

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 4

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-fifth Session, FAO Headquarters, Rome (Italy), 30 June-7 July 2003

AMENDMENTS TO THE PROCEDURAL MANUAL COMMENTS ON THE PROPOSED AMENDMENTS

PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE

Proposed Amendments to the Rules of Procedure concerning the Membership of Regional Economic Integration Organizations

EUROPEAN COMMUNITY

In reply to the circular letter CL 2003/16/GP on the proposed amendments to the Procedural Manual, the EC, on behalf of the Member States of the European Union, supports strongly the proposed amendments to the rules of procedure concerning Membership of Regional Economic Integration Organisations, in Appendix III to ALINORM 03/33A.

The EC considers that the changes proposed by the United States to the proposed amendments to the rules of procedures are inappropriate. They would limit the debate and the diversity of opinion necessary to reach a consensus. They would not alleviate the burden of the Chairpersons of Codex meetings in their efforts to assess the consensus. Instead, the EC is in favour of developing appropriate guidelines aimed at assisting Chairpersons in understanding how to evaluate consensus in case of mixed competence. The EC is willing to assist the Chairperson group in drafting these guidelines.

COMMUNAUTE EUROPEENNE (version française)

En réponse à la lettre circulaire CL 2003/16-GP sur les propositions d'amendements au Manuel de Procédure, la CE au nom des États membres de l'Union européenne, appuie fortement les propositions d'amendements aux règles de procédure concernant l'adhésion des Organisations Régionales d'Intégration économique figurant à l'annexe III de l'ALINORM 03/33 A.

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La CE considère que les changements proposés par les États Unis aux propositions d'amendements aux Règles de Procédure ne sont pas appropriés. Ils limiteraient le débat et la diversité d'opinion nécessaire pour atteindre un consensus. Ils ne soulageraient pas la tâche des Président(e)s des réunions du Codex dans leurs efforts pour évaluer le consensus. Par contre, la CE est en faveur du développement de lignes directrices appropriées destinées à aider les Président(e)s dans leur compréhension de l'évaluation du consensus en cas de compétence mixte. La CE est désireuse d'aider le groupe des Président(e)s dans la rédaction de ces lignes directrices.

International Council of Grocery Manufacturers' Associations (ICGMA)

ICGMA Strongly Opposes the EC proposal to seek membership in the Codex Alimentarius Commission. Contrary to the title of this proposal, the issue of Regional Economic Integration Organizations is applicable solely to the constructs of the European Community and would not afford the same rights and privileges to any other economic or regional bloc within Codex - such as the Caricom or Andean Pact groups. Under the FAO Constitution, a regional economic integration organization is defined as "an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to it." Under this very finite and limiting definition, special rights are afforded to one group of Codex members at the expense of the rest of the membership. Additionally, the collective voices of 25 Codex Members would be effectively be muted.

The proposal fails to adequately address even the most basic and practical considerations. Practical issues on the declaration of competency alone are substantial enough to oppose the proposal - among those practical issues are:

What is the given timeframe under which the EC must declare itself "competent" on a particular agenda item?

Are declarations of competency made only upon request?

Is competency extended to issues addressed in proposed Commission Directives?

Is competency declared by the EC or by its member states to the EC?

Can an EC member challenge competency- especially on issues of dual competency?

The Codex process naturally allows for and encourages floor debate- how would the debate process be affected if only those interventions by voting parties can be taken into account?

For each declaration of competency when is the quorum count called?

Can competency be declared for procedural issues such as amendments to the rules of procedures?

There are far too many uncertainties and unknowns that the mere eight paragraphs of proposed rules governing this important issue provide. Until such time the European Commission can offer a more substantial and detailed proposal to the Codex Commission members, we oppose such their vague request for Codex membership.

PROPOSALS TO AMEND OTHER SECTIONS OF THE PROCEDURAL MANUAL

Amendments concerning Methods of Analysis and Sampling

BRAZIL

Brazil proposes rewrite the sentence:

“These terms are defined in analytical terminology for Codex use with exception of addition.”