



## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

#### Twenty-Fifth Session

Virtual, 31 May – 8 June 2021

### MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND ITS SUBSIDIARY BODIES

#### MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION

##### MATTERS FOR INFORMATION

##### **42<sup>nd</sup> Session of the Commission (CAC42)**

##### Standards and Related Texts Adopted<sup>1</sup>

1. CAC42 adopted the Draft Principles and Guidelines for the Assessment and Use of voluntary Third-Party Assurance (vTPA) programmes at Step 5 noting that all technical comments should be resubmitted at Step 6 for consideration by CCFICS.

##### New work<sup>2</sup>

2. CAC42 approved the proposal for new work on the consolidation of Codex Guidelines related to equivalence.

##### Other matters

3. CAC42 adopted the Strategic Plan 2020 - 2025<sup>3</sup>.
4. CAC42 noted the proposal from one Member that CCFL collaborate with CCFICS on the work with a view to developing guidance to assist in the control and inspection of food products sold online.<sup>4</sup>

##### **43<sup>rd</sup> Session of the Commission (CAC43)**

##### Procedural aspects and meetings of subsidiary committees<sup>5</sup>

5. CAC43 recommended
  - a) that CCEXEC80<sup>6</sup> share its recommendations based on the report of the sub-committee on Codex and the Pandemic – Strategic Challenges and Opportunities with all subsidiary bodies for their information and further consideration as appropriate.
  - b) to all subsidiary bodies and Members and Observers to make full use of existing remote working mechanisms such as Electronic Working Groups (EWGs) and Circular Letters (CLs) and to plan their virtual committee meetings in such a manner as to optimize the possibility to complete their agendas.
6. CCFICS25 is invited **to note** the above decisions and recommendations by the Commission.

<sup>1</sup> REP19/CAC, paragraphs 76-79, Appendix III

<sup>2</sup> REP19/CAC, paragraph 96, Appendix V

<sup>3</sup> REP19/CAC, paragraph 122, Appendix IX

<sup>4</sup> REP19/CAC, paragraph 98

<sup>5</sup> REP20/CAC, paragraphs 20 (i-ii), 31(ii) & 32

<sup>6</sup> REP21/EXEC1, paragraphs 35-36

## **B. MATTERS ARISING FROM SUBSIDIARY BODIES AS RELATED TO THE WORK OF CCFICS**

### **MATTERS FOR INFORMATION**

#### **The 77<sup>th</sup> Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC77)<sup>7</sup>**

##### Food Fraud

#### 7. CCEXEC77:

- a) Highlighted the importance of the ongoing discussions in CCFICS potential new work on food fraud and noted the need to expedite discussions with a view to advance this potential work, which currently remains at the level of a discussion paper on a gap analysis. CCEXEC77 noted that in addition to the United States of America as chairperson and Iran and the EU as co-chairpersons, China will also be a co-chairperson of the electronic working group (EWG) on Food Fraud.
- b) Noted that among the cross-cutting issues that arose from the Critical Review discussions is a possible proposal for an amendment to the format for commodity standards to include a section on traceability. This is relevant to the CCFICS work on food fraud.

#### **The 78<sup>th</sup> Session of the Executive Committee (CCEXEC78)**

##### Implementation of CAC42: Feedback on Changes and Proposals for further Improvements<sup>8</sup>

8. CCEXEC78 requested that Chairpersons of subsidiary bodies and CAC together with the Secretariat:
  - i. develop strategies to prevent or mitigate technical discussions at CAC on topics for which there was no consensus and communicate these strategies to Members. Such strategies may include short adjournments of the session for informal discussions or suspension of discussions on items that overrun the planned time limit; and
  - ii. ensure that, at meetings of CAC, written comments received were given due consideration and the technical basis of reservations were included in meeting reports.

##### Regular Review of Codex Work Management 2018-2019: Critical Review Process<sup>9</sup>

9. CCEXEC78 recognized that CCEXEC could provide guidance and advice to subsidiary bodies and that subsidiary bodies could also seek advice from CCEXEC and that such exchange could take place outside of the Critical Review process.

##### Follow-up to Regular Review of Codex Work Management 2017-2018: Use of References in Codex Texts<sup>10</sup>

10. CCEXEC78 emphasized that while there may on occasion be merit in including references to standards of another standard setting organization, these should be kept to a minimum since they become an integral part of a Codex text and require life-long monitoring.

##### Timeliness of Codex working documents<sup>11</sup>

11. CCEXEC78 requested that the Codex Secretariat bring the information on the timeliness of Codex working documents, reports and the availability of adopted standards contained in CX/EXEC 20/78/8 to the attention of subsidiary bodies for their review and suggestions.

#### **The 80<sup>th</sup> Session of the Executive Committee (CCEXEC80)**

12. CCEXEC80<sup>12</sup> recognized that CAC43 had agreed on the possibility of holding virtual meetings in 2021 and endorsed the proposals from the sub-committee on Codex and the pandemic to operationalize this decision, noting that this did not at present require any change to formal Codex procedures.

#### **The 31<sup>st</sup> Session of the Codex Committee on General Principles**

##### Food fraud

13. The Committee noted the information regarding the work of CCFICS on Food Fraud and encouraged members to participate in the CCFICS EWG on Food Fraud.<sup>13</sup>

##### Use of Examples in Codex texts<sup>14</sup>

<sup>7</sup> REP 19/EXEC2, paragraphs 7, 33 (iii)

<sup>8</sup> REP20/EXEC1, paragraph 30ii

<sup>9</sup> REP20/EXEC1, paragraphs 42, 46

<sup>10</sup> REP20/EXEC1, paragraph 64

<sup>11</sup> REP20/EXEC1, paragraph 111, CX/EXEC 20/78/8

<sup>12</sup> REP21/EXEC1, paragraphs 35-36

<sup>13</sup> REP19/GP, paragraphs 68-70

<sup>14</sup> REP19/GP, paragraph 39

14. CCGP31 agreed that:

- i. Codex committees are overall successfully using the different options available to them regarding the use of examples on a case-by-case basis; and
- ii. Given the diverse nature of examples and their use, there was no need to develop specific guidance on use of examples in Codex texts at this time.

### **Regional Coordinating Committees (RCCs)**

#### Emerging issues<sup>15,16,17</sup>

15. The FAO/WHO Coordinating Committee for Africa, Europe and Near East (i.e. CCAFRICA; CCEURO; and CCNE) agreed to inform CAC and its subsidiary bodies on the usefulness and outcome of the survey on the emerging issues identified within the region. The following topics were identified by the respective RCC:

- CCEURO region: Food fraud, antimicrobial resistance (AMR), contaminants and food additives, and climate change;
- CCAFRICA region: AMR, pesticide residues, capacity of food control systems, food fraud, water contamination, consumer awareness, aflatoxins, and climate change.
- CCNE region: Chemical contamination of food; weak food control systems/legal frameworks; antimicrobial resistance (AMR); innovation and novel foods; and food fraud.

#### Food fraud

16. CCEURO31 recognised that while food fraud is not a new topic, due to the changing context and evolving food supply chains, it does require new ways of working to address this complex issue and acknowledged that Codex can play an important role and facilitate global discussions to support country efforts to address food fraud.<sup>18</sup> CCEURO acknowledged that Codex can support new work on developing definitions and common terminology, and encouraged CCFICS to complete its work, and noted the possibility for CCGP to consider the outcome of this work<sup>19</sup>.

17. CCASIA21 observed that addressing food fraud required approaches to identify vulnerable foods and food chains and then having an action plan to manage the risk of fraud. It was noted that sharing of information with respect to incidences of food fraud among Members through a common online platform could be an area for future development in the region.<sup>20</sup>

### **The 26<sup>th</sup> Session of the Committee on Fats and Oils (CCFO26)**

#### Food Fraud and Fish Oil<sup>21</sup>

18. CCFO agreed:

- i. To refer to CCFICS the request expressed by Chile related to food fraud in oils in general and related to concerns about fish oil in particular, noting that the current format of commodity standards does not allow inclusion of traceability;
- ii. To encourage Chile and concerned members to participate in the recently launched EWG on food fraud established by CCFICS and to bring this issue to the attention of the chairs of the EWG.

19. The Committee is invited **to note** the above-mentioned matters and that respective issues would be covered under the relevant Agenda Items.

---

<sup>15</sup> REP20/AFRICA, paragraphs 11, 15(iii)

<sup>16</sup> REP20/EURO, paragraph 20 (ii)

<sup>17</sup> REP20/NE, paragraphs 11 and 14

<sup>18</sup> REP20/EURO, paragraph 14 (iii-iv)

<sup>19</sup> REP20/EURO, paragraph 11

<sup>20</sup> REP20/ASIA, paragraph 17 (v)

<sup>21</sup> REP19/FO, paragraph 126 (iii)&(iv)