always have to work with four languages should they wish to accept to chair working groups;
- CCLAC19 has discussed the possibility of using electronic platforms which could make the work of EWGs more dynamic and participatory (REP15/LAC paras 117-124);
- The increasing number of WGs creates problems of participation to all countries (both developing and developed); a ceiling of the number of WGs could be considered;
- Entrusting the development of a draft document to a small group of countries, rather than to a WG, could ensure a better and efficient use of resources.

Consider to review how different committees use risk analysis frameworks in practice and report areas for improvements (3.5.6)

101. The Representative of FAO explained that the secretariats of the FAO/WHO expert bodies – JECFA, JEMRA, JMPR and JEMNU – are located in different Divisions in FAO. However, the new Strategic Framework in FAO brings them together under a single Output in Strategic Objective 4 for purposes of work planning and budgetary allocation. This had strengthened FAO's ability to see the big picture across the different expert bodies. However, still there are differences in terms of how they operate and how the secretariats interact with the relevant Codex Committees. It is an opportunity for mutual learning, and, as appropriate, to benchmark approaches according to what works best.

102. The Representative of the WHO indicated that efforts have been undertaken in recent years to harmonize risk analysis principles between committees, but further work is necessary and a review could be undertaken.

FAO/WHO Update on Progress in Response to the Recommendations of the Evaluation of the Provision of Scientific Advice

103. Introducing CX/GP 15/29/6 Add.1, the Representative of FAO noted that the document provided a status report of the implementation of the recommendations from the 2002 Codex evaluation dealing primarily with the FAO/WHO programme of Scientific Advice (recommendations 32-42). She noted that although this information was not directly relevant to the discussions on Codex work management, it was prepared for information purposes in recognition of the interest of Codex members in this subject.

104. The Representative of FAO recognized that while FAO/WHO report each year to the CAC on the Joint Programme of Scientific Advice, the time constraints result in a hurried presentation of deliverables with no time to discuss issues related to the maintenance of the quality and the credibility of the Programme and the efforts undertaken to proactively modernize and adapt the processes and to harmonize, as appropriate, among the expert bodies. The Representative noted that FAO/WHO would place greater attention to better communication with Codex members on these issues in the future, starting with the upcoming CAC.

105. The Representative highlighted that the FAO/WHO commitment to continual improvement of the scientific advice programme dates back quite some time as is demonstrated by CX/GP 15/29/6 Add 1, which provides a succinct account of the actions taken in response to the recommendation of the CAC24 “to review the status and procedures of expert bodies in order to maintain the quality, quantity and timeliness of advice”. The document also outlines the current status related to a number of other issues raised by the Evaluation such as: the functioning of JEMRA, resource allocation to support the Scientific Advice Programme, availability of data for risk assessment.

106. The Representative of WHO highlighted that efforts have gone into improving the transparency of the process and strengthening independence through an improved declaration of interest process. Work is ongoing on updating and harmonizing risk assessment methodologies, as well as improving data collection for refined exposure assessment.

107. A delegation raised concern about different levels of protection applied by countries and another delegation stressed the importance of independent international scientific advice and expressed concern about the constant lack of funds for its provision, and recommended taking a closer look at the current programme with the aim to consider modernisation or reform.

108. The Representative of WHO responded that there can be differences in the level of protection between countries due to geographic specificities; however this also highlights the importance of harmonization of risk assessment methodologies. Regarding the processes for the provision of scientific advice efficiencies have been achieved through the implementation of virtual working groups and application of electronic tools. She raised concern about duplication of efforts between national, sub-regional and the international risk assessment bodies and stressed that efforts should be undertaken to decrease duplication and strengthen collaboration.

109. In response to Tanzania's concern about lack of African experts on the roster of expert bodies, the WHO representative informed the Committee on the process of a public call for experts to establish these rosters. The WHO JECFA roster will be renewed this year, the call for experts will be published soon and she called on delegates to support the program in its outreach efforts by broadly distributing the call including to academic communities and encourage and support experts to respond.

OTHER BUSINESS (Agenda Item 7)

110. The Committee noted that no other business had been put forward.

DATE AND PLACE OF NEXT SESSION (Agenda Item 8)

111. The Committee noted that the date of its 30th Session would depend on the decision of CAC38.

SUMMARY STATUS OF WORK

SUBJECT MATTER	ACTION BY	DOCUMENT REFERENCE (REP15/GP)
Amendments to the Procedural Manual		
Terms of Reference of the Committee on General Principles	Governments, CAC38	Para. 41 and App. III
Procedures for the Elaboration of Codex Standards and Related Texts	Governments, CAC38	Para. 49 and App. IV
Other topics		
Consistency of risk analysis texts across the relevant committees	CCGP30	Para. 12
Codex Work Management and Functioning of the Executive Committee	CAC38 CCEXEC70	Para. 12

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Appendix II

MONITORING OF THE STRATEGIC PLAN 2014-2019 IMPLEMENTATION - RESPONSES OF CCGP

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
1: Establish international food standards that address current and emerging food issues.	1.1: Establish new and review existing Codex standards, based on priorities of the CAC	1.1.1: Consistently apply decision-making and priority-setting criteria across Committees to ensure that the standards and work areas of highest priority are progressed in a timely manner.	New or updated standards are developed in a timely manner	- Priority setting criteria are reviewed, revised as required and applied. - # of standards revised and # of new standards developed based on these criteria.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> YES. CCGP work helps ensuring, through the development of procedures, that other Committees have the mechanisms necessary to conduct their standard setting work effectively. In addition, the Committee has developed risk analysis principles for application of governments and a code of ethics. <i>Does the Committee use any specific criteria for standards development?</i> CCGP utilises the criteria laid down in the Procedural Manual in its work. <i>Does the Committee intend to develop such criteria?</i> NO</p>				
	1.2: Proactively identify emerging issues and Member needs and, where appropriate, develop relevant food standards.	1.2.1: Develop a systematic approach to promote identification of emerging issues related to food safety, nutrition, and fair practices in the food trade.	Timely Codex response to emerging issues and to the needs of Members.	- Committees implement systematic approaches for identification of emerging issues. - Regular reports on systematic approach and emerging issues made to the CCEXEC through the Codex Secretariat.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> “Emerging issues” identified by the Commission when related to procedural and/or other general matters e.g. code of ethics, risk analysis principles are of relevance to the Committee. <i>How does the Committee identify emerging issues and members needs? Is there a systematic approach? Is it necessary to develop such an approach?</i> N/A</p>				
		1.2.2: Develop and revise international and regional standards as needed, in response to needs identified by Members and in response to factors that affect food safety, nutrition and fair practices in the food trade.	Improved ability of Codex to develop standards relevant to the needs of its Members.	- Input from committees identifying and prioritizing needs of Members. - Report to CCEXEC from committees on how standards developed address the needs of the Members as part of critical review process.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> The work of CCGP enables other committees to contribute to this activity.</p>				

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
2: Ensure the application of risk analysis principles in the development of Codex standards.	2.1: Ensure consistent use of risk analysis principles and scientific advice.	2.1.1: Use the scientific advice of the joint FAO/WHO expert bodies to the fullest extent possible in food safety and nutrition standards development based on the "Working Principles of Risk Analysis for Application in the Framework of the Codex Alimentarius".	Scientific advice consistently taken into account by all relevant committees during the standard setting process.	- . # of times the need for scientific advice is: - identified, - requested and, - utilized in a timely manner.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> CCGP has developed and updated the <i>Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius</i> and risk analysis definitions, on the basis of FAO/WHO experts' advice. CCGP also ensures the consistency of the risk analysis principles developed by various committees. <i>Does the committee request scientific advice in course of its work, how often does it request such advice?</i> (see above) <i>Does the committee always use the scientific advice, if not, why not?</i> (see above)</p>				
		2.1.2: Encourage engagement of scientific and technical expertise of Members and their representatives in the development of Codex standards.	Increase in scientific and technical experts at the national level contributing to the development of Codex standards.	- # of scientists and technical experts as part of Member delegations. - # of scientists and technical experts providing appropriate input to country positions.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> YES <i>How do members make sure that the necessary scientific input is given into country positions and that the composition of the national delegation allows to adequately present and discuss this position? What guidance could be given by the Committee or FAO and WHO?</i> N/A</p>				
		2.1.3: Ensure that all relevant factors are fully considered in exploring risk management options in the context of Codex standard development.	Enhanced identification, and documentation of all relevant factors considered by committees during the development of Codex standards.	- # of committee documents identifying all relevant factors guiding risk management recommendations. - # of committee documents clearly reflecting how those relevant factors were considered in the context of standards development.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee? How does the Committee ensure that all relevant factors have been taken into account when developing a standard and how are these documented?</i> YES. CCGP elaborates procedures that guide the work of committees on standard development; in particular the <i>Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius</i>, provide guidance to ensure that food safety and health aspects of Codex standards and related texts are based on risk analysis. According to the Principles, risk management should follow a structured approach including preliminary risk management activities, evaluation of risk management options, monitoring and review of the decision taken and require a transparent, consistent and fully documented risk management process, and a presentation of the conclusion of the risk assessment before making final proposals or decisions on the available risk management options. In conducting its work in developing risk management principles and guidelines, the CCGP is bound by the Procedural Manual and the Codex mandate and, thus, only takes into consideration legitimate factors relevant to the health protection of consumers and to the promotion of fair practices in food trade.</p>				

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
		2.1.4: Communicate the risk management recommendations to all interested parties.	Risk management recommendations are effectively communicated and disseminated to all interested parties.	- # of web publication/communications relaying Codex standards. - # of media releases disseminating Codex standards.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> The <i>Working Principles for Risk Analysis for Application in the Framework of the Codex Alimentarius</i> also address the aspect of risk communication. In particular that that risk communication should promote understanding, consistency and transparency of the risk analysis process, and enhance trust and confidence in the safety of food supply. <i>When taking a risk management decision, does the committee give guidance to members how to communicate this decision? Would more consideration of this be helpful to members?</i> (See above)</p>				
3: Facilitate the effective participation of all Codex Members.	3.1: Increase the effective participation of developing countries in Codex.	3.1.5: To the extent possible, promote the use of the official languages of the Commission in committees and working groups.	Active participation of Members in committees and working groups.	- Report on number of committees and working groups using the languages of the Commission
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> YES <i>Is the use of official languages in working groups of the committee sufficient?</i> YES, CCGP tries to use as many languages as possible in WGs in order to facilitate members' participation. <i>What are the factors determining the choice of languages?</i> This mainly depends on the Member chairing the WG. <i>How could the situation be improved?</i> For example by increasing the opportunities of co-chairing of the WG as co-chairing countries can assist in the translation in other languages.</p>				
	3.2: Promote capacity development programs that assist countries in creating sustainable national Codex structures.	3.2.3: Where practical, the use of Codex meetings as a forum to effectively conduct educational and technical capacity building activities.	Enhancement of the opportunities to conduct concurrent activities to maximize use of the resources of Codex and Members.	- . # of activities hosted on the margins of Codex meetings.
<p>Question to the Committee: <i>Is this activity relevant to the work of the Committee?</i> YES. <i>Does the Committee organize technical capacity activities or other activities in the margins of Committee sessions? If yes – how many and with which topics have been organized in the past.</i> Activities organised in the margin of CCGP have included workshops for Chairpersons and meetings on the Codex Trust Fund. <i>If no – could this be useful and what topics could be addressed?</i> The large audience of CCGP, which include governments representatives responsible of the implementation of Codex, FAO and WHO representatives, a numbers of observers, and the topics in the CCGP agenda would justify the organisation of educational and capacity development activities aiming at promoting a common understanding of the subject and consensus building.</p>				

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
4: Implement effective and efficient work management systems and practices.	4.1: Strive for an effective, efficient, transparent, and consensus based standard setting process.	4.1.4: Ensure timely distribution of all Codex working documents in the working languages of the Committee/Commission.	Codex documents distributed in a more timely manner consistent with timelines in the Procedural Manual.	- Baseline Ratio (%) established for documents distributed at least 2 months prior to versus less than 2 months prior to a scheduled meeting. - Factors that potentially delay the circulation of documents identified and addressed. - An increase in the ratio (%) of documents circulated 2 months or more prior to meetings.

Question to the Committee:

Is this activity relevant to the work of the Committee?

YES. This activity is relevant to all Codex committees and in particular the Committee has developed relevant procedural guidance.

Does the Committee have a mechanism in place to ensure timely distribution of documents? What could be done to further improve the situation?

The requirement for timely distribution of documents already is stated in the Procedural Manual. Timely distribution of documents in all languages promote participation in and ensure transparency of the Codex process. A process to analyse the issues and to identify the root cause and possible mechanisms to address this issues is ongoing in Codex.

		4.1.5: Increase the scheduling of Work Group meetings in conjunction with Committee meetings.	Improved efficiency in use of resources by Codex committees and Members.	- # of physical working group meetings in conjunction with committee meetings, where appropriate.
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Question to the Committee:

Is this activity relevant to the work of the Committee?

YES

Does the Committee hold physical working groups independent of Committee sessions? If yes – why is this necessary?

NO. Currently CCGP has not established physical Working Groups independently of Committee sessions and it will make every effort to ensure that future PWG will be held in conjunction with this Committee.

Strategic Goal	Objective	Activity	Expected Outcome	Measurable Indicators/Outputs
	4.2: Enhance capacity to arrive at consensus in standards setting process.	4.2.1: Improve the understanding of Codex Members and delegates of the importance of and approach to consensus building of Codex work.	Members and delegates awareness of the importance of consensus in the Codex standard setting process improved.	<ul style="list-style-type: none"> - Training material on guidance to achieve consensus developed and made available in the languages of the Commission to delegates. - Regular dissemination of existing material to Members through Codex Contact Points. - Delegate training programs held in association with Codex meetings. - Impediments to consensus being achieved in Codex identified and analysed and additional guidance developed to address such impediments, if necessary.

Question to the Committee:

Is this activity relevant to the work of the Committee?

YES. Consensus-based decision making is one of the basic values of Codex work. The Committee has developed procedural guidance to facilitate consensus.

Are there problems with finding consensus in the Committee? If yes – what are the impediments to consensus? What has been attempted and what more could be done?

In the past, consensus building on some topics has taken considerable time. Every attempt to facilitate consensus should be guided by the measures outlined in the Procedural Manual

Appendix III

PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF THE COMMITTEE ON GENERAL PRINCIPLES**(for approval)**

Please Note: New text is presented in underlined font; and deleted text in ~~strikethrough font~~

To deal with such procedural and general matters as are referred to it by the Codex Alimentarius Commission, including:

- the review or endorsement of procedural provisions/texts forwarded by other subsidiary bodies for inclusion in the Procedural Manual of the Codex Alimentarius Commission; and
- the consideration and recommendation of other amendments to the Procedural Manual.

~~Such matters have included the establishment of the General Principles which define the purpose and scope of the Codex Alimentarius, the nature of Codex standards and the forms of acceptance by countries of Codex standards; the development of Guidelines for Codex Committees; the development of a mechanism for examining any economic impact statements submitted by governments concerning possible implications for their economies of some of the individual standards or some of the provisions thereof; the establishment of a Code of Ethics for the International Trade in Food."~~

Appendix IV

**PROPOSED AMENDMENTS TO THE PROCEDURES FOR THE ELABORATION OF CODEX
STANDARDS AND RELATED TEXTS****(for approval)**

Please Note: New text is presented in underlined font

Part 2. Critical Review**Proposal to undertake New Work or to Revise a Standard**

Para.1 (sixth bullet)

- Information on the relation between the proposal and other existing Codex documents as well as other ongoing Codex work;

Para.3 (after second bullet)

- Advice on the need for coordination of work between relevant Codex subsidiary bodies;