



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME  
CODEX COMMITTEE ON SPICES AND CULINARY HERBS**

Seventh Session

Kochi, Kerala, India

29 January – 2 February 2024

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

**MATTERS ARISING FROM THE 45th AND 46th SESSIONS OF THE CODEX ALIMENTARIUS  
COMMISSION (CAC45 AND CAC46) AND ITS EXECUTIVE COMMITTEE (CCEXEC83, CCEXEC84, and  
CCEXEC85)**

Standards and Related Texts adopted by the Commission<sup>1</sup>

1. CAC45 (2022) adopted the:
  - i. *Standard for dried floral parts – Saffron and the Standard for dried seeds – Nutmeg* (CXS 352-2022) at Step 8, and the *Standard for dried or dehydrated chilli pepper and paprika* (CXS 353-2022) at Steps 5/8;
  - ii. Amendments to the labelling provisions of non-retail containers in the eight existing spices and culinary herbs (SCH) standards i.e. black, white and green peppers (CXS 326-2017), cumin (CXS 327-2017), dried thyme (CXS 328-2017), dried oregano (CXS 342-2021), dried roots, rhizomes and bulbs: dried or dehydrated ginger (CXS 343-2021), dried floral parts: cloves (CXS 344- 2021), dried basil (CXS 345-2021), and dried or dehydrated garlic (CXS 347-2019); and
  - iii. Draft standard for dried small cardamom and draft standard for spices derived from dried fruits and berries (Part A - Allspice, Juniper berry, Star anise) at Step 5.
2. CCEXEC84 (2023) encouraged CCSC7 to provide, as requested by CCFL, a clear rationale and robust justification for why the provision for country of harvest should be mandatory for *Standard for dried floral parts – Saffron* as this clarification was important in relation to the application of the *General Standard for the Labelling of Pre-packaged Foods* (CXS 1-1985) and should then be discussed at CCFL48.<sup>2</sup>
3. CAC45 (2022) reaffirmed the Commission's support for the development of group standards as an efficient way of completing the standards setting work of CCSC.
4. CAC46 adopted at Steps 5/8 the ML for total aflatoxins in dried chilli and nutmeg, and ML for ochratoxin A in dried chilli, paprika, and nutmeg and noted that these MLs could be reviewed in 3 years' time if sufficient data were submitted through the Global Environment Monitoring System – Food Contamination Monitoring and Assessment Programme (GEMS/Food).

Application of the Statements of Principle concerning the role of science in the Codex decision-making process and the extent to which other factors are taken into account (SoP)<sup>3</sup>

5. CCEXEC83 (2022) agreed to forward the proposed text on the "*Guidance for Codex Chairpersons and Members on the application of the Statements of Principle concerning the role of Science in the Codex decision making process and the extent to which other factors are taken into account*" to CAC45 for its further consideration.
6. CAC45 (2022) endorsed the proposal of CCEXEC83 to refer the draft Guidance to the Chairpersons of Codex subsidiary bodies to facilitate deliberations on matters that fell within the scope of the SoP; and urged Members to take account of the draft guidance as appropriate during the process of standards development and advancement.

<sup>1</sup> REP22/CAC paragraphs 94 – 99; REP23/CAC paragraph 69(ii)

<sup>2</sup> REP23/EXEC1 paragraph 71

<sup>3</sup> REP22/EXEC2 paragraph 82; REP22/CAC paragraph 22 (iv-vi); REP23/CAC paragraph 194 (ii, vi, vii)

7. CAC46 (2023) reiterated its previous conclusion that the draft guidance remained serviceable and available as practical guidance for Chairpersons of Codex Commission and its subsidiary bodies and for Members in situations when there is agreement on science but differing views on other factors/considerations. CAC46 also agreed on the need to gain more experience on application of the draft guidance, and to revisit the draft guidance in the light of experience gained.

#### New Food Sources and Production Systems (NFPS)<sup>4</sup>

8. CAC45 (2022) recognized the importance of Codex working in a flexible and timely manner to consider NFPS as an important topic in the development of international standards aimed at protecting consumer health and ensuring fair practices in the food trade; encouraged Members to submit proposals related to NFPS using existing Codex mechanisms, and Codex subsidiary bodies to consider NFPS in their deliberations, and requested the Codex Secretariat to send a Circular Letter (CL) to Members and Observers to identify possible issues related to NFPS that the current structure and procedures could not address and options to address them for discussion at CAC46.
9. CAC46 (2023) highlighted the importance of addressing challenges posed by NFPS and the important role Codex could play in this; noted that the current working mechanisms were adequate to address any new work on NFPS that Members might propose; and encouraged Members to submit discussion papers or new work proposals, either to active Codex committees or to the Executive Committee through the Codex Secretariat.

#### Blueprint on the future of Codex<sup>5</sup>

10. CAC45 (2022) considered the report of CCEXEC83 on the development of the blueprint for the future of Codex, based on the experience and changes that were needed to remain active during the COVID-19 pandemic to ensure Codex was fit for purpose moving forward, and noted that the future of Codex was a work in progress and noted the need, in due course, to review the Procedural Manual (PM) to ensure that its provisions enabled and facilitated continued virtual and hybrid meetings.
11. CCEXEC85 (2023) agreed that rather than develop a blueprint for the future of Codex, it was more appropriate to use the Codex Strategic Plan 2026-2031 to guide the future direction of Codex and to consider, in parallel, a working model for future Codex work; and that the document describing the key elements of a model for future Codex work<sup>6</sup> remained a living document that should be periodically reviewed in light of experiences and learnings.
12. CAC46 (2023) endorsed the conclusions of CCEXEC85 regarding matters pertaining to the blueprint on the future of Codex.

#### Codex Strategic Plan 2026-2031<sup>7</sup>

13. CCEXEC84 recommended to take into account the lessons learnt from the development and implementation of the monitoring framework for the Codex Strategic Plan 2020-2025 when developing the monitoring framework for the Codex Strategic Plan 2026-2031.
14. CCEXEC85 (2023) discussed the first draft of the elements to be included in the Codex Strategic Plan 2026-2031 and agreed to send a CL to Codex Members and Observers requesting comments on the first draft of the vision; mission; core values; drivers for change; the role of Codex; and a high-level description on Codex ways of working of the Codex Strategic Plan 2026-2031. CCEXEC85 further agreed that the Codex Chairperson and Vice-Chairpersons hold informal consultations with Members and Observers to encourage interaction, discussion and reflection, and to support Members and Observers in responding to the CL.
15. CAC46 (2023) endorsed the conclusions of CCEXEC85 regarding matters pertaining to the to the Codex Strategic Plan 2026-2031.

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<sup>4</sup> REP23/CAC paragraph 206 (i, ii & iii); REP22/CAC paragraph 31 (ii & v)

<sup>5</sup> REP23/CAC paragraphs 8 and 16; REP22/CAC paragraph 41; REP23/EXEC1 paragraph 38 (I & iii).

<sup>6</sup> CX/EXEC 23/85/3, Appendix II

<sup>7</sup> REP22/EXEC2 paragraph 54, REP23/EXEC1 paragraph 115 (iii); REP23/CAC paragraphs 9 and 16

## MATTERS ARISING FROM OTHER SUBSIDIARY BODIES

### 53rd Session of the Codex Committee on Food Additives (CCFA53)<sup>8</sup>

16. CCFA53 (2023) endorsed the food additive provisions in the: i) *Standard for Dried or Dehydrated Chilli Pepper and Paprika* (CXS 353-2022); ii) draft Standard for spices derived from dried fruits and berries – allspice, juniper berry, and star anise; and iii) draft Standard for dried small cardamom, with editorial correction.

### 26th Session of the Codex Committee on Food Inspection and Export Certification Systems (CCFICS26)<sup>9</sup>

17. CCFICS26 (2023) agreed to inform other Codex Committees about the proposed review and update of the *Principles for Traceability/Product tracing as a tool within a food inspection and certification system* (CXG 60-2006).

### 47th Session of the Codex Committee on Food Labelling (CCFL47)<sup>10</sup>

18. CCFL47 (2023) endorsed the labelling provisions in the *Standard for Dried or Dehydrated Garlic* (CXS 347-2019), *Standard for Dried or Dehydrated Chilli Pepper and Paprika* (CXS 353-2022); the Draft Standard for Dried Small Cardamom; and Draft Standard for Spices in the Form of Dried Fruits and Berries (Allspice, Juniper Berry, Star Anise).
19. CCFL47 (2023) agreed to:
- i. endorse all the labelling provisions in the Standard for Dried Floral Parts – Saffron except the country of origin (8.3.1) and the country of harvest (8.3.2); and
  - ii. refer the above two provisions to CCSCCH for reconsideration, and to request CCSCCH to clarify the distinction between country of origin and country of harvest, and provide the rationale why the provision for country of harvest should be mandatory and how such a declaration would be beneficial for fraud prevention.

### 42nd Session of the Codex Committee on Methods of Analysis and Sampling (CCMAS42)<sup>11</sup>

20. CCMAS42 (2023):
- a. agreed to inform relevant Codex committees of the revised *General Guidelines on Sampling* (CXG 50-2004) and request these committees to review their sampling plans in light of the revised Guidelines; and to remind Committees that sampling plans should be developed as needed in compliance with the *General Guidelines on Sampling* (CXG 50-2004) and not by a reference to CXG 50-2004.
  - b. did not endorse the methods proposed by CCSCCH for the *Standards for dried or dehydrated ginger* (CXS 343-2021), *Cloves* (CXS 344-2021), *Basil* (CXS 345-2021), *Chilli Pepper and Paprika* (CXS 353-2022), and Saffron, and the Draft Standard for spices derived from dried fruits and berries (Part A – allspice, juniper berry and star anise); agreed to return them for further consideration by CCSCCH; and requested CCSCCH to reply to the questions in the Appendix to assist CCMAS in the endorsement of the methods.
  - c. agreed to request CCSCCH to confirm the availability of a glossary of terms that could assist CCMAS when endorsing methods for provisions in standards for spices and/or culinary herbs as indicated in the Appendix to this document.

### 33rd Session of the Codex Committee on General Principles (CCGP33)<sup>12</sup>

21. CCGP33 (2023) following its discussion on update to the Guide to the procedures for the amendment and revision of Codex standards and related texts in the PM, agreed to inform other Codex committees of the ongoing work in this regard to better align with current practices in Codex and international publishing standards.
22. CCGP33 agreed to ask the host secretariats to review the procedures in section 3 of the PM, Guidelines for subsidiary bodies, to identify text to be updated, in line with current practices; to request the Codex Secretariat to circulate any proposed changes for comments by the Members.

<sup>8</sup> REP23/FA paragraph 37

<sup>9</sup> REP23/FICS paragraph 117 (a-c)

<sup>10</sup> REP23/FL paragraphs 14 and 17

<sup>11</sup> REP23/MAS paragraphs 23-25 and 75-81

<sup>12</sup> REP23/GP, paragraph 69

**Recommendations**

23. CCSCH7 is invited to:

- a) note the information provided in relevant paragraphs above;
- b) for the standard for saffron, clarify the distinction between country of origin and country of harvest, and provide the rationale why the provision for the country harvest should be mandatory and how such a declaration would be beneficial for fraud prevention; and
- c) to reply to the questions (see Appendix) to assist CCMAS in the endorsement of testing methods.

**Appendix****Questions from CCMAS to CCSCCH to assist in the endorsement of methods<sup>13</sup>****Standard for dried roots, rhizomes, and bulbs – dried or dehydrated ginger (CXS 343-2021); the Standard for dried floral parts – cloves (CXS 344-2021) and Standard for dried basil (CXS 345-2021)**

1. ISO 927 is identified as a Type I method for “whole dead insects”, but as a Type IV for ‘live insects’. Is there a reason for this difference in typing?
2. MPM-V8 is listed as a Type IV for ‘mammalian/other excreta’, however ISO 927 appears to capture this category and is identified as a Type I at other parts of the table. Is there a reason for selecting a Type IV for this provision?

**Standard for dried floral parts – saffron**

1. The taste strength, aroma strength, colouring strength provisions use the ISO 3632-2 and are listed as Type IV. As this ISO standard is specific to saffron, is there a reason it is listed as a Type IV and not a Type I?

**Standard for dried or dehydrated chilli pepper and paprika (CXS 353-2022)**

1. For the provision ‘live insects’ there are two methods listed and both identified as Type I. Are these methods identical? If not, one must be endorsed as Type I method and the other removed.

**Draft Standard for dried small cardamom and draft Standard for spices derived from dried fruits and berries (Part A – allspice, juniper berry and star anise)**

1. There are Type I and Type IV methods listed for the provisions “whole dead insects” and “insect fragments”. While listing both a Type I and Type IV is allowed, there should be a compelling reason for the listing. Would it be possible to explain the reasoning for this request?
2. There are parenthetical comments in the provision for ‘filth’ and ‘light filth’, which says list all the filth here – for example – mammalian excreta? It is unclear if this is text should have been removed.

**Comparison between different CCSCCH standards**

1. In the *Standard for dried roots, rhizomes and bulbs – dried or dehydrated ginger* (CXS 343-2021) ISO 927 is a Type IV for ‘mammalian / other excreta’, but in the *Standard for dried seeds – nutmeg* (CXS 352-2022) ISO 927 is listed as a Type I for this same provision. Is there a reason for the different typing of the same method for the same provision?
2. In some standards the provision is listed as ‘mould visible’ and in others it is listed as ‘visible mould’, is there a significance to this difference or could a single name for the provision be used consistently across standards.
3. Across standards, there are some differences in provision groups. One example, in the draft Standard for dried small cardamom the provision is ‘whole insect live / dead’, while in the *Standard for dried roots, rhizomes and bulbs - dried or dehydrated ginger* (CXS 343-2021), the provisions are listed separately as ‘whole dead insects’ and ‘live insect’. Are these intentional?

**Glossary of terms**

Responding to a question whether there was a set of definitions/terminologies that could assist CCMAS when the methods are reviewed for endorsement, the Codex Secretariat clarified that CCSCCH had developed a glossary of terms for their internal use available in CX/SCH 17/3/10.

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<sup>13</sup> REP23/MAS paragraphs 23-25