

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: 39 06 57051 www.codexalimentarius.net Email: codex@fao.org Facsimile: 39 06 5705 4593

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

**Twenty-eighth Session
Rome, Italy, 4-9 July 2005**

**REPORT OF THE FOURTEENTH SESSION
OF THE FAO/WHO COORDINATING COMMITTEE
FOR LATIN AMERICA AND THE CARIBBEAN**

**Buenos Aires, Argentina,
29 November to 3 December 2004**

SUMMARY AND CONCLUSIONS

The summary and conclusions of the 14th Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean are as follows:

Matters for consideration of the Codex Alimentarius Commission

The Committee:

- Agreed that the nomination of **Argentina** as Regional Coordinator be proposed to the Commission at its 28th Session (para. 99).

Other matters of interest to the Commission

- **FAO/WHO Trust Fund for enhanced participation in Codex.** The Committee recognized the importance of the Trust Fund in facilitating the participation of developing countries in Codex meetings. However, it stated that the Trust Fund should be used for effective participation and would only be used for other purposes when there were surpluses. In this connection, it expressed its concern about the criteria for the allocation of resources and the eligibility of countries for which aspects such as effective participation and balanced representation between regions should be taken into account. It also agreed that the Regional Strategic Plan should include an analysis of the feasibility of establishing a regional trust fund (paras. 9-13).
- **Code of Ethics for International Trade in Food.** The Committee noted that the current version of the Code relating to international trade contained the rights and obligations provided for in the WTO Agreements and that the food safety aspects were already included in general or specific Codex standards. It did not therefore consider it appropriate to revise the document and only where aspects relating to non-trade exchanges continued to be the subject of discussion, the outcome of the work should be consistent with the principles of the WTO and with Codex standards (paras. 14-19).
- **FAO/WHO activities complementary to the work of the Codex Alimentarius Commission.** The Committee took note of the scientific advisory activities pursued by FAO and WHO since its previous session (paras. 23-24).
- **Capacity building.** The Committee expressed its appreciation to FAO and to WHO/PAHO/INPPAZ for their capacity-building activities in the Region and agreed that FAO should develop capacity-building activities to facilitate the establishment of Maximum Residue Limits (MRLs) in products of interest to the Region. It supported the involvement of consumers in capacity-building activities and endorsed the coordination of FAO and WTO activities to generate joint actions between the Contact Points of Codex and the WTO/SPS and TBT Agreements to ensure that the Codex Contact Points participated in capacity-building activities relating to the WTO/SPS and TBT Agreements (paras. 25-32).
- **Legislation on food and food control.** The Committee took note of progress made in the Region in relation to national food control systems, food legislation and cooperation activities (paras. 36-40).
- **Participation of consumers in the establishment of Codex standards.** The Committee exchanged information on the participation of consumers in the work of Codex in the Region. It also recognized that the integration of consumer organizations and their lack of financial resources and technical expertise in all areas related to Codex work restricted their effective participation in standards setting at national level. It also recognized that other stakeholders such as industry and the academic sector were not sufficiently aware of the importance of Codex work and of how to integrate its standards and related texts into the production process, which made it necessary to continue exploring mechanisms to improve this situation in the future (paras. 41-46).

- **Review of the Regional Coordinating Committees.** The Committee examined a number of issues relating to the role, membership, terms of reference and effectiveness of the Regional Coordinating Committees and the roles of the Coordinator and the Member of the Executive Committee elected in accordance with the geographical criterion and made a series of observations and recommendations (paras. 47-70):
 - Role: The Committee agreed that its role should be strategic coordination and the establishment of a regional position on the issues under discussion in Codex, in order to achieve a balance between the interests and concerns of the different regions in relation to Codex standards and related texts.
 - Membership: The Committee agreed that the current geographical coverage should be retained and that the involvement of all the subregions and especially the English-speaking Caribbean should be achieved through the implementation of the Regional Strategic Plan.
 - Terms of Reference: The Committee agreed that the terms of reference were clearly defined and should be applied through the Regional Strategic Plan and added to its terms of reference the promotion of the adoption of regional positions on strategic subjects to reflect the role of the Regional Coordinating Committees. It also observed, with regard to the elaboration of regional standards, that it would be preferable to propose to the Commission the elaboration of world-wide standards of interest to the Region.
 - Effectiveness: The Committee requested that the Commission reaffirm the importance of Government involvement in Codex issues and agreed to maintain the current frequency of sessions (every two years) although there was no alignment between the dates of the sessions of the Coordinating Committees and the Commission and its subsidiary bodies that would make it possible to adopt regional positions before these bodies met.
 - Roles of the Coordinator/Regional Representative: The Committee agreed that the terms of office of the Coordinator and of the Member of the Executive Committee elected on a geographical basis should be identical and that the mandate of the Member should be renewable once.
 - Other issues: The Committee agreed that questions of interest to the Region would be a permanent agenda item in the future.

- **Strategic Plan of the CCLAC.** The committee endorsed the Regional Strategic Plan and formulated the following observations and conclusions (paras. 71-93):
 - Objective 1 – Communication: The Committee agreed to look into the possibility of using virtual chat rooms, videoconferencing and so forth for the exchange of information and for drawing up regional positions, as well as other forms of electronic communication. It also agreed that information could be disseminated through a variety of sources but that the official position of the countries should be communicated through the Codex Contact Points.
 - Objective 2 – Effective participation of Members: The Committee agreed that means of electronic communication should be used for the exchange of information on Codex matters of strategic importance to the Region with a view to establishing common positions whenever possible. It also agreed that the establishment of working groups would be considered on a case-by-case basis.

- Objective 3 – Strengthening of capacities: The Committee agreed that the sharing of information and experiences and the organization of joint activities between countries of the Region could help advance the development and strengthening of the capacities of national bodies involved in Codex activities and that there should be more effective contact between the WTO SPS/TBT Notification Points and the Codex Contact Points in order to enhance coordination of Codex-related actions linked to these Agreements that were of interest to the Region.
 - Objective 4 - Use of technical and scientific capacities: The Committee agreed with the elaboration of a set of criteria for the selection of experts of the Region who would serve as technical or scientific advisers to the CCLAC Members in drawing up national or regional positions on relevant Codex issues. Such criteria would take into account procedures established by FAO/WHO in this regard.
 - Objective 5 – Continuity of Committee tasks: The Committee noted that the Regional Strategic Plan called for activities to monitor and evaluate the status of activities envisaged in the Plan and established a Working Group for this purpose.
 - Objective 6 – Technical and financial cooperation: The Committee indicated the importance of seeking technical and financial cooperation mechanisms at international and regional level that would allow regional representation at Codex meetings. In this connection, it agreed to continue identifying international and regional organizations that could give support to the countries of the Region to enhance their participation in Codex and Codex-related activities and encouraged its Members to contact their relevant official institutions so that governments could explore the possibilities of entering into cooperation agreements with these organizations for training activities related to the work of Codex and in order to ensure the effective participation of CCLAC Members in Codex activities.
 - Objective 7 – Identification and prioritization of regional standard-related needs: The Committee expressed its concern about the lack of Codex MRLs for substances used in export commodities of interest to the Region and the tendency for certain Members of the WTO and Codex to unilaterally set MRLs at the detection limit of the analytical method without sufficient scientific evidence to justify limits that were more restrictive than those of Codex, when these existed.
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- **Guidelines for Food Safety in Tourist Zones**. The Committee agreed that a questionnaire be distributed through a Circular Letter to request comments and information from the Member Countries in order to evaluate the advisability of proceeding with the elaboration of the Guidelines (paras. 94-98).
 - **Country of origin labelling**. The Committee agreed that there was no need for further elaboration of the *Codex General Standard for the Labelling of Prepackaged Foods* with regard to this issue given that its provisions were sufficient to provide adequate information to consumers (paras. 100-102).
 - **Working Principles for Risk Analysis for Food Safety**. The Committee agreed that precaution in risk management should only be considered as a qualified and provisional exception to the obligation to base sanitary and phytosanitary measures on adequate sufficient evidence, on the basis of Article 5.7 of the SPS Agreement, and expressed its opposition to any reference to environmental or ecological conditions. It also agreed that if these issues could not be resolved, the principles should only be developed for risk assessment (paras. 103-107).
 - **Codex Standard for Canned Sardines and Sardine-Type Products**. The Committee agreed to indicate its concern to the Executive Committee about the failure to comply with established procedures for the inclusion of sardine-type species under this standard and urged the next session of the Commission to conclude *Clupea bentincki* among the sardine species of the *Codex Standard for Canned Sardines and Sardine-Type Products* (paras. 108-114).

- **Principles for Traceability/Product Tracing in the Context of Food Inspection and Certification Systems.** The Committee agreed to propose to the CCFICS a series of principles for traceability/product tracing and agreed that no reference should be made to aspects relating to fair trade practices since traceability/product tracing should be used only as a risk management tool to ensure food safety (paras. 115-117).
- **Codex Standard for Parmesan Cheese.** The Committee agreed that the request for the elaboration of a Codex standard for parmesan cheese satisfied all the criteria established by the Committee on Milk and Milk Products for the elaboration of standards for cheeses, as well as the criteria for new work specified in the Procedural Manual and recommended that the 28th Session of the Commission approve as new work the elaboration of such a standard in the CCMMP (paras. 118-119).
- **Food additive sweetener Stevioside (stevia).** The Committee invited its Members to provide scientific data on stevioside, so that the JECFA could complete the evaluation of this substance and assign a full ADI for the CCFAC to be in a position to consider its inclusion in the General Standard for Food Additives (paras. 120-121).
- **Elaboration of standards for tropical and indigenous products.** The Committee recognized the need to work on standards of interest to the Region, for example indigenous products and fresh tropical fruits through the relevant Codex committees (para. 122).
- **Food Safety Institute of the Americas.** The Committee noted that this new institute could provide useful training and capacity-building activities in the Region (paras. 123-124).

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INTRODUCTION

1. The 14th Session of the FAO/WHO Coordinating Committee for Latin America and the Caribbean (CCLAC) was held in Buenos Aires, from 29 November to 3 December 2004, at the kind invitation of the Government of Argentina. The Coordinator and Chairperson of the Committee, Mr Claudio Sabsay, appointed Mrs Gabriela Catalani, Technical Coordinator of the Codex Contact Point, Secretary of Agriculture, Livestock, Fisheries and Food, to act as Vice-chairperson of the Committee. The Session was attended by delegates from 25 Member Countries, one observer country and observers from 9 international or regional organizations. The list of participants is provided in Appendix I of this report.

OPENING OF THE SESSION

2. The Session was officially opened by Mr Felipe Frydman, National Director of International Economic Negotiations, Ministry of Foreign Affairs, International Commerce and Worship. He referred to the importance of Codex work in the area of food safety through the development of international science-based standards to prevent the application of sanitary measures as technical obstacles to trade. In this respect, he stressed the need for Members of the Region to participate in the work of the Committee to ensure that regional interests are represented when setting Codex standards. He also stated that the Regional Strategic Plan for the CCLAC could serve to improve communication among Members of the Region, with a view to identifying common needs and interests of countries of the Region.

3. Dr Maya Piñeiro, of the Food and Nutrition Division of the Food and Agriculture Organization of the United Nations (FAO), addressed the Committee on behalf of FAO. She drew attention to the various FAO activities in the Region related to food quality and safety, and in particular the important contributions that CCLAC had made to Codex work. She also referred to the importance of participation of Members of the Region in the work of the Committee to reach common positions, especially on science-based Codex matters of interest to the Region. In this regard, she encouraged Member Countries to send data and nominees for FAO/WHO expert consultations in recognition of the valuable human resources available in the Region, so that the risk assessment that provided the scientific basis for the establishment of international standards could take due account of differing regional dietary patterns and local exposure levels.

4. Dr Claudio Almeida, Director of the Pan-American Institute for Food Protection and Zoonoses (INPPAZ), addressed the Committee on behalf of WHO/PAHO (World Health Organization/Pan-American Health Organization). He highlighted the importance of participating in the Committee's work to support the development of international standards which were science-based and took into account the needs of countries of the Region. In this connection, he also stressed the importance of having data from Member Countries as a scientific basis for the establishment of maximum levels and Maximum Residue Limits (MRLs).

5. The Coordinator of the Committee, Mr Claudio Sabsay, Under-Secretary for Farm Policy and Food at the Secretariat of Agriculture, Livestock, Fisheries and Food of Argentina, referred to the importance of harmonizing technical standards for the facilitation of trade, and in particular of developing Codex international food safety standards in the framework of the World Trade Organization (WTO) Agreement on Sanitary and Phytosanitary (SPS) Measures to protect consumer health and prevent sanitary and phytosanitary measures being used as unjustified restrictions on trade. In this regard, he highlighted the need for greater involvement of developing countries in Codex standard-setting activities and encouraged FAO and WHO to increase their support to the developing countries of the Region to enable them to participate effectively in Codex meetings by strengthening the Trust Fund for the Participation of Developing Countries in Codex Standard-Setting Procedures, thus allowing the views of the countries of the Region to be represented and ensuring fair and non-discriminatory practices in international trade.

6. The Committee observed a minute's silence in memory of Mr Eduardo Mendez Rubello, former Chairperson of the Codex Alimentarius Commission, for his valuable contribution to Codex work at international and regional level.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

7. The Committee agreed to discuss the following matters under Agenda Item 11 “Other Business and Future Work”:

- Labelling of country of origin;
- The Risk Analysis Working Group meeting prior to the 21st Session of the Codex Committee on General Principles (CCGP) and the Proposed Draft Working Principles for Risk Analysis for Food Safety;
- Principles for traceability/product tracing in the context of food import and export certification and inspection systems;
- Food additive sweetener: stevioside (stevia);
- Elaboration of a Codex standard for parmesan cheese;
- Elaboration of Codex standards for tropical fresh produce such as passion fruit and indigenous products such as “*panela*”;
- Regional strategies to address problems arising in the application of Codex standards e.g. those relating to sardines and the use of sodium nitrate (saltpeter) in organic agriculture;
- Information of the Food Safety Institute of the Americas (FSIA).

8. The Committee adopted the provisional agenda as its agenda for the Session with the above additions.

MATTERS REFERRED/OF INTEREST TO THE COMMITTEE ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES AND TASK FORCES (Agenda Item 2)²**TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX**

9. Several delegations expressed the view that the resource allocation criteria used by the Trust Fund should be revised as the possibility for countries of the Region to benefit from the Trust Fund was very limited. It was also proposed that the Committee develop alternative proposals for these criteria for consideration by the Commission. The Codex Secretariat however recalled that the criteria were not the responsibility of the Commission, but of WHO and FAO as managers of the Trust Fund, and noted that the next session of the Executive Committee would consider a complete report on the operation of the Trust Fund since its creation. Several delegations also pointed out that the Trust Fund should be used only for effective participation in Codex meetings and that capacity building should be funded from other resources.

10. After further discussion, the Committee recognized the importance of the Trust Fund for facilitating developing countries’ participation in Codex Alimentarius sessions, considering that all the Members of the Region are developing countries. However, it expressed its concern about the criteria for resource allocation and country eligibility.

11. The Committee considered that such aspects as effective participation and balanced geographical representation between the regions should be taken into consideration when selecting the countries that would receive resources.

12. The Committee reaffirmed its interest in having the funds allocated for the effective participation of developing countries in Codex Alimentarius sessions and only allocating them for other purposes when there were surpluses.

13. Furthermore, the Committee agreed that the Regional Strategic Plan should include an analysis of the feasibility of establishing a regional trust fund

¹ CX/LAC 04/14/1.

² CX/LAC 04/14/2, CRD 1 (comments of Chile).

CODE OF ETHICS

14. The Committee recalled that the Commission had considered the request for advice from the Committee on General Principles concerning the revision of the Code of Ethics for International Trade in Food and had noted that the Regional Coordinating Committees could discuss this matter.

15. Some delegations proposed retaining the current Code without further revision. Other delegations proposed discontinuing the revision and also revoking the Code, as its provisions were covered by the WTO SPS and TBT Agreements or by Codex texts on food import and export inspection and certification systems. It was also pointed out that the priority for Codex work should be consumer health protection and that there was little benefit in continuing to work on the revision of the Code.

16. The Committee noted that the Code of Ethics covered non-trade transactions, and especially food aid, and several delegations proposed that the revision of the Code be limited to these aspects. The Committee had an exchange of views on the relevance of retaining a reference to the WTO Agreements when considering non-trade aspects and some delegations proposed retaining the notion of consistency with the principles expressed in the WTO Agreements, as these would be relevant to all transactions, not only trade transaction. In reply to questions raised, the Codex Secretariat indicated there was an FAO Panel of Eminent Experts on Ethics in Food and Agriculture, and a similar panel in WHO, but that no specific texts had been developed by FAO and WHO in this area.

17. The Committee noted, with respect to international trade, that the current Code of Ethics contained the rights and obligations provided for in the WTO Agreements.

18. The Committee also noted that food safety aspects were already included in the general or specific Codex standards. Moreover, the CCLAC pointed out that FAO and WHO already had panels on ethics.

19. In view of the above, the CCLAC did not consider it appropriate to discuss or revise the Code as mentioned in the first paragraph. Nevertheless, only where non-trade exchanges continued to be the subject of discussion, the Committee considered that the outcome of the work should be consistent with the principles of the WTO Agreements and with Codex standards.

OTHER MATTERS RAISED BY THE COMMITTEE

20. In reply to a question, the Codex Secretariat informed the Committee that a preliminary report on the review of the terms of reference and structure of the Codex committees would be available for consideration of the Executive Committee at its next session (February 2005) and that the final report would be circulated for comments and submission to the 28th Session of the Commission.

21. The delegation of Chile, referring to its written comments, drew the attention of the Committee to the issue of antimicrobial resistance and expressed the view that functional foods should be addressed in the framework of Codex. The Codex Secretariat noted that the need for an expert consultation on functional foods had not been supported by the Committee on Nutrition and Foods for Special Dietary Uses, as other more urgent priorities existed, and that this issue had also been discussed in the Commission. The Chairperson recalled that the priorities for scientific advice had been discussed by the Executive Committee and that the first priority was health protection. The Committee however noted that the issue of misleading presentation of products as “functional foods” or misleading claims for such foods should be addressed in the future.

22. The delegation of Chile referred to the discussion of the Commission concerning the adoption of new definitions related to food safety on an interim basis and pointed out that certain terms should be clarified. The Committee agreed to ask the Committee on General Principles to consider a definition or clarification of the term “interim” for the purpose of adoption of standards.

REPORT ON ACTIVITIES OF FAO AND WHO COMPLEMENTARY TO THE WORK OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 3)³

23. The Representative of FAO gave a summary report of matters of interest coming from both organizations. In response to a request from the delegation of Jamaica for establishing MRLs for residues of pesticides in products of the Caribbean Region (e.g. tubers such as yams and sweet potatoes), the Committee acknowledged that the Codex Committee on Pesticide Residues was the appropriate Codex subsidiary body to undertake work in this area. However, it agreed that the setting of MRLs for pesticide residues in such products should be drawn to the attention of the CCPR.

24. The Representative of FAO further noted that invitations to FAO/WHO activities such as workshops and seminars were usually sent through the official channels of communication, i.e. to the FAO and WHO Representations in all the Member Countries.

CAPACITY BUILDING FOR FOOD STANDARDS AND REGULATIONS (Agenda Item 4)⁴

25. The Representatives from FAO Headquarters and the Regional Office presented a summary of capacity building activities on food safety and quality issues, including food standards and regulations. The Committee noted the information provided in the report on global, regional and national capacity building and training activities carried out by FAO and WHO since its last session.

26. Many delegations expressed their thanks to FAO and to WHO/PAHO/INPPAZ for their capacity building activities in the Region in the area of food safety and quality, food control, and the strengthening of Codex structures at national and regional level. Several delegations stated that FAO should continue its work on strengthening food control systems, and on the quality and safety of fresh fruit and vegetables.

27. The delegation of Peru stressed that existing expertise in the Region should be utilised more systematically, and that training courses or related activities could be organized by countries with specific technical know-how, for example analytical capacity, and suggested that national laboratories in these countries could be used as reference laboratories in the Region.

28. The Observer from Consumers International expressed its appreciation to FAO and to WHO/PAHO/INPPAZ for their cooperation with consumer organizations in the Region and pointed out that governments should involve consumer organizations in their training activities in view of the importance of consumer education for ensuring food safety.

29. Some delegations highlighted the trade barriers that resulted from certain importing countries adopting MRLs without sufficient scientific evidence and stated that such issues could be addressed both in the framework of Codex and through specific capacity building activities.

30. Some delegations stressed the importance of the link between WTO and Codex and the need to organize joint workshops or training activities. The Representative of FAO pointed out that WTO regularly organized seminars on the SPS and TBT Agreements in which standard-setting organizations participated, and drew the attention of the Committee to the Standard and Trade Development Facility (STDF) that had been established by FAO, WHO, OIE, WTO and the World Bank to coordinate efforts on food safety and plant and animal health and to provide a funding mechanism for developing countries.

31. The Committee indicated the importance of generating joint actions between the contact points of Codex and of the WTO SPS and TBT Agreements to develop procedures that indicated the level of compliance with Codex standards.

³ CX/LAC 04/14/3.

⁴ CX/LAC 04/14/4.

32. The Committee expressed its appreciation to FAO and to WHO/PAHO/INPPAZ for their capacity building activities in the Region in various areas related to food safety, food control and Codex. It supported the involvement of consumers in capacity building activities and endorsed the coordination of FAO and WTO activities in order to ensure that the Codex contact points were involved in capacity building activities related to the WTO SPS and TBT Agreements. The Committee agreed that capacity building activities should be developed by FAO in order to facilitate the establishment of MRLs for pesticides in products of interest to the Region.

OTHER MATTERS RAISED BY THE COMMITTEE: FOOD SAFETY INSTITUTE OF THE AMERICAS (FSIA)

33. The delegation of the United States informed the Committee that the purpose of the Food Safety Institute of the Americas (FSIA), established in October 2004 in Miami, was to facilitate the process of building institutional capacity in countries, by determining the technical resources that the countries of Latin America and the Caribbean needed to ensure a safe and affordable food supply, and by identifying, mobilizing and coordinating delivery of those resources. The intention was to complement the existing national and inter-American institutions that already provided training and development assistance for food safety.

34. The FSIA was an initiative of the U.S. Food Safety Inspection Service (FSIS) and operated under its direction. The FSIA would be structured as a “virtual university” with individual “colleges” dedicated to bringing technical assistance to specific needs. As a first step, the FSIA would circulate a survey to identify those needs. Meanwhile, the FSIA was already preparing two “colleges” to address needs arising in connection with: (1) regulatory issues for the import/export, inspection and equivalence of meat, poultry and eggs and; (2) the Codex Alimentarius (both areas of special technical competence of the FSIS). The FSIA had established a partnership with Miami-Dade University and intended to establish relationships with other government food safety agencies, academic institutions and industry associations of the Americas, as well as with relevant institutions of the inter-American system.

35. The Representative of FAO referred to the attraction of working in association with FAO on account of its many capacity building activities in these areas.

INFORMATION AND REPORTS ON FOOD CONTROL AND FOOD SAFETY ISSUES INCLUDING CODEX STANDARDS (Agenda Item 5)⁵

36. The Committee noted that this was a standing item on the agenda of the Regional Coordinating Committees, in which Members of the Region were invited to provide the Committee with new or additional information on their national food control systems, food legislation and cooperation activities. The Committee agreed not to dwell at length on the written information provided by countries so that more time could be spent on other agenda items of common interest. In addition to the information provided in the working documents, the following delegations provided the Committee with further information on this item:

COSTA RICA

37. The delegation of Costa Rica explained competences in food safety control, including Codex standards, in relation to official bodies and participation of related sectors. The Delegation mentioned the national legislation that regulated the respective competences of the bodies involved.

⁵ CL 2004/24-LAC, Part I and comments submitted by Brazil, Chile, Colombia, Guatemala, Honduras, Mexico, Panama, Paraguay, and Venezuela (CX/LAC 04/14/5); Cuba, Mexico, and Uruguay (CX/LAC 04/14/5-Add.1); Argentina (CRD 3); Ecuador (CRD 5); Costa Rica (CRD 6) and Bolivia (CRD 7).

ECUADOR

38. The delegation of Ecuador thanked FAO for the implementation of various technical cooperation programmes carried out at national and regional levels, particularly the one on “Strengthening the Management of National Codex Committees in the Andean Countries” which had served as a basis for the establishment of the National Codex Committee of Ecuador with the participation of all interested parties. In addition, there were some ongoing activities aimed at establishing an integrated national food safety system with technical assistance from PAHO and IICA.

CHILE

39. The delegation of Chile expressed the view that the updated information presented at this session could be incorporated into the CCLAC web page and/or the database maintained by INPPAZ on the national food legislation of the Member Countries of the Region, so that countries that had not provided such information would be able to do so at a later date and would always be able to update the information whenever they considered this to be appropriate.

MEXICO

40. The delegation of Mexico explained that the information on pages 32-36 of CX/LAC 04/14/5 needed to be replaced by that given in CX/LAC 04/14/5-Add.1., while the remaining information remained unchanged.

CONSUMER PARTICIPATION IN FOOD STANDARDS SETTING AT CODEX AND NATIONAL LEVEL (Agenda Item 6)⁶

41. The Committee noted that this was a standing item on the agenda of Regional Coordinating Committees, in which Members of the Region were invited to provide the Committee with new or additional information on consumer participation in Codex work at national and international level.

42. Several delegations indicated that consumer representatives participated actively and on an equal footing in the standards setting activities of their National Codex Committees through their officially recognized organizations. However, these organizations did not usually have all the expertise and financial resources needed to participate in the different technical subcommittees of the National Committees and the fact that they were not federated into one organization made it difficult to contact them and to have them all appropriately represented in discussions of Codex standards and related texts relevant to the country.

43. The delegation of Dominican Republic reported that its National Codex Committee was being restructured and was expected to become fully operational next year with consumers participating in its standards setting work. The delegation of Chile indicated that its Consumer Law allowed consumer organizations to compete for funds to finance initiatives relating to consumption, rights awareness, information and education. The delegations of Antigua and Barbuda, Barbados and Jamaica informed the Committee that their consumer organizations participated in the standards setting process through subcommittees of their National Codex Committees.

44. The Observer from Consumers International acknowledged the progress made in regard to the participation of consumer organizations in standards setting work carried out in countries of the Region. However, the involvement of consumers and the elaboration of national positions was not uniform in all CCLAC Member Countries and some work in this direction was still needed. The Observer also pointed to the need for greater financial resources and training and for the integration of consumer organizations at national level.

⁶ CL 2004/24-LAC, Part II and comments submitted by Brazil, Chile, Colombia, Guatemala, Honduras, Mexico, Panama and Paraguay (CX/LAC 04/14/6); Cuba and Uruguay (CX/LAC 04/14/6-Add.1); Argentina (CRD 3); and Costa Rica (CRD 6).

45. In this connection, the Observer from Consumers International proposed the elaboration of guidelines to establish criteria for the representation and participation (right to speak, vote, etc.) of consumer organizations in the standards setting activities of the National Codex Committees. A number of delegations concurred with this proposal as one of the objectives of Codex was indeed the protection of consumer health, and the development of guidelines might ensure a more active and effective participation of consumer organizations in the standards setting work of the National Codex Committees. Other delegations were of the view that problems affecting the participation of consumer organizations in the standards setting work were not exclusive to consumer organizations but involved other stakeholders such as industry and academia which also faced problems such as insufficient financial resources and limited awareness of Codex work. These delegations felt that any guidelines elaborated by the Committee should apply to all parties concerned. They also pointed out that the development of such guidelines could create juridical problems, considering the legal framework of different countries for the recognition and participation of consumer organizations in standards setting activities. Some delegations expressed the view that strengthening consumer participation in Codex work could be achieved by providing technical assistance through FAO/WHO. The Representative of FAO indicated that FAO and WHO provided technical assistance to the Member Countries and that such a request should therefore be channelled through the Member Country in question.

46. The Committee recognized that integration of consumer organizations and the lack of financial resources and technical expertise in all areas related to Codex work restricted the effective participation of consumers organizations in standards setting at national level. The Committee also recognized that other stakeholders such as industry and academia were not sufficiently aware of the importance of Codex work and how to integrate its standards and related texts into the production process, so it was necessary to continue exploring mechanisms to improve this situation in the future.

REVIEW OF THE REGIONAL COORDINATING COMMITTEES (CL 2004/35-LAC) (Agenda Item 7)⁷

47. The Committee recalled that the 27th Session of the Commission had agreed that a Circular Letter would be issued to all Codex Members to invite comments on the role of the Regional Coordinating Committees and related matters, and that these would consider the comments from governments of their respective regions and forward their views and/or recommendations to the 28th Session of the Commission. The Committee discussed the questions in the Circular Letter and made the following comments and recommendations.

A. ROLE OF REGIONAL COORDINATING COMMITTEES IN FURTHERING THE OBJECTIVES OF THE CODEX ALIMENTARIUS COMMISSION

48. Several delegations pointed out that the Committee should exercise strategic coordination and that the agenda should include more concrete questions of interest to the region, rather than information items.

49. The Committee agreed that its role should be to exercise strategic coordination and to establish the Region's position on issues under discussion in Codex in order to achieve a balance between the interests and concerns of different regions in relation to Codex standards and related texts, and that the planning of regional work should contribute to the strengthening of the Coordinating Committee.

B. MEMBERSHIP OF REGIONAL COORDINATING COMMITTEES, INCLUDING THEIR CURRENT GEOGRAPHIC COVERAGE

50. Several delegations expressed the view that the membership of the Committee was adequate and should be retained without change.

51. The delegation of Barbados expressed the view that the integration of the English-speaking Caribbean countries was not effective because of language differences and because their trading interests, needs and concerns differed from those of the Latin American countries.

⁷ CL 2004/35-LAC, CX/LAC 04/14/7 (comments of Argentina, Brazil, Chile, Guatemala, Honduras and Mexico) and CX/LAC 04/14/7-Add.1 (comments of Cuba).

52. The delegation of Belize drew the attention of the Committee to the importance of trade to developing relations between subregions, on the basis of its experience as a trading partner of both Central America and the Caribbean.

53. The Observer from CARICOM pointed out that within the English-speaking Caribbean there was not only a common language but also similar geographical, socio-economic and cultural conditions, and that it would be easier for these countries to establish mechanisms for subregional coordination. The Observer inquired whether it was possible to establish a subregional group within the Coordinating Committee. The Codex Secretariat indicated that the Procedural Manual did not provide for subregional bodies and that if a group of countries wished to establish a separate Coordinating Committee, the proposal would have to be put before the Commission.

54. Some delegations pointed out that differences and subregions also existed within Latin America but that it would be preferable to retain a single Committee that would take into account the needs and specificities of all the countries and subregions. It was also pointed out that the CCLAC structure was coherent with the regional structure of FAO and other international agencies.

55. The Committee noted that FAO and WHO/PAHO/INPPAZ had organized subregional activities in the English-speaking Caribbean and that these could be followed-up on the basis of requests from Member Countries of the subregion.

56. The Committee agreed that the current geographical coverage should be retained and that the involvement of all the subregions and especially the English-speaking Caribbean should be achieved through implementation of the Regional Strategic Plan.

C. TERMS OF REFERENCE OF THE REGIONAL COMMITTEES AS SET OUT IN THE PROCEDURAL MANUAL, INCLUDING THE RELEVANCE OF REGIONAL STANDARDS

57. The Committee agreed with the proposal of the delegation of Chile that the CCLAC terms of reference should envisage the possibility of the Committee establishing strategic positions and therefore agreed to add the following to its terms of reference:

- (i) "To promote the adoption of regional positions on strategic subjects."

58. The Committee noted that this proposal would be sent for endorsement to the Committee on General Principles and that the 28th Session of the Commission would consider all recommendations originating from the Coordinating Committees, including proposed amendments to their terms of reference.

59. The Committee agreed that the terms of reference were clearly defined and should be implemented efficiently through the Regional Strategic Plan. As regards the relevance of elaborating regional standards, the Committee noted that it would be preferable to propose to the Commission the elaboration of worldwide standards of interest to the Region.

D. EFFECTIVENESS OF REGIONAL COORDINATING COMMITTEES IN RESPECT OF COUNTRY PARTICIPATION RECORD AND OF VENUES AND MEETING INTERVALS (CURRENTLY EVERY TWO YEARS)

60. Some delegations expressed the view that since the Commission now met annually, the Regional Committee could not adequately provide its views to the Commission on Codex issues, and proposed that it should meet annually to allow efficient interaction with the Commission.

61. Other delegations pointed out that the main issue was not the periodicity of sessions, but the effective participation of Member Countries of the Region in the coordination process and the establishment of a regional position. With support from other delegations, the delegation of Costa Rica proposed holding informal meetings between the regular sessions of the CCLAC. Some delegations proposed holding informal meetings, such as working groups between sessions, in order to facilitate interaction between countries at the regional level, and exploring the possibilities of electronic means of communication, such as videoconferencing. In this connection, the Representative of the FAO Regional Office for Latin America and the Caribbean mentioned that electronic discussion rooms were available at the Regional Office. The Observer from IICA also mentioned the availability of ICCA facilities and equipment for videoconferencing between regular sessions of the Committee. Other delegations noted that if positions were established in such meetings, they would not have the same status as positions of the Committee. Some delegations expressed the view that governments should be more involved in Codex matters and give these matters high priority in order to ensure the active participation of countries in regional coordination.

62. The delegation of Costa Rica proposed that the sessions of the CCLAC should not be held close to those of other Codex committees, but with a sufficient interval to present the regional position to the respective National Codex Committees and to the Codex committee in question. The Codex Secretariat indicated that due to the number of sessions held per biennium, including the six regional committees, and the practical constraints of host countries, it was difficult to avoid holding consecutive meetings. This concern would however be taken into account for all regional committees in future planning, to the extent possible.

63. The Committee proposed that the Commission should reassert the importance of government involvement in Codex issues as a high priority. It indicated that a discrepancy existed between the sessions of the Commission and those of the Coordinating Committee and stressed that meetings between sessions could be considered in the future, including through videoconferencing, if feasible. The Committee also invited Codex Contact Points to establish active communication through electronic communication, as needed. The Committee agreed that the host country for the Coordinating Committee should take on the role of Coordinator and that the dates of meetings should bear in mind the need to established agreed regional positions before the meetings of the Codex committees.

E. RESPECTIVE ROLES OF THE REGIONAL COORDINATOR AND THE MEMBER OF THE EXECUTIVE COMMITTEE ELECTED ON A REGIONAL BASIS

64. Several delegations expressed the view that the lack of definition of the role of the members elected on a geographical basis created confusion and did not facilitate coordination at the regional level.

65. The delegation of Chile expressed the view that the Coordinator should be a member of the CCEXEC, that the Member should be Vice-Chair of the Coordinating Committee and originate from another subregion, and that their mandates should have the same duration.

66. The delegation of Mexico informed the Committee of its efforts to ensure the representation of the Region in the CCEXEC and noted the difficulties resulting from time constraints in developing a regional position on the basis of comments received from the countries in the Region and invited the Members of the Committee to express their views in a proactive manner. In this connection, the Delegation acting as Regional Representative on the Executive Committee would identify items of regional interest and would have these circulated so that they could benefit from the comments of the other Members of the Committee.

67. The delegation of Uruguay highlighted the importance of ensuring continuity in the work carried out in the Region, especially when a new Member or Coordinator was elected, and noted that the duration of the mandates should be considered in that perspective. Several delegations stressed the need for close communication and interaction between Member Countries, the Coordinator and the Member elected on a geographical basis.

68. The Committee agreed that the terms of office of the Coordinator and of the Member elected on a geographical basis should be identical; that the mandate of the Member could be renewed once; that the records of coordination activities at the regional level should be available when a new Coordinator or Member took office. The Committee noted that the duration of the terms of office of all officers of the Executive Committee would be considered by the next session of the Committee on General Principles.

F. OTHER ISSUES

69. The delegation of Chile expressed the view that the agenda of the Coordinating Committee should include more issues of direct interest to Member Countries of the Region, and noted that under current practice these were all considered under 'Other Business and Future Work'.

70. The Codex Secretariat recalled that all Member Countries could propose subjects of interest for inclusion in the agenda, and that issues were often discussed as 'Other Business' for practical reasons, because they had been proposed after distribution of the agenda or during the session. Specific proposals put forward before the agenda was finalized could be included as separate agenda items. The Committee noted that the agenda of other Regional Committees included an item on "questions of interest to the Region", and agreed that a similar approach would be used in the future.

STRATEGIC PLAN FOR THE FAO/WHO COORDINATING COMMITTEE FOR LATIN AMERICA AND THE CARIBBEAN including the survey on the computer-related needs of the Region (Agenda Items 8 (a) and (b))⁸

71. The 13th Session of CCLAC (December 2002) had unanimously adopted the Strategic Plan. As a follow-up of the decisions taken at that session, the delegation of Argentina presented an updated report of tasks carried out so far, so that the Members of the Region could evaluate ongoing actions to determine any future directions or corrections needed.

72. The Committee expressed its high appreciation of the work of the Argentinian Coordination in following up the objectives set out in the CCLAC Strategic Plan and reached the following observations and conclusions:

OBJECTIVE 1 - COMMUNICATION: To foster effective communication between the CCLAC Members with other regions and Codex Members, the Codex Secretariat and relevant organizations.

73. The Committee noted the creation of the CCLAC web page which set out to improve communication among Members of the Region, for example by providing access to updated information on Codex activities (meetings, membership, etc.), Codex matters of interest to the Region being discussed in different Codex fora and the exchange of corresponding information in order to build common positions.

74. The Argentinian Coordination stated that the survey on computer-related needs was linked to this project and sought to identify the capacity of Member Countries access the Internet in order to raise communication. The web page would feature a 'virtual chat room' as a restricted area in which countries of the Region could hold informal discussions and agree regional positions. The Committee noted that observers such as consumer organizations and industry associations could share this exercise by participating in the relevant subcommittees of the National Codex Committees. If this facility was not viable in all Member Countries, the survey would also explore other mechanisms to improve communication by making use of other available electronic means of communication and their compatibility within the Region. The Argentinian Coordination urged CCLAC Members to complete the questionnaire to gain a comprehensive picture of computer capacities in the Region, so that a uniform system could be put in place that would allow the broad participation of CCLAC Members in the exchange of information and the agreement of regional positions.

⁸ CL 2004/24-LAC, Part II and comments submitted by Brazil, Chile, Colombia, Guatemala, Honduras, Mexico, Panama and Paraguay (CX/LAC 04/14/6); Cuba and Uruguay (CX/LAC 04/14/6-Add.1); Argentina (CRD 3); and Costa Rica (CRD 6).

75. The Representatives of WHO/PAHO/INPPAZ and the FAO Regional Office for Latin America and the Caribbean reported that their respective web pages also provided webcasting services that could also be used by CCLAC Members to communicate with each other. The Representative of the FAO Regional Office also spoke of recent projects to strengthen the National Codex Committees in the Region which had provided computer equipment to improve the work of the Codex Focal Points and National Codex Committees.

76. The Committee agreed to explore the possibility of using virtual chat rooms for the exchange of information and the development of regional positions, while also considering the possible use of other means of electronic communication to this end. It also agreed that communication could be effected through a variety of sources but that the official position of the countries should be conveyed through the Codex Contact Points.

OBJECTIVE 2 – EFFECTIVE PARTICIPATION OF MEMBERS: To achieve the active and effective participation of all countries of the Region in the Codex Alimentarius Commission and its subsidiary bodies, in particular the CCLAC.

77. The Committee had an exchange of views on how to participate effectively in Codex work at regional level. Some delegations indicated that one way might be the establishment of working groups to identify Codex matters of national interest that could be considered at regional level. Other delegations did not support the formation of electronic working groups but proposed strengthening the use of electronic communication for CCLAC Members to discuss Codex issues of regional interest.

78. The Committee noted that the second subparagraph of Objective 2 of the Regional Strategic Plan contained provisions for the establishment of working groups to examine strategic aspects of Codex activities. The Committee agreed that CCLAC Members should use means of electronic communication for the regional exchange of information on Codex strategic matters with a view to establishing common positions whenever possible. The Committee also agreed that the establishment of working groups would be considered on a case-by-case basis.

OBJECTIVE 3 – STRENGTHENING OF CAPACITIES: To promote the development and strengthening of capacities of the National Codex Committees and/or Codex Contact Points of CCLAC Member Countries.

79. The Committee noted a number of proposals on how to strengthen capacities for Codex activities in CCLAC Member Countries. A number of delegations were of the view that when organizing training activities on matters relating to the WTO SPS and TBT Agreements, some sort of synergy between FAO/WHO and the WTO should be sought to facilitate the participation of Codex Focal Points, so that they could usefully become aware of the linkages that existed between the WTO SPS and TBT Agreements and the Codex standards. This could be done in cooperation with international or regional organizations or with other countries of the Region with more expertise in these areas.

80. The Committee agreed that the sharing of information and experiences and the organization of joint activities, such as training programmes on specific topics (study tours, training courses in official food control laboratories, etc.) between countries of the Region with different levels of expertise could help advance the development and strengthening of the capacities of national bodies involved in Codex activities. In addition, it agreed that there should be a more effective contact between the WTO SPS/TBT Notification Points and Codex Contact Points in order to improve the coordination of Codex-related actions linked to these Agreements that were of interest to the Region.

OBJECTIVE 4 – USE OF TECHNICAL AND SCIENTIFIC CAPACITIES: To take advantage of the technical and scientific capacities of CCLAC Member Countries.

81. The Committee considered the possibility of developing a set of criteria for the selection of experts to take advantage of available technical and scientific expertise in the Region to help its Members with regard to Codex matters of common interest. The Committee acknowledged that FAO and WHO had established procedures for the selection of experts for consultations and scientific committees such as JECFA, JEMRA and JMPR, but at the same time clarified that it was not its intention to develop criteria for the selection of such experts.

82. The Committee agreed with the elaboration of a set of criteria for the selection of experts available in the Region, taking into account the procedures established by FAO/WHO for the selection of experts that would serve as technical or scientific advisers to CCLAC Members in the elaboration of national comments and regional positions on Codex issues relevant to the Region.

OBJECTIVE 5 – CONTINUITY OF COMMITTEE TASKS: To ensure the continuity, development and sustainability of the Committee’s tasks.

83. The Committee noted that the Regional Strategic Plan stated that regular monitoring and evaluation should exist for finished, ongoing, and future actions of the CCLAC Strategic Plan.

84. The Committee agreed that evaluation of the Plan should start from its adoption by the last session of CCLAC. To this end, the Committee agreed to set up a working group to monitor achievement of the objectives set out in the Regional Strategic Plan. The Working Group would be led by Mexico in its capacity as Regional Representative to the CCEXEC and would comprise Members from all subregions, namely Barbados, Brazil, Chile, Colombia, Dominican Republic, Guatemala and Uruguay. Membership of the Working Group would however be open to all Members of the Region.

OBJECTIVE 6 – TECHNICAL AND FINANCIAL COOPERATION: To attain technical and financial cooperation mechanisms that would allow CCLAC to develop and sustain its activities.

85. The Committee indicated the importance of seeking technical and financial cooperation mechanisms at international and regional level that would allow regional representation at Codex meetings.

86. A number of delegations informed the Committee that they had applied to the FAO/WHO Trust Fund to attend meetings in 2004/2005. They indicated that in most cases there had been a positive response for at least one of the meetings on the priority list of Codex meetings they wished to attend. However, the Committee noted that late confirmation of access to the Trust Fund could lead to countries not attending Codex meetings in which their participation had been confirmed. The Committee recognized that there were two problems, associated with: a) the operation of the Trust Fund and; b) the criteria for the selection of countries eligible to the Trust Fund. These needed to be resolved in the near future. The Coordinator encouraged CCLAC Members to send information when applying to and accessing the Trust Fund in order to keep a record and statistics on the Region’s participation at Codex meetings. This would evaluate the extent to which the Region had benefited from the Trust Fund.

87. The Committee also acknowledged the availability of regional organizations willing to help Members of the Region raise their involvement in Codex work at national and international level. The Observer from IICA urged CCLAC countries to convey this message to their Ministers of Agriculture so that the Institute could develop further training activities to help Members of Region participate more effectively in Codex activities.

88. The CCLAC agreed to continue identifying international and regional organizations that could give support to countries of the Region so that they could participate more effectively in Codex and Codex-related activities. With this in mind, it encouraged Member Countries to contact their relevant official institutions so that governments could explore the possibilities of entering into cooperation agreements with these organizations for training related to Codex matters, thus ensuring the effective participation of CCLAC Members in Codex activities.

OBJECTIVE 7 – IDENTIFICATION AND PRIORITIZATION OF REGIONAL STANDARD-RELATED NEEDS: To identify and prioritize the needs of the Region in food safety and other areas.

89. The Committee took note of a sample survey developed by the Coordinator that might be useful in guiding CCLAC Members in the evaluation of their national needs regarding regional standards. The Committee encouraged Member Countries to review the questionnaire to determine its usefulness for establishing, at national level, standard-related priorities for the Region.

90. A number of delegations expressed concern about deviations from Codex MRLs (e.g. pesticide residues) by some Codex and WTO Members that, without scientific justification, set MRLs at lower limits than those established by the Codex Alimentarius Commission. The absence of Codex MRLs, for example for agrochemicals used in major export commodities of countries of the Region, also gave rise to the unilateral setting of MRLs that did not adhere to the science-based principles established in the WTO SPS Agreement or Codex. These delegations indicated that the setting of MRLs to coincide with the detection limit of the analytical method placed an extra burden on export from developing countries to international markets and created trade restrictions that were not justified as these were based on economic considerations and not scientific grounds.

91. Other delegations referred to the need to identify financial and technical support (see paras. 79 - 80, 81 - 82, 85 - 88) to produce data on dietary intake, exposure, etc. so that joint FAO/WHO committees advising Codex committees could evaluate compounds, such as additives and pesticides, to establish Codex maximum levels or MRLs and thus prevent the unilateral setting of restrictive values that had no internationally recognized scientific justification.

92. In view of the above, the Committee agreed to set up a working group, chaired by Brasil and made up of Argentina, Bolivia, Chile, Colombia, Costa Rica, Cuba, Peru, Uruguay, ALA, ICGMA and INPPAZ but nevertheless open to all countries of the Region, that would seek to: (a) identify and monitor countries not complying with MRLs in Codex standards and; (b) identify compounds for which Codex MRLs were needed and thus generate data for their evaluation by FAO/WHO scientific bodies such as JECFA and JMPR. The delegation of Jamaica volunteered to provide data on pesticides used on tuber crops in the Caribbean.

93. The Committee expressed its strong concern about the lack of Codex MRLs for substances (e.g. pesticides, veterinary drugs) of interest to the Region and over the tendency for certain WTO/Codex Members to unilaterally establish MRLs at the detection limit of the analytical method, without sufficient scientific evidence to justify limits that were more restrictive than those of Codex, when these existed.

GUIDELINES FOR FOOD SAFETY IN TOURIST ZONES (Agenda Item 9)⁹

94. The Representative of INPPAZ introduced the document. The Committee had an exchange on views on how to proceed with the document, i.e. whether to discontinue the work, forward the Guidelines to the Codex Alimentarius Commission for approval as new work, or redraft the document and examine it at the Committee's next session.

95. The delegation of Chile was of the opinion that, as currently drafted, the Guidelines were basically a recompilation of relevant Codex texts, such as the Code of Hygienic Practices and the HACCP System (including those relating to small and less developed businesses), that could be applied separately without the need for a single document and that the document did not therefore add any value to the body of Codex texts available for this purpose. The Delegation also mentioned that the development of such Guidelines justified the application of risk analysis as there was a lack of clarity over the hazards involved that justified the elaboration of the Guidelines. The Delegation was also of the view that food safety should be assured for the entire country and not make distinctions between tourist and other areas in detriment to the local population. This view was shared by a number of delegations.

96. The delegation of Barbados indicated that the Guidelines constituted a useful document to ensure food safety, especially in small island countries where the whole territory was a "tourist zone". The Delegation also pointed out the usefulness of the Guidelines in providing sector operators with a framework of inspection and audit to evaluate tourist destinations. This view was also shared by a number of delegations.

⁹ CX/LAC 04/14/9 and comments submitted by Chile (CRD 1); and Argentina (CRD 3).

97. The Committee recognized the importance of giving added value to tourist zones, considering the foreign exchange that this activity provided many countries of the Region. Some countries indicated that this could be achieved through other means, for example through private quality certification that did not imply any obligation on the part of governments to ensure compliance with the Guidelines. The Committee also noted that the incorporation of risk analysis, certification procedures, etc. could improve the Guidelines, thus strengthening national food control systems and improving competitiveness. The Committee further noted that were the Guidelines to be redrafted, the positive aspects would be brought to the fore and not the negative ones.

98. The Committee agreed that, in order to assess the merit of proceeding with the development of the Guidelines, a separate Circular Letter would be issued requesting comments and information on the following:

- 1) To what extent is elaboration of this document necessary for your country?
- 2) What type of document do you recommend?
- 3) What should be the objective(s), scope and content of the document?
- 4) What, in your view, are the limitations of the document that has been circulated and what recommendations do you suggest in this respect?
- 5) What mandatory or recommended official documents has your country established for this purpose?
- 6) Is there any form of quality certification that includes food safety aspects?
- 7) What is your country's system of food control and surveillance?
- 8) Has your country established sufficient technical training for your inspectors to verify, inspect or audit compliance with the document, once elaborated?
- 9) Provide information on the status of epidemiological surveillance of foodborne diseases, if possible differentiating data for tourist areas.
- 10) Other information and comments.

NOMINATION OF THE COORDINATOR (Agenda Item 10)¹⁰

99. The delegation of Uruguay proposed the nomination of Argentina as the Coordinator for Latin America and the Caribbean by the 28th Session of the Codex Alimentarius Commission for a second consecutive term. This proposal was unanimously endorsed by the Committee which complimented Argentina on the organization of the present session, on its excellent work in furthering the involvement of CCLAC Members in Codex matters of interest to the Region and on its efforts to include all the subregions, especially the English-speaking Caribbean, in the work of the CCLAC. Mrs Gabriela Catalani thanked the Committee on behalf of Argentina and expressed her intention to work with the Members of the Region to strengthen their participation in Codex work at regional and international level.

OTHER BUSINESS AND FUTURE WORK (Agenda Item 11)¹¹

COUNTRY OF ORIGIN LABELLING

100. The Committee considered the issue of country of origin labelling that had been discussed at the 27th Session of the Commission and noted that the issue was important for the countries in the Region.

¹⁰ CX/LAC 04/14/10.

¹¹ CRD 1 (comments of Chile), CRD 2 (comments of Paraguay), CRD 3 (comments of Argentina).

101. The Committee recalled that the Commission had agreed to ask the following questions for subsequent consideration of the answers in the Committee on Food Labelling: whether current provisions were adequate to address Members' needs with respect to country of origin labelling; and whether countries had encountered difficulties with interpretation of these provisions. The Committee noted that Circular Letter CL 2004/56-FL had been circulated for this purpose. The Committee therefore encouraged its Members to reply in a timely manner to CL 2004/56-FL to the effect that current provisions were sufficient and adequate and did not pose problems of interpretation; that additional requirements would imply additional barriers to trade, in particular for processed foods; and that the safety of a product was not linked to its country of origin.

102. The Committee concluded by unanimously agreeing to confirm its historical position that there was no need for further elaboration of the provisions related to country of origin labelling in the Codex General Standard for the Labelling of Prepackaged Foods, which were considered sufficient to provide adequate information to consumers.

RISK ANALYSIS WORKING GROUP OF THE COMMITTEE ON GENERAL PRINCIPLES. Proposed draft Working Principles for Risk Analysis for Food Safety

103. The delegation of Argentina informed the Committee that the Committee on General Principles had held a Working Group, co-chaired by Argentina and Canada, on 6 November 2004 to consider the Proposed Draft Working Principles for Risk Analysis for Food Safety, and that the final report would be circulated for consideration by the next session of the CCGP. The Working Group had not reached consensus on the need for working principles intended for governments, which would require further discussion by the Committee, and due to time constraints had considered the document until the end of the section on risk assessment. The main controversial issues in the document were the application of precaution in risk analysis and risk management and reference to environmental and ecological factors.

104. The delegation of Chile, supported by other delegations, recalled that the WTO SPS Agreement stated that the guidelines for risk assessment were to be drawn up by the reference scientific organizations and that the OIE and IPPC had established risk assessment provisions and that Codex should do likewise. The establishment of guidance on risk analysis for governments would be useful in the framework of Codex to prevent unilateral and discretionary provisions and the consequent creation of barriers to trade, and that consideration should be given to Article 5.7 of the WTO SPS Agreement which drew attention to the unusual nature of the measure. The Delegation also suggested that if it was not possible to reach consensus on risk management issues, the scope of application of the working principles could be limited to risk assessment, taking into account the provisions of the SPS Agreement in this respect.

105. Some delegations expressed the view that the development of working principles intended for governments should be discontinued, as the Codex Procedural Manual and the recommendations of FAO/WHO expert consultations provided adequate guidance for the realization of risk analysis and the issue of interim measures was covered by Article 5.7 of the SPS Agreement.

106. Some delegations pointed out that the working principles could only be taken further if the two controversial issues, i.e. precaution and environmental conditions, were resolved since the other provisions did not raise specific problems.

107. After extensive discussion, the Committee agreed that precaution in risk management should only be considered as a qualified and provisional exception to the obligation to base sanitary and phytosanitary measures on adequate scientific evidence, on the basis of Article 5.7 of the SPS Agreement, and expressed its opposition to any reference to environmental or ecological conditions. The Committee also agreed that if these issues could not be resolved in compliance with the above, the working principles should only be developed for risk assessment. The delegation of Uruguay reserved its position, as this issue was still under examination at the national level.

REGIONAL STRATEGIES TO ADDRESS PROBLEMS IN THE APPLICATION OF CODEX STANDARDS

108. The delegation of Chile drew attention to the importance of generating procedures and guidelines that would help those attending meetings of Codex committees, including the CCLAC reports and their 'Questions of Interest to the Region', exchanges of information and coordination meetings immediately before and during the meeting of the committee in question.

109. The delegation of Chile also expressed its concern about the lack of compliance with established procedures in the work of the Commission and asked the CCLAC to take a position on adherence to the principles and procedures in force in Codex standards and guidelines, and stated its opposition to unfair trade practices, since these would be contrary to the fundamental objectives of the Codex Alimentarius.

110. The Committee noted the example presented by Chile which concerned the inclusion of the common Chilean sardine species (*Clupea bentincki*) in the Standard for Canned Sardines and Sardine-Type Products.

111. The delegation of Chile indicated that although it had complied exhaustively with all the steps and procedures adopted by the Commission for the inclusion of species, its request had been refused on the grounds that the current procedure needed to be revised as it was incomplete and, moreover, that the standard did not include enough information for the consumer.

112. The Committee recognized that such an argument was arbitrary since it was not possible to comply with a standard that did not exist, and that the lack of adherence to scientific principles would set a negative precedent for the work of Codex. The Committee stressed that the Codex Alimentarius Commission, as an organization based on rules, should adhere to established rules, principles and criteria.

113. In view of the above, the Committee agreed to communicate to the Executive Committee its concern about the lack of compliance with established procedures and at the same time urged the Commission to approve the inclusion of *Clupea bentincki* among sardine species at its next session. It was also noted that a similar position on this matter had been taken by the Coordinating Committee for North America and the South West Pacific.

114. The delegation of Chile also drew the attention of the Committee to the fact that natural sodium nitrate had not been included in the list of permitted substances for the production of organic foods, although it complied with the criteria for the inclusion of such substances in the list. Some delegations indicated that they needed more time to consider this question in detail and could not take a position at this stage.

PRINCIPLES FOR TRACEABILITY/PRODUCT TRACING IN THE CONTEXT OF FOOD INSPECTION AND CERTIFICATION SYSTEMS

115. The delegation of Paraguay, referring to its written comments in CRD 3, recalled that the countries of the Region had participated in a seminar organized by the Australian Secretariat of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) where they had discussed a series of principles for traceability/product tracing. Those principles were examined by the current session of the CCLAC.

116. The Committee agreed to propose to the CCFICS the following principles for traceability/product tracing in the context of food inspection and certification systems:

- 1) Traceability/product tracing is a tool that should be considered in the framework of a food inspection and certification system as one of the options for the management of sanitary risks relating to food safety.
- 2) Traceability/product tracing can be used, when its application is the result of risk assessment and in the absence of alternative measures less restrictive to trade, to meet targeted food safety objectives.
- 3) Application of traceability/product tracing should be considered and justified objectively on a case-by-case basis.

- 4) It should be limited to specified stages of the food chain to meet the food safety objective, maintaining a record of origin (one step backwards) and destination (one step forward).
- 5) Traceability/product tracing can be used as a tool to facilitate the rapid recall of foods from the market, when a risk to human health has been identified.
- 6) It should be recognized that application of alternative measures, although different from traceability/product tracing, may allow achievement of the same food safety objectives.
- 7) When it is established on the basis of risk assessment that traceability/product tracing is the most appropriate management measure to ensure food safety, the objective of reducing its negative effects on trade should be taken into account.
- 8) Traceability/product tracing within a food inspection and certification system, should:
 - (a) be based on sufficient scientific evidence and risk assessment that are appropriate to the circumstances;
 - (b) where relevant, take into account the principle of regionalization;
 - (c) be subject to judgement of equivalence, if the exporting country so requires;
 - (d) be proportional to the risk to be controlled;
 - (e) be applied through viable, practical, effective and economical procedures;
 - (f) be limited to the information requirements indispensable/necessary for appropriate procedures of control, inspection and approval;
 - (g) take into consideration the provisions concerning special and differential treatment for developing and least developed countries;
 - (h) be based on the outcome, allowing flexibility in the design of the traceability/product tracing provisions;
 - (i) not require documentation to confirm product tracing as part of the labelling of the product or affixed to it;
 - (j) avoid restricting trade any more than necessary and should not be used as a technical barrier to trade.

117. The Committee also agreed that no reference should be made to aspects of fair trade practices, since traceability/product tracing should be used only as a risk management tool to ensure food safety.

ELABORATION OF A CODEX STANDARD FOR PARMESAN CHEESE

118. The Committee recalled that there had been no consensus at the 27th Session of the Commission on the elaboration of a standard for parmesan cheese and that this issue would be further discussed at the 28th Session of the Commission.

119. The Committee agreed that the request for elaboration of a Codex standard for parmesan cheese met all the criteria established by the Committee on Milk and Milk Products (CCMMP) for the elaboration of standards for cheeses, and the criteria for new work specified in the Procedural Manual. The Committee therefore recommended that the 28th Session of the Commission approve as new work the elaboration of a standard for parmesan cheese in the CCMMP.

FOOD ADDITIVE SWEETENER: STEVIOSIDE (STEVIA)

120. The delegation of Paraguay recalled that following the inclusion of stevioside as a natural sweetener in the priority list of additives of the Committee on Food Additives and Contaminants, the Joint FAO/WHO Expert Committee on Food Additives (JECFA) had evaluated this product at its 63rd Session. A temporary Acceptable Daily Intake (ADI) had been established as data were insufficient to establish a full ADI and the JECFA had decided to re-evaluate stevioside in 2007. The Delegation therefore asked the countries of the Region to provide any available data that would allow the re-evaluation of stevioside and the establishment of a full ADI. The delegation of Argentina pointed out that the presence of impurities such as steviol gave rise to pharmacological problems and that the ADI should therefore only be established for stevioside of high purity grade.

121. The Committee invited countries of the Region to provide scientific data on stevioside in order to allow JECFA to complete the re-evaluation of this substance and the allocation of a full ADI, and subsequently to allow the Committee on Food Additives and Contaminants (CCFAC) to consider its inclusion in the General Standard for Food Additives. The Committee agreed to establish a working group coordinated by Brazil and including Argentina, Costa Rica and Paraguay to facilitate the collection of relevant scientific information that could be forwarded to JECFA.

ELABORATION OF STANDARDS FOR TROPICAL AND INDIGENOUS PRODUCTS

122. The delegation of Colombia proposed that the establishment of standards for products of regional or local interest be encouraged, in particular for granadilla (passion fruit), including the establishment of MRLs for pesticides, and for *panela*. The Committee recognized the need to work on draft standards of interest to the Region, for example fresh tropical fruits (e.g. granadilla) and indigenous products (e.g. *panela*), through the relevant Codex Committees and through the CCLAC working group as regards the establishment of MRLs for tropical fruits.

FOOD SAFETY INSTITUTE OF THE AMERICAS (FSIA)

123. Following the presentation of the activities of the Food Safety Institute of the Americas under Agenda Item 4, the Committee noted that this new institute could provide useful training and capacity building in the Region as regards food safety.

124. The Committee also agreed that the FSIA should coordinate its work with other regional and international cooperation organizations and that information from countries should be official.

DATE AND PLACE OF THE NEXT SESSION (Agenda Item 12)

125. The Committee was informed that its next session would be held in Argentina in approximately two years' time. The exact date and venue would be decided by the Secretariats of Argentina and Codex, subject to the approval of the Codex Alimentarius Commission.

**LIST OF PARTICIPANTS
LISTE DES PARTICIPANTS
LISTA DE PARTICIPANTES**

Chairperson/Président/Presidente:

Lic. Claudio Sabsay
Chairperson of the
FAO/WHO Coordinating Committee for
Latin America and the Caribbean - CCLAC

Vice-chairperson/Vice-président/Vice-presidente

Ing. Agr. Gabriela Catalani
Vice-chairperson of the
FAO/WHO Coordinating Committee for
Latin America and the Caribbean - CCLAC
Av. Paseo Colón 982 – 1er. Piso
Ciudad Autónoma de Buenos Aires, Argentina
Tel.: (54) 4349-2162
Fax: (54) 4349-2549
Email: Codex@mecon.gov.ar; Gcatal@mecon.gov.ar

**ANTIGUA AND BARBUDA
ANTIGUA-ET-BARBUDA
ANTIGUA Y BARBUDA/**

Lionel, Michael
Chief Health Inspector
Ministry of Health, Sports and Youth Affairs,
Central Board of Health
All Saints Road
St John's
Antigua and Barbuda
Tel.: 268-462-2936/268-727-0104
Fax: 268-460-5992
Email: cbh_chi@yahoo.com

ARGENTINA/ARGENTINE

Roxana Blasetti
Directora de Relaciones Agroalimentaria
Internacionales de la
Secretaría de Agricultura, Ganadería, Pesca y
Alimentos
Av. Paseo Colón 922 – P.Baja of. 38
Buenos Aires, Argentina
Tel. (54) 4349-2770
Fax: (54) 4349-2244
Email: rblase@mecon.gov.ar

Ministro Jorge Luis Gómez
Ministro Plenipotenciario
Dirección de Negociaciones Económicas
Multilaterales-Ministerio de Relaciones
Exteriores, Comercio Internacional y Culto
Esmeralda 1212 Piso 11
(C1007 ABR) Buenos Aires, Argentina
Tel.: (54 11) 4819 7879
Fax: (54 11) 4819-7878
Email: JLG@mrecic.gov.ar

Consejero Gabriel Martínez
Consejero de Embajada
Dirección de Negociaciones Económicas
Multilaterales Ministerio de Relaciones Exteriores,
Comercio Internacional y Culto
Esmeralda 1212 Piso 9 Oficina 907
C1007 ABR – Buenos Aires, Argentina
Tel.: (54-11) 4819-7210
Fax: (54-11) 4819-7620
Email: mtz@mrecic.gov.ar

Verónica Torres Leedham
Directora – Dirección de Laboratorios
Y Control Técnico
SENASA – Servicio Nacional de
Sanidad y Calidad Agroalimentaria
Av. Fleming 1653
(1640) Martínez, Pcia. de Buenos Aires
Argentina
Tel.: (54 11) 4836-1113/1115
Fax: (54 11) 4836-0066
Email: dilab@inea.com.ar

Alicia Menéndez

Jefe de Dpto. Legislación y Normalización
INAL/ANMAT/Ministerio de Salud y Ambiente
Estados Unidos 25
Buenos Aires, Argentina (1101)
Tel.: (54) 4340-0800 interno 3518
Email: amenende@anmat.gov.ar

Teresa Velich

Jefe de Depto. Vigilancia Alimentaria
INAL/ANMAT/Ministerio de Salud y Ambiente
Estados Unidos 25
(1101) Buenos Aires, Argentina
Tel./Fax: (54 11) 4340-0800 int. 3526/3537
Email: tvelich@anmat.gov.ar

Maximiliano Moreno

Coordinador Técnico de SPS
Secretaría de Agricultura, Ganadería, Pesca y
Alimentos
Av. Paseo Colón 922 – P. Baja Of. 37
Buenos Aires, Argentina
Tel.: (54) 4349-2509
Email: maxmor@mecon.gov.ar

Arnaldo César Nonzioli

Dirección Nacional de Alimentos
Secretaría de Agricultura, Ganadería, Pesca Y
Alimentos (SAGPYA)
Av. Paseo Colón 922 – 2° P – Of. 207
(C1063 ACW) Buenos Aires, Argentina
Tel.: (54 11) 4349 2026/2186/2044
Fax: (54 11) 4349 2041/2097
Email: anonzi@mecon.gov.ar

Fernanda Millicay

Secretario de Embajada
Dirección de Negociaciones Económicas
Multilaterales-Ministerio de Relaciones
Exteriores, Comercio Internacional y Culto
Esmeralda 1212 Piso 9 Of. 907
(C1007 ABR) Buenos Aires, Argentina
Tel.: (54 11) 4819 7210
Fax: (54 11) 4819-7620
Email: MLR@mrecic.gov.ar

Inés Gabriela Fastame

Dirección de Negociaciones Económicas
Multilaterales-Ministerio de Relaciones
Exteriores, Comercio Internacional y Culto
Esmeralda 1212 Piso 9
(C1007 ABR) Buenos Aires, Argentina
Tel.: (54 11) 4819 7568
Fax: (54 11) 4819-7566
Email: igf@mrecic.gov.ar

Rodolfo Guillermo Correa

Coordinación de Aprobación de Alimentos
Servicio Nacional de Sanidad y Calidad
Agroalimentaria
Av. Paseo Colón 439 1° Piso Frente (1063) Buenos
Aires, Argentina
Tel.: 54 11 4342 8003
Fax: 54 11 4342 8003
Email: capa@velocom.com.ar

Andrea N. Calzetta Resio

Supervisor Técnico de Aprobación de Productos
Alimenticios
Servicio Nacional de Sanidad y Calidad
Agroalimentaria
Av. Paseo Colón 439 – 1er. Piso Frente
(1063) Buenos Aires, Argentina
Tel./Fax: (54) 4342-8003
Email: andrecalzetta@fibertel.com.ar

Pablo Hernán Morón

Coordinador
Secretaría de Agricultura, Ganadería, Pesca y
Alimentos (SAGPYA)
Av. Paseo Colón 922 – 2° Piso – Of. 220
(C1063 ACW) Buenos Aires, Argentina
Tel.: (54 11) 4349 2789
Fax: (54 11) 4349 2041
Email: pmoron@mecon.gov.ar

Celina Inés Horak

Responsable Laboratorio Microbiología
Comisión Nacional de Energía Atómica
Presb. Juan González y Aragón N° 15
(B1802AYA) Ezeiza – Pcia. Buenos Aires
Argentina
Tel.: (54 11) 6779-8237
Fax: (54 11) 6779-8583
Email: horak@cae.cnea.gov.ar

Silvana Ruarte

Profesional del Dpto. Control y Desarrollo
INAL/ANMAT/Ministerio de Salud y Ambiente
Estados Unidos 25
(1101) Buenos Aires, Argentina
Tel./Fax: (54 11) 4340-0800 int. 3522
Email: sruarte@anmat.gov.ar

Estela Kneeteman

Laboratorio de toxicología y Nutrición - Centro de
Cereales y Oleaginosas
Instituto Nacional de Tecnología Industrial
Parque Tecnológico MIGUELETE
Colectora Gral. Paz 5445 – 1650, san Martín Prov.
de Buenos Aires
Tel.: 4753-5743 4724-6433
Fax: 4753-5743
Email: estelak@inti.gov.ar

María Cristina López de Ogara

Laboratorio de Subproductos oleaginosos y
Nutrición – Centro de Cereales y Oleaginosas
Instituto Nacional de Tecnología Industrial
Parque Tecnológico MIGUELETE
Colectora Gral. Paz 5445 – 1650, san Martín Prov.
de Buenos Aires
Tel.: 4753-5743 4724-6433
Fax: 4753-5743
Email: kitty@inti.gov.ar

Hugo Pilatti

Asesor del INAL/ANMAT/Ministerio de Salud y
Ambiente
Estados Unidos 25
(1101) Buenos Aires, Argentina
Tel.: (54 11) 4340-0800 int. 3538
Fax: (54 11) 4340-0800 int. 3539
Email: hpilatti@anmat.gov.ar

Nora Angelini

Asesora Técnica
SAGPYA-SENASA-DILAB
Av. Fleming 1653
(1640) Martínez, Pcia. de Buenos Aires
Argentina
Tel.: (54 11) 4836-1113/1115
Fax: (54 11) 4836-0066
Email: angelininora@yahoo.com

Marcelo Ballerio

Asesor Técnico Punto Focal Codex
Secretaría de Agricultura, Ganadería, Pesca y
Alimentos (SAGPYA)
Av. Paseo Colón 922 – PB – Of. 29
(C1063 ACW) Buenos Aires, Argentina
Tel./Fax: (54 11) 4349-2549
Email: maball@sagpya.minproduccion.gov.ar

Carolina Padró

Asesora Técnica del Punto Focal del Codex
Secretaría de Agricultura, Ganadería, Pesca y
Alimentos
Av. Paseo Colón 922 – P. Baja Of. 29
Buenos Aires, Argentina
Tel.: (54) 4349-2549
Email: cpadro@mecon.gov.ar

Georgina De Sanctus

Ministerio de Relaciones
Exteriores, Comercio Internacional y Culto
Esmeralda 1212
Capital Federal
Tel.: (54 11) 4819 7210
Fax: (54 11) 4819-7620
Email: gss@mrecic.gov.ar

BARBADOS

Kenneth Mullin

Chief Technical Officer
Barbados National Standards Intitution
Culloden Road, St. Michael
Barbados
Tel.: 246 426-3870
Fax: 246 436-1495
Email: kmullin@bnsi.com.bb

BELIZE/BELICE

Sra. Hellen Reynolds-Arana

Director
Belize Bureau of Standards
53 Regent Street PO Box 1647
Belize
Tel.: 501 – 227-2314
Fax: 501 – 227-0711
Email: bbs@btl.net

Michael Deshield

Director
Belize Agricultural Health Authority
PO 181
Belize
Tel.: (501) 224-4794
Fax: (501) 224-5230
Email: foodsafety@btl.net

BOLIVIA/BOLIVIE

Giovanni Cavallotti Vaca

Encargado Nacional Laboratório de Analisis de
Alimentos
Ministério de Agricultura/ SENASAG
Calle Jorge saenz 1093 Miraflores
La Paz – Bolívia
Tel.: (591-2) 222-0616
Fax: (591-2) 222-0616
Email: cava34@yahoo.com

BRAZIL/BRÉSIL/BRASIL

Cléber Ferreira Dos Santos

Gerente General de Alimentos
Ministério de Salud
Agencia Nacional de Vigilancia Sanitária
SEPN 511 ED. BITTAR – 2º ANDAR
Brasília – DF
70750-541
Tel.: (55 61) 448-6274/6273
Fax: (55 61) 448-6274
Email: alimentos@anvisa.gov.br

Jorge Salim Waquim

Director de División de Asuntos Sanitarios del
Mercosur – Fiscal Federal Agropecuario
Ministerio de Agricultura, Pecuária e
Abastecimiento
Explanada Dos Ministerios, Bloque D – Edificio
Anexo, Ala B 4° Andar – Sala 414 Brasília – DF
Tel.: (55-61) 226-9799
Fax: (55-61) 224-39955
Email: waquim@agricultura.gov.br

Márcio Rezende Evaristo Carlos

Fiscal Federal Agropecuario
Ministerio de agricultura, Pecuária e Abastecimiento
Explanada Dos Ministerios, Bloque D – Edificio
Anexo, Ala B 4° Andar – Sala 422 Brasília – DF
Tel.: (55-61) 218-2834
Fax: (55-61) 225-4605
Email: marciorec@agricultura.gov.br

Dilma Scala Gelli

Miembro de CCAB
Comité Codex Alimentarius de Brasil – CCAB
SEPN Av. W3 Norte QD. 511 – Ed. Bittar III – 4°
Andar – Inmetro – Brasília – DF – Brasil CEP: 70
750-542
Tel.: (61) 340-2211
Fax: (61) 347-3284
Email:
dilmasgelli@hotmail.com/dilgelli@terra.com.br

Antonio Mantoan

Gerente Asuntos Regulatorios
CNI – Unilever Foods
Av. Paulista 2300, 2. Andar Sao Paulo, SP, Brasil
01310-300
Tel.: (55-11) 3138-1543
Fax: (55-11) 3138-1561
Email: antonio.mantoan@unilever.com

Flavia Ferreira De Castro

Coordinadora Técnica y de Calidad
SINDIRACOES – Sindicato Nacional de Industria
de Alimentación Animal
Av. Paulista, 1313 – 8° Andar – Sala 814 CEP
01311 – San Pablo – SP – Brasil
Tel.: 55 11 3541 1212
Fax: 55 11 3541 1212 Ramal 211
Email: flavia@sindiraco.es.org.br

CHILE/CHILI

Gonzalo Ríos
Encargado de Negociaciones Internacionales
Agricultura/ SAG – Servicio Agrícola y Ganadero
Avenida Bulnes N° 140
Santiago – Chile
Tel.: (56-2) 345-1581/ 1576
Fax: (56-2) 345-1578
Email: gonzalo.rios@sag.gob.cl

Noelia Muriel

Asistente del Consejero Agrícola de Chile en
Argentina
Embajada de Chile en Argentina
Marcelo T. De Alvear 636, 9° Piso
Buenos Aires – Argentina
Tel.: (54-11) 4312-9163
Fax: (54-11) 4313-8912
Email: consejeria@agrighil.com.ar

José Miguel Sepúlveda Torres

Medico Veterinario – Asistente Departamento
Acceso a Mercados
Ministerio de Relaciones Exteriores Dirección
General de Relaciones Económicas Internacionales
Chile
Av. Bernardo Ohiggins 1315 2° Piso
Tel.: (56-2) 565-9323
Fax: (56-2) 696-0639
Email: jsepulveda@direcon.cl

Jaime Cornejo Catalan

Secretaría Técnica Comité Nacional del Codex –
Miembro grupo CCLAC
Servicio Agrícola Ganadero
Av. Bulnes 140, Santiago de Chile
Tel.: (56-2) 345-1586
Fax: (56-2) 345-1578
Email: jaime.cornejo@sag.gob.cl

Hugo Schenone Cabrera

Encargado Programa de Alimentos
Ministerio de Salud
Mac iver 459 8 Piso
Santiago Chile
Tel.: (56-2) 630-0575
Fax: (56-2) 664-9150
Email: hschenone@minsal.cl

Eduardo Santos

Consejero Agrícola de Chile en Estados Unidos
Embajada de Chile en Estados Unidos
1732 Massachusetts Av, NW
Washington DC, 20036
Estados Unidos
Tel.: 1 202 87 21 663
Fax: 1 202 87 21 657
Email: santos@embassyofchile.org

Ruth Alarcón Gatica

Ingeniero en Alimentos – Encargada Normas Codex
Ministerio de Economía – Servicio Nacional de
Pesca
Victoria 2832
Valparaiso – Chile
Tel.: 56 32 819202
Fax: 56 32 819200
Email: ralarcon@sernapesca.cl

COLOMBIA/COLOMBIE

Blanca Cristina Olarte Pinilla

Profesional Especializado
Ministerio de la Protección Social
Carrera 13no. 32 76
Tel.: (57-1) 336-5066
Fax: (57-1) 336-0182
Email: bolarte@minproteccionsocial.gov.co

Juan Manuel Rojas

Encargado de Asuntos Economicos
Embajada de Colombia en Argentina
Carlos Pellegrini 1363 Piso 3°
Buenos Aires, Argentina
Tel.: (54 11) 4325-0258
Email: jmrojas@embajadacolombia.int.ar

Martha Cecilia Pinilla Perdomo

Consejero
Embajada de Colombia en Buenos Aires
Carlos Pellegrini 1363 – Piso 3°
Buenos Aires, Capital Federal
Tel.: 4 811-4912
Fax: 4 322-9370
Email: marthacpinilla@embajadacolombia.int.ar

COSTA RICA

Orlando Muñoz Hernández

Secretaria Técnica del comité Nacional
Ministerio de Economía, Industria y Comercio
Edificio IFAM en Moravia, del Colegio Lincoln 100
metros al oeste, 100 al sur y 200 metros al oeste
Tel.: 00 506 235 2700 Ext. 221
Fax: 00 56 297 1439
Email: infocodex@meic.go.cr

Jorge Arturo Jara

Vicepresidente
Cámara Costarricense de la Industria Alimentaria
Del cementerio de Guadalupe 300 metros al este,
200 metros al sur y 25 metros al noroeste.
Tel.: 00 506 234 1127
Fax: 00 506 234 6783
Email: jjara@la.ko.com

CUBA

Gisela E. Peña Montero

Especialista
Oficina Nacional de Normalización
Calle E N° 261 e/11 y 13,
Vedado, La Habana, Cuba
Tel.: (537) 8300022
Fax: (537) 836 8048
Email: nc@ncnorma.cu

Mariela Cuè Ladron de Guevara

Especialista
Ministerio de Comercio Exterior
Infanta N° 16, Esquina a 23,
Vedado, Cdad. De La Habana, Cuba
Tel.: (537) 55 0454/ 54 2139
Fax: (537) 55 0461
Email: mariela.cue@mincex.cu

María Victoria Luna Martínez

Jefa Depto. Registro Control y Calidad Sanitaria
Instituto de Nutrición e Higiene de los Alimentos
Ministerio de Salud Pública
Infanta 1158, esquina Achaval
Habana, Cuba
Tel.: (537) 879 4165
Fax: (537) 870 8947
Email: marvic@infomed.sld.cu

**DOMINICAN REPUBLIC
RÉPUBLIQUE DOMINICAINE
REPUBLICA DOMINICANA**

Modesto Perez Blanco

Coordinador Programa Codex
Secretaria Estado Salud pública y Asistencia Social
(SESPAS)
Av. San Cristobal Esq. Av. Tiradentes
Santo Domingo R.D.
Tel.: 541 31 21
Email: codexsespas@hotmail.com /
nutrisespas@hotmail.com

ECUADOR

Magda Saltos Paredes

Lider de Normalización Técnica del Sistema
Nacional de Alimentos
Ministerio de Salud Pública
Juan Larrea N 14-47
Quito – Ecuador
Tel.: (593-2) 297-2900 Ext. 2770/2955
Fax: (593-2) 2541851
Email: msaltos@msp.gov.ec/
magdasaltos@hotmail.com

Fausto Lara

Normalizador Técnico
Instituto Ecuatoriano de Normalización
Tel.: 00 59 3225 01888 Ext. 233/34
Email: flara@inen.gov.ec

EL SALVADOR

Ricardo Harrison

Coordinador de Normas y Punto de Contacto del
Codex para CCLAC
Consejo Nacional de Ciencia y Tecnología,
Ministerio de Economía, El Salvador
Avda. Dr. Emilio Alvarez y Pje. Dr. Guillermo
Rodríguez Pacas, N° 51, Colonia Médica, San
Salvador
Tel.: (503) 226 2800
Fax: (503) 225 6255

GUATEMALA

José Felix Mendizabal Pinto

Director General de Regulación,
Vigilancia y Control de la Salud
Ministerio de Salud Pública y Asistencia Social
6ª Avenida 3-45, zona 11, Ciudad Guatemala
Tel.: 24754682/ 52020905
Fax: 24754682
Email: jfelix@mspas.gob.gt/ dgrvcs@mspas.gob.gt

Lidia Esperanza García Palacios

Jefe Area de Inocuidad de Alimentos no Procesados
/ Punto Focal
Ministerio de Agricultura, Ganaderia y
Alimentación
Guatemala
Tel.: 2475 3058/68
Fax: 2475 3058
Email: jgarcia@unr.gob.gt

GUYANA

Candaicy David

Technical Officer
Guyana National Bureau of Standards
Flat 15, Sophia Exhibition Complex
Sophia, Greater GeorgeTown, Guyana
Tel.: 592 225 6226, Ext. 25
Fax: 592 225 7455
Email: codexguyana@yahoo.com

HAITI/HAÏTÍ

Michele B. Paultre

Directeur Controle de la Qualite et
Protection Du Consommateur
Ministere Du Commerce Et L'Industrie
8, Rue Legitime
Champ De Mars
Port-Au-Prince, Haiti
Tel.: (509) 223-5630
Fax: (509) 222-2402, (509) 222-3356, (509) 223-
0728
Email: dcqpc_mci@yahoo.fr

HONDURAS

Fanny Aleyda Maradiaga Carranza

Punto de Contacto Codex
Secretaria de Agricultura y Ganaderia de Honduras
Boulevard Miraflores Ave La FAO, APDO
Postal 309, Tegucigalpa, M.D.C. Honduras
Tel.: (504) 235-8425 Ext 126
Fax: (504) 239-1144
Email: Fmaradiaga@sag.gob.hn

JAMAICA/JAMAÏQUE

Orine Henry-Blair

Internacional Programmes Officer
Bureau of Standards Jamaica
6 Winchester Road, Kingston 10
Jamaica
Tel.: 876-926-3140-5
Fax: 876-926-4736
Email: ohenryblair@jbs.org.jm /
plumsden@jbs.org.jm

Linnette Peters

Director Veterinary Public Health
Ministry of Health
2-4 King Street Kingston Jamaica W.I.
Tel.: 876-967-1275
Fax: 876-967-1280
Email: PetersL@MOH.GOV.JM

Pearlitta Lumsden

Standards and Certification Officer
Bureau of Standards
6 Winchester Road
Kingston 10
Jamaica
Tel.: 876 9263 1405
Fax: 876 929 4736
Email: info@jbs.org.jm

Anieta Banton

Consumer Affairs Commission
IB Holborn Road
Kingston, Jamaica W.I.
Tel.: (876) 926 1650 - 2
Fax: (876) 968 8729
Email: res_ab@consumeraffairsjamaica.gov.jm

MEXICO/MEXIQUE/MÉXICO

Carlos Ramón Berzunza Sánchez

Director de Normalización Internacional
Secretaría de Economía
Puente de Tecamachalco C
Lomas de Tecamachalco, Sección Fuente
Naucalpan, Estados de México 53950 México
Tel.: 52 55 5729 9480
Fax: 52 55 5520 9715
Email: cberzuna@economia.gob.mx

Renée Salas Guerrero

Subdirectora Ejecutiva de Operación Internacional
Comisión Federal para la Protección
Contra Riesgos Sanitarios, COFEPRIS
Monterrey 33, Piso 1
México, DF, 06700
Tel.: 52 55 5514 8586
Fax: 52 55 5208 2974
Email: rsalas@salvat.gob.mx

Gabriela Moreno García

Dictaminador Sanitario
Comisión de Operación Sanitaria
Comisión Federal para la Protección
Contra Riesgos Sanitarios, COFEPRIS
Monterrey N° 33, Col. Roma
C.P. 06710,
México DF
Tel.: 50 80 52 82
Email: g.moreno@salud.gob.mx

Mauricio García Perera

Jefe de Dpto. para la atención
del Codex Alimentarius
Secretaría de Economía – Asesor
Puente de Tecamachalco 6, piso 2
Mexico (53550)
Tel./Fax: (5255) 5729-9480
Email: codexmex@economia.gob.mx

Adolfo Bolaños Stanley

Gerente Ejecutivo de Políticas Regulatorias
Comisión Federal para la Protección
Contra Riesgos Sanitarios, COFEPRIS
Secretaría de Salud
Asesor
Monterrey N° 33, Piso 9
Col Roma 06710, México, D.F.
Tel. 50805419
Email: codexaditivos@salud.gob.mx

Alfonso Moncada Jimenez

Representante
Federación Internacional de Lechería
Pedro Santacilia 260
México, DF, CP. 03520
Tel.: 52 55 5590 7691
Fax: 52 55 5590 7691
Email: filmexico@prodigy.net.mx

NICARAGUA

Salvador Efraín Guerrero Gutierrez

Responsable del Punto Contacto del Codex
Ministerio de Fomento, Industria y Comercio
Km 6 carretera Managua a Masaya
Nicaragua
Tel.: 267 0461 interno 1136
Fax: 267 2019
Email: salvador.guerrero@mific.gob.ni /
codex@mific.gob.ni

Gustavo Rosales

Responsable Departamento de Vigilancia
Sanitaria – Ministerio de Salud
DP. 107 Nicaragua
Tel.: 2897153-55, 2894700, 2894839
Fax: 2894839-2894717 ext. 115, 217
Email: javierosal@yahoo.com /
alimento@minsa.gob.ni

PANAMA/PANAMÁ

Mayela Ma. Ortega Pinzón

Ingeniero de Alimentos
Ministerio de Comercio e Industrias –
Dirección General de Normas y Tecnología
Industrial
Apartado Postal 9658 Zona 4, Panamá
Vía Ricardo J. Alfaro – Edificio Plaza – 3er. Piso
Tel.: (507) 360-0716
Fax: (507) 360-0721
Email: mortega@mici.gob.pa

Edith Virginia Cajar Jiménez
Jefe del Dpto. de Normalización
Ministerio de Comercio e Industrias
9658 Zona 4 – Panamá
Tel.: 360-0716/ 360-0721
Email: evcajar@mici.gob.pa

PARAGUAY

Andrés Amarilla
Presidente Pro-Tempore Comité Nacional
del Codex y Decano de la Facultad de
Ciencias Químicas de la UNA
Facultad de Ciencias Químicas – UNA
Tel.: (595 21) 580 612
Fax: (595 21) 585 563/4
Email: decano@qui.una.py

Julia Saldivar
Representante del Ministerio de Salud
Pública y Bienestar Social ante el Comité
Nacional del Codex
Ministerio Salud Publica y Bienestar Social
Tel.: (595 21) 206 874
Fax : (595 21) 206 874
Email inanpy@hotmail.com

Luis Fleitas
Director de Normalización y
Certificación/Representante del Instituto
Nacional de Tecnología y Normalización
Ante el Comité Nacional del Codex – INTN
Tel.: (595 21) 290 160 int. 135
Fax: (595 21) 290 873
Email: normas@intn.gov.py

Rocío Abed
Secretaria Ejecutiva del Comité Nacional del Codex
Instituto Nacional de Tecnología y Normalización
(INTN)
Tel.: (595 21) 290 160 int. 131/132
Fax: (595 21) 293 748
Email: codex@intn.gov.py

Claudia Aguilera
Secretaria Embajada Paraguay
Embajada de Paraguay
Av. Las Heras 2545 (1425)
Tel.: 4802 3432 / 3826
Fax: 4801 0657
Email: embepaber@fibertel.com.ar

PERU/PÉROU/PERÚ

Carlos Felipe Pastor Talledo
Secretario Técnico Codex-Perú
Dirección General de Salud Ambiental – DIGESA
Las Amapolas N° 350 Urbanización San Eugenio
Lima 14 – Peru
Tel.: 511 442 8353 Anexo 124
Email: codex@digesa.sld.pe

URUGUAY

Ana María Berti
Integrante del Comité Nacional del Codex
Ministerio de Ganadería, Agricultura y Pesca
Millán 4703 – Montevideo Uruguay
Tel.: 598 2 309 30 69
Fax: 598 2 309 22 19
Email: anaberti@mgap.gub.uy

Delvey Anchieri
Integrante del Comité Nacional del Codex
Directora de la Unidad Inocuidad de Alimentos
Ministerio de Salud Pública
Av. 18 de Julio 1892, Piso 4 CP 11100
Montevideo
Tel.: 598 2 708 6434
Fax: 598 2 408 5580
Email: danchieri@adinet.com.uy

VENEZUELA

Lucas Mendoza
Miembro suplente Comité Nacional del Codex
Ministerio de Agricultura y Tierras
Antiguo Edificio BTU – Esquina Colon
Caracas – Venezuela
Tel.: 761 6474 Ext. 1525
Email: epiaminual@yahoo.com

Douglas Yañez Perez
Coordinador del Comité Nacional Codex
SENCAMER
Av. Libertador. Centro Comercial Los Cedros.
Mezzanina 2.
Caracas – Venezuela
Tel.: 703 2072
Email: codexvenezuela@sencamer.gov.ve

**OBSERVER COUNTRIES
PAISES OBSERVADORES
PAYS OBSERVATEURS**

**UNITED STATES OF AMERICA
ÉTATS-UNIS D'AMÉRIQUE
ESTADOS UNIDOS DE AMÉRICA**

Karen Hulebak

Chief Scientist
Food Safety Inspection Service
U.S. Department of Agriculture
1400 Independence Ave
Room 3129S
Washington DC, SW 20250
Tel.: 202 720 2644
Fax: 202 690 2980
Email: karen.hulebak@fsis.usda.gov

Peggy Rochette

Senior Director of International Policy
National Food Processors Association
1350 1 Street, NW
Washington, DC 20005
Tel.: 202 639 5921
Fax: 202 639 5991
Email: prochet@nfpfa-food.org

Paulo Almeida

Associate Manager, U.S. Codex Office
U.S. Department of Agriculture
1400 Independence Ave, SW, Room 4816S
Washington, D.C. 20250
Tel.: 202/690-4042
Fax: 202/720-3157
Email: Paulo.almeida@fsis.usda.gov

**INTERNATIONAL ORGANIZATIONS
ORGANISATIONS INTERNATIONALES
ORGANIZACIONES INTERNACIONALES**

**INTERNATIONAL COUNCIL OF GROCERY
MANUFACTURERS ASSOCIATIONS (ICGMA)/
CONSEJO INTERNACIONAL DE ASOCIACIONES DE
FABRICANTES DE COMESTIBLES**

Mónica Gonzalez

Secretaria
International Council of Grocery Manufacturers
Associations (ICGMA)
2401 Pennsylvania Ave, N.W. 2° Piso
Washington, DC 20037 USA
Tel.: 202 337 9400
Fax: 202 337 4508
Email: mgonzalez@gmabrands.com

Gerardo Gargiulo

Asesor
COPAL
International Council of Grocery Manufacturers
Associations (ICGMA)
Florida 537 Of. 513 – 1005 Buenos Aires
Tel.: 54 11 4325 8643
Fax: 54 11 4325 1843
Email: ggargiulo@copal.com.ar

Jorge Debanne

Gerente de Investigación
COPAL - Unilever Best Foods de Argentina SA
International Council of Grocery Manufacturers
Associations (ICGMA)
Tucumán 117, 1341, Buenos Aires, Argentina
Tel.: 54 11 4760 9051/9
Fax: 54 11 4760 9051/9
Email: jorge.debanne@unilever.com

Miguel De Billerbeck

Gerente de Innovación en Alimentos
ARCOR S.A.
International Council of Grocery Manufacturers
Associations (ICGMA)
Bv. Chacabuco 1168 – 5000 Cordoba
Tel.: 54 351 420 8234
Fax: 54 351 420 8200
Email: mdebille@arcor.com.ar

María Rosa Rabanal

Gerente Legislación Alimentos
KRAFT FOODS ARGENTINA
International Council of Grocery Manufacturers
Associations (ICGMA)
Av. Henry Ford 1134, Gral. Pacheco,
Argentina
Tel.: 54 3327 41 2460
Fax: 54 3327 41 2460
Email: maria.rabanal@kraftla.com

Anibal Alvarez

Gerente
CAFAGDA
International Council of Grocery Manufacturers
Associations (ICGMA)
Maipu 459 – 5° B – 1006 –
Capital Federal
Tel./Fax : 54 11 4322 3331
Email: cafagda@cafagda.com.ar

**ASOCIACIÓN LATINOAMERICANA DE AVICULTURA
(ALA)**

Isidro Molfese

Secretario Ejecutivo, Representante de Avicultura
Asociación Latinoamericana de Avicultura, ALA
Arce 441 – P., (C1426BSE),
Buenos Aires – Argentina
Tel.: 54 11 4774-4770
Fax: 54 9 11 4539-2595
Email: molfese@ciudad.com.ar

Raúl Guerrero

Asociación Latinoamericana de Avicultura, ALA
Email: guerrero_raul_j@liñy.com

**CONSUMERS INTERNATIONAL
ORGANISATION INTERNATIONALE DES UNIONS DE
CONSOMMATEURS
INTERNACIONAL DE CONSUMIDORES**

Patricia Campos Ustares

Asistente Técnico Programa Alimentario
Consumers International
Las Hortensias 2371 – Providencia
Santiago – Chile
Tel.: 56 2 436 80 70
Fax: 56 2 231 07 73
Email: pcampos@consumidoresint.cl

Rosario Ascarrunz

Consumers International
Email: sedeco_1@hotmail.com

**BIOTECHNOLOGY INDUSTRY ORGANIZATION
(BIO)**

Janet Collins

Global Regulatory Director
Monsanto Co.
Biotechnology Industry Organization BIO
1300 I (Eye) Street, NW, Suite 450 East
Washington, DC 20005
Tel.: 202 383 2861
Fax: 202 783 1924
Email: janet.e.collins@monsanto.com

Michael J. Phillips

Vicepresidente For Food And Agriculture
Biotechnology Industry Organization BIO
1225 Eye Street Nw
Washington, DC 20005
Tel.: 202 962 9200
Fax: 202 962 9201
Email: mphillips@bio.org

**INTERNATIONAL COUNCIL OF BEVERAGES
ASSOCIATIONS (USA)**

José Mauro E. Moraes

Advisor
International Council of Beverages Associations
(USA)
1101 Sixteenth Street, NW
Washington, D.C. 20036
U.S.A.
Tel.: 1 202 463 67 32 (55 21 25 59 1118)
Fax: 1 202 463 8172 (55 21 25 59 1594)
Email: icba@ameribev.org / jmoraes@la.ko.com

Diana Rosas

Advisor
International Council of Beverages Associations
(USA)
1101 Sixteenth Street, NW
Washington, D.C. 20036
U.S.A.
Tel.: 1 202 463 67 32 (511) 4114202
Fax: 1 202 463 8172 (511) 4424899
Email: drosas@la.ko.com

**INTER-AMERICAN INSTITUTE FOR COOPERATION
ON AGRICULTURE
INSTITUTO INTERAMERICANO DE COOPERACIÓN
PARA LA AGRICULTURA (IICA)**

Tim O'Brien

Especialista en Sanidad Agropecuaria e Inocuidad
de Alimentos
Instituto Interamericano de Cooperación para la
Agricultura (IICA)
Apdo. 55-2200 Coronado, San Jose,
Costa Rica
Tel.: 506 216 0222 x0288
Fax: 506 216 0173
Email: tim.obrien@iica.int

María De Lourdes Fonalleras

Consultora en Protección vegetal e Inocuidad de
Alimentos
Instituto Interamericano de Cooperación para la
Agricultura (IICA)
Bernardo de Irigoyen 88, 5° Piso,
Buenos Aires
Tel.: 54 11 4345 1210 int. 240
Fax: 54 11 43435-1208
Email: mlfonalleras@iica.org.ar

Carlos José Van Gelderen

Especialista en Sanidad agropecuaria e Inocuidad de Alimentos
Instituto Interamericano de Cooperación para la Agricultura (IICA)
Bernardo de Irigoyen 88, 5° Piso,
Buenos Aires
Tel.: 54 11 4345 1210 int. 242
Fax: 54 11 43435-1208
Email: cvgelderren@iica.org.ar

INTERNATIONAL EGG COMMISSION (IEC)

Juan Daniel Irigoyen

Delegado
CAPIA
International Egg Commission
Second Floor 89 Charterhouse Street
London EC1M 6HR
United Kingdom
Tel.: 44 0 20 7490 3493
Fax: 44 0 20 7490 3495
Email: irigoyen@capia.com.ar / ieclasdas@aol.com

FUNDACIÓN LACMAT/IBFAN ARGENTINA

Santiago Vallote

Jefe de Prensa y Comunicaciones
Fundación Lacmat/Ibfan Argentina
Av. Callao 157 8° C
Tel.: 4371 2097
Fax: 4371 2097
Email: santiago@lacmat.org.ar

María Ines Copertari

Presidente
Fundación Lacmat/Ibfan Argentina
Av. Callao 157 8° C
Tel.: 4371 2097
Fax: 4371 2097
Email: fundacion@lacmat.org.ar

CARICOM

Camella Rhone

CARICOM Regional Organisation For Standards And Quality
35 Pine Road, Belleville, St. Michael,
Barbados
Tel.: 246 437 8146
Fax: 246 437 4569
Email: crosq.caricom@crosq.org

**JOINT FAO/WHO SECRETARIAT
SECRETARIAT CONJOINT FAO/OMS
SECRETARIADO CONJUNTO FAO/OMS**

Selma Doyran

Senior Food Standards Officer
Joint FAO/WHO Food Standards Programme Food and Agriculture Organization (FAO)
Viale delle Terme di caracalla
00100 Rome
Italy
Tel.: 39 06 570 55826
Fax: 39 06 570 54593
Email: selma.doyran@fao.org

Gracia Brisco López

Food Standards Officer
Joint FAO/WHO Food Standards Programme Food and Agriculture Organization (FAO)
Viale delle Terme di caracalla
00100 Rome
Italy
Tel.: 39 06 570 52700
Fax: 39 06 570 54593
Email: gracia.brisco@fao.org

FAO

Maya Piñeiro

Food Quality and Standards Service
C/FAO
Viale delle Terme di Caracalla
00100 Rome
Italy
Tel.: 39 06 570 53308
Fax: 39 06 570 54593
Email: maya.pineiro@fao.org

Cecilio Morón

Oficial Principal de Política Alimentaria y Nutrición
Oficina Regional de la FAO para América Latina y el Caribe
Casilla 10095, Santiago, Chile
Tel.: 56 2 3372208
Fax: 56 2 3372101
Email: cecilio.moron@fao.org

**WHO/PAHO
OMS/OPS**

Claudio R. Almeida

Director
INPPAZ – OPS/OMS
Talcahuano 1660 – Martinez (B1640CZT) – Pcia.
De Buenos Aires
Tel.: 5789-4012
Fax: 5789-4013
Email: almeidac@inppaz.ops-oms.org

Adrian Acerbi

Asesor en Normativas Alimentarias

INPPAZ – OPS/OMS

Talcahuano 1660 – Martinez (B1640CZT) – Pcia.

De Buenos Aires

Tel.: 5789-4030

Fax: 5789-4013

Email: acerbiad@inppaz.ops-oms.org

Enrique Perez

Jefe de Cooperación técnica

INPPAZ – OPS/OMS

Talcahuano 1660 – Martinez (B1640CZT) – Pcia.

De Buenos Aires

Tel.: 5789-4022

Fax: 5789-4013

Email: pereznr@inppaz.ops-oms.org

Nicole Wynter

As. Consultant

PAHO/OPS

Washington DC, 20037

Tel.: 202 974 3859

Email: wynterni@paho.org