

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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Agenda Item 10

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

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

JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS

Addendum 1: Review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces, including Regional Committees

INTRODUCTION

1. The Report of the Evaluation Team and Expert Panel states that “this evaluation has not looked in depth at the structure and work of individual committees”¹; this was primarily due to the time constraints placed on the evaluation process. The report strongly recommends that “Codex should undertake a review, including a detailed study by consultants of the work of general subject and commodity committees as soon as possible, and thereafter on a fixed schedule, with a view to rationalization where appropriate” (Recommendation 16). The report also recommends that Codex should undertake a review of the mandate and work of regional committees within the next two years (Recommendation 17).

2. All of the comments received on these two recommendations support a review of the current Codex committee/task force structure. On the other hand, there are significant differences of opinion in relation to the detailed “sub-proposals” contained in Recommendation 16 a), b), and c), in particular that all commodity work should be undertaken by time-bound task forces. One comment stated that this could lead to a proliferation of task forces with serious negative implications for developing member countries. One commenting country was of the view that the review of the mandates of regional committees was a low priority. Several comments indicate that the review should be undertaken by the Commission within its own mandate and that the outcome of the review should not be prejudged.

¹ Evaluation Report, paragraph. 108.

STRATEGIES AND OPTIONS

General considerations

Too many committees and too many meetings

3. The Codex Committee structure has been the subject of concern for some years. In 1997, FAO Council called upon the Commission to review the need for maintaining those Codex Committees that had completed their programme of work and as a result a few commodity committees have been abolished². In 1999, the Commission adopted new criteria for the establishment of subsidiary bodies which placed emphasis on the use of time-bound task forces to undertake specific work that either did not fit within the existing committee structure or else fell across the mandates of several Codex committees, thus providing the Commission with a more flexible and task-directed approach to its work. Three such task forces were established at that time.

4. Unfortunately, at the time of the establishment of these new task forces, the previously existing commodity committees were not adjourned or abolished. As a result the number of Codex meetings held in the biennia 1999-2001 and 2001-2003 reached record levels (34 and 37 meetings respectively, not counting Executive Committee and Commission meetings). Such a demand on the resources of most developing countries to participate in the work of Codex must be considered as unsustainable. The median number of Codex sessions held in a biennium over the history of the Commission is 26 (excluding Executive Committee and Commission meetings). The Evaluation Report strongly recommends that the Commission seek new ways of working other than relying exclusively on meetings; for example, the use of much greater inter-session work through electronic working groups and facilitators.

5. In undertaking a review of Codex subsidiary bodies, the Secretariat recommends that one of the outcomes should be a reduction in the overall number of meetings; shorter meetings and more focused meetings.

Unclear responsibilities

6. The Evaluation Report also points out that there is a need for a clearer division of responsibilities between horizontal committees and vertical committees. Several countries have commented along the same lines. The Evaluation Report also points out the potential for contradiction in standards between horizontal and vertical committees. Eighty percent of government respondents indicated that eliminating such inconsistencies should be accorded very high priority in the future work of Codex.

7. The question of “endorsement” of provisions in Codex standards also needs attention as it is one of the factors leading to inconsistency and in the overall slowness of the development of standards.

Review of structures

8. One comment stressed that the review of structures should take into account the mandate of Codex and the Strategic Framework adopted by the 24th Session of the Commission. The Secretariat supports this approach and recommends that any review of Codex Committees should first concentrate on the desired outcomes in terms of the objectives of the Strategic Framework and the need for timely advice to member countries in the form of standards, guidelines and other recommendations. The mandates of existing General Subject Committees should then be reviewed to obtain the best distribution of work to ensure that the desired outcomes are met and that no one Committee is over-burdened with work.

9. The use of time-bound *ad hoc* task forces should remain an essential element of a flexible response to urgent matters, including task forces that may take some of the work from over-burdened General Subject Committees, or draft standards on special subjects. However, the establishment of such task forces should take into account the overall capacity of all member countries to participate in the work of Codex.

10. The review of Commodity Committees should consider a variety of responses to the problem in this area, in particular the inflexibility of the current arrangements. For example, there could be an option to abolish Commodity Committees and replace them with a single, permanent “Commodity Standards Committee” under

² See the report of the 22nd Session of the Codex Alimentarius Commission, ALINORM 97/37 paras. 185-188. Since then the Codex Committees on Edible Ices, Processed Meat and Poultry Products, and Soups and Broths have been abolished.

Rule IX.1.(b) open to all Members, observers, etc. This Committee could use the intersession procedures recommended in the Evaluation, including the use of facilitators (or rapporteurs). This would have the benefit of handling commodities that do not fit into the current structure. The Committee could also handle on-going work, such as the maintenance of existing commodity standards. An alternative to this option would be to phase out most current commodity committees, whilst retaining certain specialist commodity committees whose main function has changed from the development of individual standards to the development of codes of practice and guidelines on the food safety issues related to the commodity. The optimal outcome could be a combined use of all of these options.

Review of relations between committees

11. While these are mainly addressed in the Secretariat paper on Procedures (ALINORM 03/26/11: Add. 4), the Commission must, sooner or later, decide whether its General Standards and Codes should be the template for all other standards work. A clear decision in this matter would simplify the process of standards development and speed up the development of standards of particular interest to developing country members. Such a decision would also have implications on whether individual standards were indeed necessary or whether the issues requiring the development of a standard were sufficiently addressed in the general standards.

Regional coordinating committees

12. The Evaluation Report recommends that in reviewing the roles of Regional Coordinating Committees, the following should be taken into account (paragraph 115):

- whether all the existing regional committees continue to be justified;
- clarification of the purpose and mandate (which may not need to be uniform for developed and developing country groupings);
- establishment of a flexible (*ad hoc*) sub-regional structure within the regions, centred on economically and geographically coherent groups including economic organizations like Mercosur and SADC;
- combining the roles of regional representative and regional coordinator³;
- in developing regions, there should be systematic discussion of capacity building and further combination of meetings with seminars and briefings on matters related to both trade and protection of domestic consumers.

Proposal No. 5: Review of the mandates of Codex Committees and Task Forces

13. The Commission may wish to instruct the Secretariat to recruit a small team of consultants to undertake a detailed review, based on the recommendations of the Evaluation Report and the above discussion, that would report through the Executive Committee to the next Regular Session of the Commission. The review should concentrate on the following:

- adequacy of the current structure of general subject committees to meet member countries' needs in a flexible and timely manner;
- areas of overlap and areas where coverage of the subject matter is inadequate;
- adequacy of the current structure of commodity committees to meet member countries' needs in a flexible and timely manner;
- areas of overlap and areas where coverage of the subject matter is inadequate; and
- relations between commodity and general subject committees (task forces).

14. The report to the Commission should also take into account the ability of all member countries to participate in the standards development process and therefore concentrate on the sustainability of the subsidiary body structures and their work programmes.

³ See, however, Addendum 2 on the Functions of the Executive Committee, where it is recommended that the two functions remain separate, but that Regional Coordinators become members of the Executive Committee.(ALINORM 03/26/11: Part 2).

Proposal No. 6: Review of the Regional Coordinating Committees

15. The Commission may wish to instruct the Secretariat to provide a report to the next Regular Session of the Commission with proposals for the review of the Regional Coordinating Committees. These proposals should be discussed by the Regional Coordinating Committees and final proposals made to the next following session of the Commission. The terms of reference of this review should be the same as those indicated in paragraph 12, above.