



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEx COMMITTEE ON GENERAL PRINCIPLES

Thirty-third Session

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MATTERS ARISING FROM THE CODEx ALIMENTARIUS COMMISSION AND ITS SUBSIDIARY BODIES

A. MATTERS ARISING FROM THE CODEx ALIMENTARIUS COMMISSION (CAC44 AND CAC45) AND ITS EXECUTIVE COMMITTEE (CCEXEC81, CCEXEC82, CCEXEC83 AND CCEXEC84)

Matters for information

Adoption of amendments to the Codex Procedural Manual

1. CAC44 (2021)¹ adopted the Criteria and procedural guidelines for Codex committees and ad hoc intergovernmental task forces working by correspondence, as edited following the 32nd Session of the Codex Committee on General Principles (CCGP32)², to be included in the Codex Procedural Manual, Section 3 - Guidelines for subsidiary bodies.
2. CAC44 (2021)³ adopted the amendment to the Codex Procedural Manual, Section 4 - Risk analysis, Risk Analysis principles applied by Codex Committee on Residues of Veterinary Drugs in Foods: Approach for the extrapolation of maximum residue limits of veterinary drugs to one or more species⁴.
3. CAC44 (2021)⁵ adopted the General Standard for the Labelling of Non-retail Containers of Foods at Step 8 and the consequential amendment to the Codex Procedural Manual, Section 2 - Elaboration of Codex standards and related texts, Format for Codex commodity standards: Labelling⁶.
4. The above three amendments to the Codex Procedural Manual have incorporated in the 28th edition of the Codex Procedural Manual⁷.

Codex and the pandemic⁸

5. CCEXEC81 (2021) commended the huge efforts of the Codex family to deliver the 2021 work programme and in moving forward, and recommended that Chairpersons and Host Secretariats collaborate closely with the Codex Secretariat in their efforts to establish a meeting schedule that is realistic to implement and ensures adequate time between meetings, and that the Codex Secretariat together with Chairpersons and the larger membership further consider how electronic working groups (EWGs) and/or other inclusive and transparent mechanisms can continue to be strengthened, playing an even more fundamental role in Codex as a flexible mechanism to prepare work and ensure that discussions in subsidiary bodies is only held when there is a need for guidance or the work it is ready for progression in the step process.
6. CAC44 (2021) recommended that Rule XI (7) and (8) continue to be interpreted in a manner that includes a virtual setting with respect to sessions of Codex Subsidiary Bodies including CCEXEC and that application of this should take into consideration the criteria outlined by CCEXEC80.

¹ REP21/CAC, paragraph 36(i); CAC/44 CRD/2

² REP21/GP, paragraph 23

³ REP21/CAC, paragraph 36(ii)

⁴ CX/CAC 21/44/2 Add.2

⁵ REP21/CAC, paragraph 83

⁶ REP 21/FL, Appendix III

⁷ [Codex Alimentarius Commission Procedural Manual](#)

⁸ REP21/EXEC1, paragraph 35; REP21/EXEC2, paragraphs 83 and 84(ii) and (iv); REP21/CAC, paragraph 12(iii)

Future of Codex⁹

7. CCEXEC81 (2021) agreed to establish and lead a process to develop the blueprint for the future of Codex for consideration by CAC on its 60th anniversary in 2023. The process should include communication and outreach to Members and Observers to collect general views on what a future Codex should look like.
8. CCEXEC82 (2022) agreed to establish a subcommittee to develop in collaboration with the Codex Secretariat a report including a proposed blueprint for the future of Codex for CCEXEC84, taking into consideration the views of Members and Observers, FAO and WHO, Chairpersons of Codex Committees, Regional Coordinators and Host Secretariats.
9. CCEXEC83 (2022), being presented with the interim report of the CCEXEC subcommittee on the future of Codex, recognized that virtual and hybrid meetings were essential tools for Codex and that practice in relation to these meeting modalities continued to develop; acknowledged the concerns expressed on the complexity of the process for developing new work; and noted the added value new tools provided to the deliberations of EWG.
10. Noting the importance of having time to consider the zero draft of the blueprint, to consult further with Chairpersons and Host Secretariats and to engage with Codex Members and Observers, CCEXEC83 agreed on a timeline for the way forward up to the publication of the blueprint by mid-May 2023.
11. CAC45 (2022) considered the report of a subcommittee established by CCEXEC82 to develop a blueprint for the future of Codex based on the experience of and changes that were needed to remain active during the COVID-19 pandemic and the timely opportunity of the 60th Anniversary to ensure Codex was fit for purpose moving forward. The work to date had focused on preparedness in terms of working modalities and the evolution of working practices within Codex related to meeting formats, meeting schedules and working groups, and other virtual informal working mechanisms.
12. CAC45 (2022) noted that the future of Codex was a work in progress and that there would be an opportunity in 2023 for all Members and Observers to engage on this topic; and noted the need, in due course, to review the Codex Procedural Manual to ensure that its provisions enabled and facilitated continued virtual and hybrid meetings.
13. CCEXEC84 (2023) being presented with the proposed blueprint on the Future of Codex agreed that:
 - Section 2 of the revised draft blueprint – *Codex Standards for the future – context and drivers* (Appendix II of REP23/EXEC1) would serve as an input to the next strategic planning process. Input would be sought from Members and Observers in the context of that process;
 - The Codex Secretariat would circulate section 3 - *Model for future Codex work* (Appendix II of REP23/EXEC1) for comments among Members and Observers with a small set of questions to guide the nature of input sought; and
 - CCEXEC85 would review section 4 and the recommendations in section 5.1.1 and 5.2 in the light of comments from Members on section 3 - *Model for future Codex work* and make relevant recommendations for consideration by CAC46.

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)¹⁰

14. CCEXEC81 (2021) agreed to establish a new subcommittee on the application of the SoP and present a revision of the draft guidance to CCEXEC82.
15. CAC44 (2021) welcomed the ongoing work by CCEXEC on the guidance for Chairpersons and Members on the operationalization and the consistent application of the SoP, and further encouraged CCEXEC to complete this work in an expeditious manner.
16. CCEXEC82 (2022) agreed to re-establish the subcommittee to develop practical guidance to support operationalization of the SoP, including use of the draft decision guide/flow chart.
17. CCEXEC83 (2022) being presented with the report of the subcommittee with the draft guidance including a flowchart, agreed to retain the text as was presented to them apart from the shortening of the title and paragraph 23 and forward this text to CAC45 for its further consideration noting that the text was not final as square brackets remained.
18. CAC45 (2022) endorsed the proposal to refer the draft Guidance for Codex Chairpersons and Members on the application of the SoP to the Chairpersons of Codex subsidiary bodies to facilitate deliberations on

⁹ REP21/EXEC2, paragraph 85; REP22/EXEC1, paragraphs 86-101; REP22/EXEC2, paragraphs 114, 118, 121, 122; REP23/EXEC1, paragraphs 101

¹⁰ REP21/EXEC2, paragraph 99; REP22/EXEC1 paragraph 69; REP22/EXEC2 paragraphs 81-82; REP21/CAC, paragraphs 13-14; REP22/CAC, paragraph 22

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. CAC45 furthermore requested the Secretariat to issue a Circular Letter (CL) inviting Members and Observers to provide specific suggestions to improve the draft guidance, its finalization and its possible incorporation into guidance documents for Chairpersons and Members. Comments on the draft guidelines can be submitted in response to [CL 2023/32](#) until 31 August 2023.

Codex Strategic Plan¹¹

19. The Codex Strategic Plan 2020-2025 implementation report 2020-2021 and preliminary results of the 2022 pilot survey on the use and impact of Codex texts were presented at CAC45. CAC45 noted the continuing evolution of the Strategic Plan monitoring framework and requested the Codex Secretariat to further review it. CAC45 further noted that there would be benefit in undertaking the elaboration of the next Strategic Plan with the membership in parallel with the development of the monitoring framework led by the Codex Secretariat.
20. CCEXEC84 (2023) considered a proposed structure for the Strategic Plan 2026-2031, together with a timetable and process for its elaboration. In agreeing on an approach to move forward, CCEXEC84 recognized the value of immediate and ongoing engagement with the Codex membership on the process of drafting the Strategic Plan 2026-2031 using a range of modalities; the key role of CCEXEC on providing strategic direction to the Commission, and the importance of its involvement throughout the drafting of the Strategic Plan 2026-2031.

Monitoring the use and impact of Codex texts¹²

21. CCEXEC81 (2021) noted that, in line with Goal 3 of the Strategic Plan 2020-2025 (Increase recognition and use of Codex Standards), the Codex Secretariat in consultation with the FAO and WHO Evaluation Offices had initiated a project to build a mechanism to monitor the use and impact of Codex standards.
22. CCEXEC82 (2022) discussed the draft mechanism to monitor the use and impact of Codex texts, and
 - recognized the benefits and challenges in monitoring the use and impact of Codex texts, and the importance of engagement as the process evolved and of periodic review.
 - endorsed the proposed approach for building the Codex Monitoring and Evaluation framework, noting that 2022 would be a pilot year for the re-designed survey approach and that the preliminary results would be reported at CCEXEC83 and CAC45.
 - encouraged Members and Observers to identify potential resources to support data gathering for this work, particularly through case studies which should be selected according to a set of pre-defined criteria and be clear in terms of scope and context.
23. CCEXEC83 (2022), noting the preliminary results of the 2022 pilot survey on the use and impact of Codex texts, and while requesting the Secretariat to further review and streamline the Strategic Plan monitoring framework, requested to consider the results of the survey in undertaking the elaboration of the next Strategic Plan with the membership. The full report was made available to CCEXEC84 as EXEC84/INF1.
24. CCEXEC84 (2023) considered a proposed revision to the monitoring framework and recommended that lessons learnt from the development and implementation of the monitoring framework for the Strategic Plan 2020-25 be taken into account when developing the monitoring framework for the Strategic Plan 2026-2031. CCEXEC84 noting the report of the survey on the use and impact of Codex texts and its recommendations confirmed that the survey approach, piloted in 2022, should be used as part of the mechanism to monitor the use and impact of Codex texts.

New food sources and production systems (NFPS)¹³

25. CCEXEC81 (2021) agreed to establish a sub-committee to investigate potential mechanisms to address crosscutting, overarching and emerging issues in Codex such as new food sources in the context of food safety, food quality and labelling and the state of related science, the needs and priorities of members as well as any other considerations identified.
26. CCEXEC82 (2022) recognized that ongoing work by CCEXEC on “new food sources” did not preclude committees from undertaking new work falling within their respective mandates.
27. CCEXEC82 (2022) agreed that the sub-committee should continue its stepwise consideration of the issues, informed by an analysis of the information collected through the CL, conference room documents (CRDs) and report of CCEXEC82.

¹¹ REP22/CAC, paragraph 187; REP23/EXEC1, paragraph 136

¹² REP22/EXEC1, paragraph 121; REP22/EXEC2, paragraph 165; REP23/EXEC1, paragraph 115; EXEC84/INF1

¹³ REP22/EXEC1, paragraph 85; REP22/EXEC2, paragraph 100; REP22/CAC, paragraph 31

28. CCEXEC83 (2022), in considering the report from the CCEXEC sub-committee on new food sources and production systems, recognized that this work had sensitized Codex to the challenges and opportunities arising in relation to NFPS and the potential role Codex could play in addressing any related food safety issues and facilitating fair trade of such commodities; recommended that CAC45 encourage Members to submit proposals related to NFSP using existing Codex mechanisms, and Codex subsidiary bodies to consider NFPS in their deliberations; and recognized the need to prepare guidance on how to apply existing procedures to ensure that Members do not perceive procedural obstacles to submitting new proposals for work in this and other areas of Codex.
29. 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. Comments can be submitted in response to [CL 2023/31](#) until 31 August 2023.

*Procedural considerations related to new work proposals, prioritization mechanisms and regional standards*¹⁴

30. CCEXEC83 (2022), in its discussions on the Future of Codex and NFPS, acknowledged the need of guidance on how to apply existing procedures to ensure that Members did not perceive structural obstacles when submitting proposals for new work. CCEXEC83 requested the Codex Secretariat to draft practical guidance for Codex Members, for further consideration by CCEXEC, noting that CCGP33 would present an opportunity to discuss this topic with the wider Codex membership.
31. Discussions during CAC45 (2022) suggested that the prioritization and work management mechanisms developed by the different committees be collated in one place for ease of access and understanding. The Codex Secretariat noted that this could be undertaken as part of the guidance requested by CCEXEC83 on new work proposals.
32. CCEXEC83 in its critical review noted the need for more guidance on the preparation of new work proposals for regional standards and agreed that this would be more extensively considered at CCEXEC84.
33. CCEXEC84 (2023), being presented with a document from the Codex Secretariat, discussed the challenges faced by some Members in the application of the current procedures and criteria for assessment when proposing new standards for regional commodities traded internationally. The discussions highlighted the lack of awareness among Members of the existing processes and the need for clarity in the interpretation of such procedures. CCEXEC84 requested the Codex Secretariat to update the working document in line with the discussions and include the item of the agenda of CCEXEC85.
34. CCEXEC84, noting the proposal of a Member for a stocktaking of existing procedures to further consider the procedures and criteria in place regarding new work to reflect on whether there were any gaps, asked the Codex Secretariat to provide a document for a future meeting of CCEXEC that reviewed the approaches that had been developed.

*60th Anniversary of the Codex Alimentarius Commission: 1963-2023*¹⁵

35. CAC44 (2021) agreed that the celebration of the Codex 60th Anniversary (2023) would be a wonderful occasion to raise awareness about food safety and quality and encouraged all Members and Observers to use the opportunity of the Codex 60th Anniversary to plan and implement activities to build awareness of Codex and to engage high level political support for Codex work. CAC44 noted that Codex already had a number of tools at its disposal to facilitate engagement and planning for the Anniversary, including the FAO/WHO Coordinating Committees.
36. CCEXEC82 (2022) noted the initial plans provided by the Codex Secretariat to celebrate Codex@60 and provided further suggestions including for regional activities, expressed commitment to advocacy at all levels to ensure the widest possible participation and promotion of the anniversary.
37. CCEXEC83 (2022) noted the planned celebrations under development by the Codex Secretariat and Members, and encouraged Members and Observers to fully engage in the celebrations, to share information on their plans and activities directly and/or through the Codex Secretariat, and to commit to advocacy at all levels to ensure widest possible participation in and promotion of the anniversary.

¹⁴ REP22/EXEC2, paragraphs 40-41, 117-118; REP22/CAC, paragraph 183; CX/EXEC 23/84/8; REP23/EXEC1, paragraphs 39-40, 148-155.

¹⁵ CX/EXEC 22/82/8; REP22/EXEC1, paragraphs 122-129; REP22/EXEC2, paragraph 177; REP21/CAC, paragraphs 143 and 150; REP22/CAC, paragraph 228

38. CAC45 (2022) encouraged Members and Observers to fully engage in the celebrations and to share information on their plans and activities directly and through the Codex Secretariat; and urged Members to commit to advocacy at all levels to ensure both the widest possible participation in the celebrations and the widest possible promotion of the work of Codex.

Electronic working groups

39. CCEXEC83 (2022)¹⁶ noted the added value new tools provided to the deliberations of EWGs and the ongoing work by the Codex Secretariat on the EWG handbook that was also taking into consideration the availability of new tools, and recommended that the handbook on EWGs be shared for information with all subsidiary bodies once available. An update on the EWG handbook will be provided by the Codex Secretariat during CCGP33.

Matters for action

40. CCEXEC83 (2022)¹⁷ recommended that the Codex Secretariat and the Legal Offices of FAO and WHO present a further review on the criteria included in the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission* at the forthcoming session of CCGP (CCGP33), to evaluate amendments to the Principles, which might recognize as part of the regular review the contributions Observers may make to advancing the objectives of Codex other than through their participation in Codex standard setting activities. Document CX/GP 23/33/7 is addressing this issue.
41. CAC45 (2022)¹⁸ requested the Codex Secretariat to consult with the FAO and WHO Legal Offices on a possible amendment to the rules of procedure allowing the Commission to take place virtually if needed and to prepare a paper on this specific issue for consideration by CCGP33, which in turn should advise CAC46. Document CX/GP 23/33/6 is addressing this issue.
42. CAC45¹⁹, when being presented with the extensive process that had been undertaken to complete work on consistency in the Codex Procedural Manual since the initiative had been proposed at CCGP32²⁰, requested that the Codex Secretariat prepare a document for CCGP33 that would: a) examine how amendments and revisions of Codex texts have been treated historically; b) suggest improvements to enhance consistency and alignment with FAO and industry publishing standards; c) recommend clear criteria and options for current and future publications concerning amendments/revisions and new editions; and d) indicate draft revised text for the Procedural Manual's *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts*. Document CX/GP 23/33/5 is addressing this issue.

MATTERS ARISING FROM OTHER SUBSIDIARY BODIES

MATTERS FOR INFORMATION

Codex Committee on Food Additives (CCFA)²¹

43. CCFA52 (2021) agreed to publish on the Codex website the "Guideline on avoiding future divergence of food additive provisions in the *General Standard on Food Additives (GSFA)* with Commodity Standards" as an information document and inform the corresponding Commodity Committees of this document, and further tasked the EWG on Alignment to consider whether the information in the Codex Procedural Manual was sufficient or if amendments were required to ensure future divergence does not occur.
44. CCFA53 (2023) endorsed the recommendation of the EWG on Alignment that a discussion paper identifying the outstanding issues with respect to avoiding future divergence between the GSFA, commodity standards and other texts, will be prepared for and considered by CCFA54.

FAO/WHO Regional Coordinating Committee for Europe (CCEURO)²²

45. CCEURO32, while discussing the Codex work relevant to the region, encouraged a broad and inclusive discussion on key issues in Codex (SoP, One Health approach etc.) and recommended the Commission to apply a more balanced allocation of work between Codex subsidiary bodies, notably through CCGP.

RECOMMENDATIONS

46. CCGP33 is invited to note the matters for information and action above.

¹⁶ REP22/EXEC2, paragraph 121

¹⁷ REP22/EXEC2, paragraph 128; REP22/CAC paragraph 8

¹⁸ REP22/CAC, paragraph 41

¹⁹ REP22/CAC, paragraph 44

²⁰ REP21/GP, paragraph 27

²¹ REP21/FA, paragraph 107(i) and (iii),d), Appendix XII; REP23/FA, paragraph 46

²² REP22/EURO, paragraph 50