

# codex alimentarius commission

FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD HEALTH  
ORGANIZATION

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**ALINORM 01/19**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX ALIMENTARIUS COMMISSION**

Twenty-fourth Session  
Geneva, 2 – 7 July 2001

**REPORT OF THE TWENTY-SECOND SESSION OF THE  
CODEX COORDINATING COMMITTEE FOR EUROPE**

Madrid, Spain, 3 – 6 October 2000

## SUMMARY AND CONCLUSIONS

The summary and conclusions of the 22nd Session of the Codex Coordinating Committee for Europe are as follows:

### **Matters for consideration by the Executive Committee and the Commission:**

The Committee:

- agreed to discontinue work on the revision of the Regional Standard for Vinegar and to propose that the Commission should revoke the current Standard (para. 44);
- agreed to return the Proposed Draft Revised Standard for Mayonnaise to Step 3 and to ask the advice of the Commission on the need for a Regional Standard for Mayonnaise and for regional standards in general (paras. 38-40);
- agreed to nominate the Slovak Republic for appointment as Regional Coordinator by the 24<sup>th</sup> Session of the Commission (para. 94).

### **Other matters of interest to the Commission:**

The Committee:

- expressed its support for the precautionary principle and considered that the debate on this question should proceed in the Committee on General Principles (para. 56);
- recommended that all concerned Committees consider the issue of gluten-free foods as a matter of priority in order to establish a level and a method of analysis applicable to gluten-free foods (para. 77);
- reviewed the measures taken by governments to improve consumer participation and agreed to consider further the integration of consumer concerns in Codex work at its next session (paras. 82-90).

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1) The 22<sup>nd</sup> Session of the Codex Coordinating Committee for Europe was held in Madrid from 3 to 6 October 2000 at the kind invitation of the Government of Spain. The Session was chaired by Dr. Felipe Mittelbrunn García, Coordinator for Europe, and attended by 78 Delegates and observers representing 22 Member countries, one Observer country and 7 international organizations. A complete list of participants is appended to the report as Appendix I.

## **OPENING**

2) The Session was opened by Ms. Maria Dolores Flores Cerdan, Director General of Public Health and Consumer Affairs, who welcomed participants and recalled the strong interest and support of the Spanish Government for Codex work. She highlighted the role of Codex standards and related texts as a reference in international trade and the increased interest and participation of member countries in its activities.

3) The Director referred to the high level of protection in Europe and stressed the need to ensure consumer confidence as related to food safety issues, and to develop efficient risk communication. In view of legitimate consumer concerns, it was particularly important to establish a common position in the European Region on major Codex issues affecting public health. The Director noted that the Agenda included several of these issues and wished delegates all success in their work.

## **ADOPTION OF THE AGENDA (Agenda Item 1)**

4) The Committee adopted the Provisional Agenda presented in document CX/EURO 00/1 as the Agenda for the Session.

## **MATTERS OF INTEREST ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER COMMITTEES (Agenda item 2)<sup>1</sup>**

### **Medium-Term Plan**

5) The Committee recalled that following the decisions of the 23<sup>rd</sup> Session of the Commission, the Executive Committee had considered the Medium-Term Plan and asked the regional Coordinating Committees for their opinion in this respect (ALINORM 01/3, paras 36-41). The CCEXEC had agreed that on the basis of its discussions a small group consisting of the Chairperson and Vice-Chairpersons together with the Secretariat would work on a Draft Medium-Term Plan 2003-2007 and develop a strategic statement of the Commission's vision for the future.

6) The CCEXEC had also considered the Draft Action Plan of the Chair of the Commission (hereafter referred to as Action Plan) (Conference Room Document 3 of CCEXEC) and agreed that it would be revised in the light of the discussion and circulated for government comments as well as to Coordinating Committees.

7) The Secretariat informed the Committee that the revision of the Chair's Action Plan, as recommended by the CCEXEC, was underway and had not yet been finalized. Consequently it was not possible to make it available to the Committee for consideration. The Committee noted that it would be distributed in all official languages to member countries and international organizations after its finalization, for consideration by the Executive Committee and the Commission. It was not intended at this stage for consideration by Regional Committees, but would be forwarded to them after the Commission.

8) The Vice-Chairman of the Commission (Professor Stuart Slorach, Sweden) informed the Committee that the Working Group including the Chair and Vice-Chairs of the Commission had discussed the preparation of the Medium-Term Plan and the Chair's Action Plan, and the Strategic Statement.

9) The Strategic Statement took the year 2007 as a reference and made a number of assumptions, and especially that Codex standards would be widely accepted, that there would be wider participation of Members and international organizations, and that coordination would be ensured between Codex and other international fora. The Committee noted that the Statement would be circulated for government comments and considered by the next session of the Committee on General Principles.

10) The Vice-Chair indicated that the Chair's Action Plan included some major changes such as converting Commodity Committees into Task Forces with a limited time frame, a review of the elaboration procedure, and holding the meetings of the Commission on an annual basis

11) While debating this question, the Committee warmly welcomed the initiative intended to improve the efficiency of Codex work, while ensuring transparency and increasing participation. However, it expressed its concern that it was not possible for the Regional Committee to discuss it in detail and express its views in this regard.

12) The Committee had an exchange of view on these proposals and the following issues of interest were put forward for further consideration: the need to improve transparency in the decision process; the increased participation of developing countries and NGOs; and the relationship with other international organizations in order to avoid duplication and to take into account international recommendations in other areas, especially the environment and animal health and welfare. The Committee also noted that proposed changes related to the elaboration of standards and structure of Committees would require careful consideration according to the current procedures.

13) The Committee noted that the report of the Working Group would be distributed and placed on the Codex website before the end of October 2000, and that the Chair's Action Plan would be distributed for consideration at the CCEXEC, the Commission and the Regional Committees. The revised Medium-Term Plan would be considered by the CCEXEC and the Commission and forwarded to Coordinating Committees, with a view to its finalization by the 25<sup>th</sup> Session of the Commission.

14) The Committee agreed that, in the interest of transparency and in view of its essential importance for future work of Codex, the revised Action Plan should be distributed in all languages of Codex in good time before the next meeting of the Executive Committee.

### **Meetings of the Commission**

15) The Secretariat recalled that the proposal to hold the Commission on an annual basis and abolish the Executive Committee originated from a proposal of the Delegation of Malaysia in the last Session of the Committee on General Principles, while discussing the composition of the Executive Committee. Following a general discussion it had been agreed that a document considering all relevant aspects of the question should be prepared for consideration by the next session. The proposal was later included in the Action Plan but this did not affect its status as a specific item under discussion in a Codex Committee. The background information on this proposal was included in the working paper for the session and for consideration by the Regional Committee.

16) The Committee supported in principle the annual meetings of the Commission but noted that important aspects should be considered: budgetary implications; the additional burden for all member countries and especially developing countries, as well as practical matters such as distribution of documents and the timetable of meetings.

17) The Representative of FAO indicated that the financial implications associated with annual meetings would be included in the documents presented to the CCGP and the Commission, and also stressed the importance of ensuring efficient and transparent operation of Codex, while avoiding duplication with other organizations. As regards the proposal for a trust fund, the Representative indicated that this was one of the possibilities under consideration, but FAO and WHO also facilitated the participation of developing countries through other means such as the organization of workshops prior to regional committees. The Representative of WHO supported this view and recalled the high importance given by the WHO governing body to food safety matters and Codex work.

**REPORT ON FOOD SAFETY/FOOD CONTROL ACTIVITIES OF FAO AND WHO COMPLEMENTARY TO THE WORK OF THE CODEX ALIMENTARIUS COMMISSION SINCE THE 21<sup>st</sup> SESSION OF THE COMMITTEE (Agenda Item 3)<sup>2</sup>**

18) The Committee was informed of the activities of FAO and WHO which are complementary and supportive of the work of the Codex Alimentarius Commission as contained in Document CX/EURO 00/3. The Committee's attention was drawn in particular to the outcome of the FAO Conference on International Food Trade Beyond 2000 and to the recommendations contained in Annex 1 of document CX/EURO 00/2 which were of particular relevance to Codex work. The Committee was further informed of the plan to convene, in February 2001, of a JECFA session totally devoted to the evaluation of Mycotoxins. The Committee was also informed of the work initiated jointly by FAO and WHO in the field of risk assessment of microbiological hazards and on the safety assessment of foods derived from biotechnology, in response to the Commission's request for scientific guidance in these areas.

19) The Committee noted with appreciation the steps taken by FAO and WHO to increase the transparency in the procedure for the selection of experts serving in expert committees and bodies, and in the operation of these expert committees/bodies. These steps included the signing by each expert of a "conflict of interest" declaration. The Committee encouraged both organizations to further enhance this process in order to ensure the competence and independence of experts as well as the transparency of the output.

20) The Representative of FAO informed the Committee of the outcome of the FAO Regional Conference for Europe held in Porto, Portugal, in July 2000 and which included a Ministerial Round Table Discussion on Food Safety in Europe and two substantive agenda items, one on Food Safety as related to Organic Foods and the other on Food Safety as related to Animal Feeding. He informed the meeting, in particular, of the Conference's endorsement of the proposal made by the Government of the Netherlands to organize, in 2001, jointly with FAO and in collaboration with WHO and the European Commission, a Pan-European Conference on Food Safety.

21) The Delegation of the Netherlands confirmed that Government's commitment to work with FAO, other concerned organizations and member countries of the region in organizing this event. The Committee welcomed the initiative by the Government of the Netherlands and FAO as an important step to further strengthen food safety in the region as a whole and increase the collaboration in this field between EU and non-EU countries of the region.

22) The Representative of WHO informed the Committee that in May 2000 the World Health Assembly (WHA), the governing body of WHO, identified food safety as one of its priority areas in public health. The WHA adopted a resolution that, among others, recommended Member States to consider food safety as an essential public health function and requested WHO to increase WHO's involvement and support to the work of the CAC with close collaboration with FAO. The Committee welcomed the decision taken by the WHA and stressed that cooperation between FAO and WHO was essential.

23) The Committee was informed of FAO actions in Central and Eastern Europe to provide support to food security in the low-income food deficit countries (Albania; Armenia; Azerbaijan; Bosnia and Herzegovina; FYR Macedonia; Georgia; and Moldova); rebuild agriculture in countries affected by war under the Stability Pact for the Balkans (Albania; Bosnia and Herzegovina; Bulgaria; Yugoslavia and FYR of Macedonia) and to provide support to the countries of the region in their process of accession to the European Union (Bulgaria; Czech Republic; Estonia; Hungary; Latvia; Lithuania; Malta; Poland; Romania; Slovak Republic, Slovenia; and Turkey). Activities since the last session included technical assistance in the area of General Principles of Food Hygiene and application of hazard analysis critical control point (HACCP) through a Training of Trainers Course held in Latvia in May-June 1999 and workshops at regional and national level. To date, small teams of trainers have been trained in seven CEECs. Support has also been provided to training workshops for members of the food composition data network, CEECFOODS, including for development of computer software related to data management.

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<sup>2</sup> CX/EURO 00/3, Unnumbered CRD (Additional information from FAO)

24) Support was provided for workshops to strengthen Codex Contact Points in the region and to promote the establishment of National Codex Committees and National FAO Committees toward improving and increasing participation in Codex and other FAO activities. Under the FAO Umbrella Programme for Training on Uruguay Round Follow-up and Multilateral Trade Negotiations on Agriculture, two sub-regional training courses were held in Prague, Czech Republic in October 1999 and January 2000 for the benefit of a total of 130 participants from 24 countries of Central and Eastern Europe. The programme included presentations and discussions on Codex and its role in the implementation of SPS and TBT Agreements in the area of food quality, safety and international trade. Technical Cooperation Projects have been completed or are underway in several countries related to modernizing and updating food control systems, food laboratory management and harmonization of national food standards with international requirements.

25) The Delegation of the Slovak Republic informed the Committee that the 4<sup>th</sup> Food Data Conference would take place in Bratislava in August 2001, immediately preceding the World Nutrition Congress to be held in Vienna.

26) The Regional Adviser for WHO/Europe reported that in September 2000 the WHO Regional Committee for Europe also adopted a resolution that endorsed future activities of the WHO/EURO Regional Office in the development/preparation of National Food and Nutrition Action Plans. The preparation of the resolution had started in 1998 when the Standing Committee of the WHO Regional Committee (SCRC) expressed concern over the low profile of food safety and nutrition within the Region and asked the Regional Director to assist Member States in placing Food Safety and Nutrition at the centre of the public health agenda.

27) The resolution adopted stressed the need to develop national food and nutrition policies which protect and promote health and reduce the burden of food related diseases, while contributing to the socio-economic development and a sustainable environment. It also emphasized the complementary role played by different sectors in formulation and implementation of such policies and provided a framework with which Member States could begin to address the issue.

28) The Regional Adviser recalled that since most of the problems arose partly from the lack of coordination between all stakeholders involved (both at national and regional level) and the best results had been achieved in those countries where coordination bodies already existed, the WHO Regional Committee recommended that Member States establish national Food Safety Councils/Committee with the aim to link and coordinate national food safety, nutrition and sustainable food supply strategies. Furthermore, it recommended to the WHO/EURO Office to promote and facilitate the establishment of a European Food and Nutrition Task Force to facilitate coordination between Member States, relevant UN agencies (e.g. WHO, FAO, UNICEF), the EU, the Council of Europe, and other intergovernmental and non-governmental organizations.

29) The Committee expressed its appreciation to FAO and WHO for the activities undertaken in support of Codex and for the technical assistance provided to Member countries of the Region to strengthen their food control systems and to activities including the establishment and/or strengthening of Codex Contact Points or National Codex Committees.

30) The Delegation of Spain expressed concern over the activities undertaken by international organizations other than FAO and WHO and Codex, in the field of food safety, and indicated that this constituted not only a duplication of effort, but could also undermine the work of Codex, while inviting FAO and WHO to take care to avoid possible duplication in their work.

#### **PROPOSED DRAFT REVISED REGIONAL STANDARD FOR MAYONNAISE (Agenda Item 4)<sup>3</sup>**

31) The 23rd Session of the Commission approved the revision of the current Regional Standard for Mayonnaise (CODEX STAN 168-1989) as new work<sup>4</sup> and as a regional standard, assigning this task to the Coordinating Committee for Europe. The Proposed Draft Revised Standard was circulated in June 2000 for

<sup>3</sup> CL 2000/17-EURO; CX/EURO 00/4 (Comments from the Czech Republic, Germany, Italy, Portugal and the United Kingdom) ; CX/EURO 00/4 Add.1. (Comments from Spain and France) and CRD 1 (Comments of the Republic of South Africa, Singapore and FIC Europe)

<sup>4</sup> ALINORM 99/37, para. 210, Appendix VIII

comments at Step 3 with the relevant updates on provisions for hygiene, additives, contaminants and methods of analysis.

32) Before the Committee started to examine the Proposed Draft in detail, it was questioned whether there was a real necessity for the Region to retain a Revised Regional Standard for Mayonnaise. The Chairman recalled that only two Codex Regional Commodity Standards still existed in the Codex Alimentarius (Vinegar and Mayonnaise in Europe) and these standards were at least recognized by the European Fair Trade Association as international references.

33) In reply to a question, the Codex Secretariat recalled that the Secretariat of the SPS Committee had been requested by the Commission to provide explanations<sup>5</sup> on the applicability of regional standards. The reply indicated that “Regional standards are not included in the definition of “international standards” used in the Agreement, but may be applied within a given Region”, such as Europe.

34) The Chairman recalled that the two main criteria for Mayonnaise were the fat and egg-yolk contents and that the comments received included proposals for specific levels. The Observer of FIC Europe recalled that an industry Code on Mayonnaise and other emulsified sauces existed since 1972. The qualitative provisions for Mayonnaise included a high content of fat (vegetable oil origin) and an appropriate level of egg-yolk. The Observer informed the Committee that 8 countries had adopted regulatory standards and 8 other European countries had implemented an industry standard; a Code of Good Practice had been developed within the industry and received support from the EC Commission. The Observer also outlined the high variability of fat content in mayonnaise traded in Europe, although the usual fat content ranged from 70% to 80% and the egg-yolk content was 5%.

35) The Delegation of Belgium drew the attention of the Committee to the fact that specific labelling should clearly distinguish between two products when significant differences exist as regards the composition of mayonnaise. The European Community legislation recommends either that an explanatory adjective should be used when qualifying the product on the label or that another name should be used to describe the product (Directive EC/01/13 on Prepackaged Food Products, Article 5). The Observer from the European Community provided additional information to the effect that no specific regulations on mayonnaise were currently in force in the European Union. The Delegation of Belgium also pointed out that a Codex Commodity Standard on Mayonnaise might be useful to provide countries of the Codex European Region with provisions regarding consumers' health protection (additives, contaminants) and consumer information (labelling on mainly fat and egg-yolk contents). The Delegation therefore supported the revision of the Codex standard by the Regional Committee to provide a useful reference in the Region. Some delegations supported this position, stressing the interest of a regional standard to ensure fair trade practices, which is one of the Codex objectives.

36) Many delegations highlighted the large disparity in the products sold as mayonnaise on the European market both in terms of composition and labelling. One delegation even abolished its own national standard on mayonnaise since appropriate labelling provisions would ensure adequate information for consumers. Some other delegations stressed the importance of the current trend in the market for emulsified sauces with a lower fat content, in view of new dietary habits, and the inconsistency of the current high content of fat in mayonnaise with consumer demand. The Committee noted that the levels proposed for the fat and egg-yolk contents differed significantly.

37) The Delegation of the United Kingdom recalled that it had not been possible to convert the Codex Regional Standard into a world-wide standard due to lack of consensus on the essential characteristics of the product, and expressed the view that the standardization of mayonnaise should be discontinued at the regional level. Moreover, maintaining a Regional Codex Standard might lead to undesirable effects on European market and on worldwide exports of Mayonnaise produced in Europe, with the risk that different Regions in the world develop different standards with different requirements; that would detract from the overall Codex objective of international harmonization. Further consideration should therefore be given to the status of and need for regional standards in Codex. This position was supported by many delegations, some of which expressed their will to participate in the revision of the standard should the Committee decide to proceed with it.

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<sup>5</sup> ALINORM 97/37, paras. 168 and 172; ALINORM 99/33, para. 50.

38) In the light of these discussions it appeared that no consensus could be reached on the need for a Regional Standard for Mayonnaise. The Committee agreed to ask the Commission for further advice on the need to proceed with the revision of the Regional Standard for Mayonnaise.

39) The Committee also agreed to seek the advice of the Commission on the need to retain regional commodity standards in relation to the overall objective of international harmonization and to consider how they might affect trade in other regions.

#### **Status of the Proposed Draft Revised Standard for Mayonnaise**

40) The Committee agreed to return the Proposed Draft Standard for Mayonnaise to Step 3, pending further advice from the Commission.

#### **PROPOSED DRAFT REVISED REGIONAL STANDARD FOR VINEGAR (Agenda Item 5)<sup>6</sup>**

41) Following approval as new work by the 23<sup>rd</sup> session of the Commission<sup>7</sup>, the Proposed Draft Revised Regional Standard for Vinegar was circulated in June 2000 for comments at Step 3 with the relevant updates on hygiene and additives provisions.

42) Following the debate on the Draft Standard on Mayonnaise, several delegations expressed the view that there was no longer a need to retain such a standard as a Regional Standard for Europe. These delegations recalled that two CEN<sup>8</sup> standards had been adopted in April 2000, one on “vinegar, products from liquids of agricultural origin (...)” and another on “acetic acid food quality, products from raw materials of non-agricultural origin (...)”<sup>9</sup>.

43) The Committee recognized that both CEN standards were acceptable to Codex Member Countries in the European Region, that they adequately covered both product characteristics and consumer health protection aspects and could be used as a reference in regional trade. Consequently the Committee agreed that there was no need for a Regional Standard for Vinegar.

#### **Status of the Proposed Draft Revised Regional Standard for Vinegar**

44) The Committee agreed to propose to the Commission to discontinue work on the revision of the Regional Standard and to revoke the current Codex Regional Standard for Vinegar (CODEX STAN 162-1987) at its 24<sup>th</sup> Session.

#### **QUESTIONS UNDER CONSIDERATION IN CODEX AND OTHER INTERNATIONAL FORA, AND THE NEED FOR GUIDELINES OF EXCHANGE OF INFORMATION AND TRANSPARENCY CONCERNING GENETICALLY MODIFIED FOODS (Agenda Item 6 a)**

#### **Discussion Paper on Exchange of Information Between Governments Concerning Biotechnology-Derived Foods<sup>10</sup>**

45) The Delegation of Switzerland presented the discussion paper (CX/EURO 00/6) and drew the attention of the Committee to the discussion in the Working Group of the Codex *ad hoc* Intergovernmental Task Force on Foods Derived from Biotechnology (TFBT) regarding the need for exchange of information between governmental authorities on issues related to such foods. The Delegation stressed the importance of

<sup>6</sup> CL 2000/18-EURO; CX/EURO 00/5 (Comments from Germany and C.P.I.V.) ; CX/EURO 00/5 Add.1. (Comments from Spain and France) and CRD 2 (Comments from Portugal)

<sup>7</sup> ALINORM 99/37, para. 210, Appendix VIII

<sup>8</sup> CEN: European Standardisation Commission / Commission Européenne de Normalisation

<sup>9</sup> Standards EN 13188 and EN 13189

<sup>10</sup> CX/EURO 00/6

strengthening information exchange mechanisms among countries, in particular among regulatory authorities responsible for standardization. These mechanisms would enable authorities to obtain first-hand information about the work of other bodies and would also improve transparency in decision making. The Delegation informed the Committee of its proposal to manage the list of contact points, should such a system be established by the Task Force.

46) Several delegations suggested the following points for further consideration; 1) exchange of information is important not only for biotechnology-related foods but also other foods in general; 2) the content of such information, as well as its quality needs to be clarified; 3) it is important to take into account existing information exchange mechanisms, including that through Codex Contact Points.

47) The Representative of WHO informed the Committee that in the case of Joint FAO/WHO Expert Consultations on Foods Derived from Biotechnology, relevant information such as the selection of experts and the report of the consultation was being distributed to Codex Contact Points through the Codex-L system. The Representative also indicated that the Inter-Agency Network for Safety in Biotechnology (IANB) composed of FAO, WHO, OECD, WTO, the Convention of Biological Diversity and other relevant international organizations working for safety in biotechnology had been established to improve information sharing and collaboration.

48) The Representative of FAO informed the Committee of a proposal under study by FAO to develop an international “clearinghouse” on food safety and plant/animal health that would provide a single access point, for relevant national and international information for use by governments, stakeholders, civil society organizations and media. The clearinghouse would include a Rapid Alert System on food safety, animal and plant health, and link with relevant existing national, regional and international systems. The Clearinghouse would allow effective searching and viewing of relevant existing Internet World-Wide Web sites and databases. The main sources would be official information/data issued and published by competent authorities in Member countries as well as regional and international organizations. It would be maintained as a collaborative effort between national and multilateral partners, each in their respective areas of expertise. The Representative of FAO informed the Committee that the proposal was still under consideration by FAO and several Member countries. Several countries expressed interest in the proposal and requested proper coordination of all these initiatives to avoid duplication.

49) The Committee noted the current and planned mechanisms of information exchange by FAO, WHO and Codex, and suggested that future mechanisms on biotechnology could be developed on the basis of those systems. The Committee expressed its appreciation to the Delegation of Switzerland for bringing this matter to the attention of the Committee and noted that the *ad hoc* Task Force was the most appropriate forum to discuss it further.

#### **Matters Submitted to the Procedure in the Framework of Codex and in Other International Fora<sup>11</sup>**

50) The Delegation of Spain introduced document CX/EURO 00/6 Add.1 and expressed concern over the duplication of work between FAO/WHO/Codex and other international fora, in particular in the area of foods derived from biotechnology and the application of the precautionary principle. The Delegation stated that this would lead to inefficient use of resources and creation of discrepancies of opinions and regulations.

51) Several delegations shared the view of the Delegation of Spain and emphasized the need for clear understanding of the respective role of each international forum, including that of the Codex Alimentarius Commission. Duplication of work should be avoided and more efforts should be made to ensure that the activities of international fora were more complementary in nature. It was suggested that coordination at national level was also important to streamline the work of various international fora.

52) The Committee agreed that the Codex Alimentarius Commission should be recognized as the primary body for discussion on food safety, in conformity with its status, and that complementarity of work among various international fora should be further improved.

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<sup>11</sup> CX/EURO 00/6-Add.1

**WORK ON RISK ANALYSIS INCLUDING THE PRECAUTIONARY PRINCIPLE AND OTHER LEGITIMATE FACTORS. THE PRECAUTIONARY PRINCIPLE IN THE EUROPEAN REGION, AS APPLIED TO INTERNAL AND EXTERNAL TRADE (Agenda Item 6b)  
FOOD SAFETY OBJECTIVES (Agenda Item c)**

**The Precautionary Principle: Considerations for its Uniform Interpretation and Application in the European Region**<sup>12</sup>

53) The Delegation of Spain recalled that the precautionary principle had been discussed in other fora, especially in relation to the environment, but it was essential for Codex to take the lead in the consideration of precaution for food safety matters, since it represented a reference in international trade. The Delegation stressed the need to consider this issue in the framework of risk analysis, and to take into account the cases when uncertainty or lack of data had been identified in one of the four steps of risk assessment. The Delegation indicated that clear points of convergence could be identified and recognized between the Communication of the EC on the precautionary principle and the work of the Committee on General Principles.

54) Some delegations, including the Delegation of France, speaking on behalf of the Member States of the European Union, stressed the need to clarify that the precautionary principle in Europe was a risk management tool but was not intended to create additional barriers to trade. For this purpose it would be useful to provide concrete examples of its application to food safety issues, in order to facilitate the debate with countries outside the Region.

55) The Delegation of the United Kingdom pointed out that the recommendations on the precautionary principle might be directed to governments for its application at the national level or within the Codex system. In view of current discussions on this issue, it appeared preferable to provide advice to governments on its application as a matter of priority.

56) The Committee expressed its support for the precautionary principle in the area of food safety and considered that :

- The precautionary principle, as regards food safety, should continue to be debated in the CCGP;
- It might be helpful to consider specific illustrative cases in order to develop more detailed guidance on the implementation of the precautionary principle;
- Further development of the precautionary principle could be of particular value when considering these specific cases in the framework of risk analysis.

**Discussion paper on A) Risk Analysis, including the precautionary principle and food safety objectives, and b) the role of science and other legitimate factors in the Codex Decision-Making Process**<sup>13</sup>

57) The Delegation of Sweden summarized current discussions on risk analysis in Codex and indicated that the Committee on Food Hygiene would consider the *Proposed Draft Principles and Guidelines for the Conduct of Microbiological Risk Management (CX/FH 00/6)*, including a section on microbiological food safety objectives, which referred to the appropriate level of protection. The Delegation indicated that it would be useful to present specific examples of such objectives for specific pathogens for clarification purposes, and pointed out that food safety objectives were relevant not only for microbiological aspects but also for issues related to chemical contamination.

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<sup>12</sup> CX/EURO 00/7

<sup>13</sup> CX/EURO 00/8

58) The Delegation of Sweden presented the relevant sections of the document under discussion in the Committee on General Principles (ALINORM 01/33, Appendix III) and suggested a flexible approach at the next session of the Committee: the second sentence of paragraph 34 in the first alternative could be moved to the end of the second proposal.

### **Other Legitimate Factors**

59) The Delegation of the Netherlands expressed the view that Good Agricultural Practice (GAP), Good Practice in the Use of Veterinary Drugs and Good Manufacturing Practice (GMP) were based on science and should not be considered as other legitimate factors.

60) Other delegations pointed out that these practices were related to political decisions made at the national level and although partly based on scientific data, they should be considered as other legitimate factors, as compared with scientific evidence used in risk assessment.

61) The Committee noted that it was not intended to reach a decision on these issues, but only to identify questions to be addressed and encourage member countries in the region to contribute positively to the current debate. The Committee agreed that further clarification was needed on the nature of other legitimate factors, and especially whether the above-mentioned practices should be considered as such.

### **RECOMMENDATIONS OF THE MELBOURNE CONFERENCE – INTERNATIONAL SYSTEM OF RAPID ALERT. PAN-EUROPEAN RAPID ALERT SYSTEM FOR FOOD (Agenda Item 6d)<sup>14</sup>**

62) The Committee recalled that the FAO Conference on International Food Trade beyond 2000 had considered the need for an international food safety rapid alert system. The Delegation of the Netherlands presented the document which referred to the discussions of the Conference and described the EC Rapid Alert System for Food. The Delegation proposed to extend the current System to all countries in the region, broadening the Contact Point in the EC and limiting the system to an exchange of information as a first stage.

63) The Committee expressed its appreciation and interest for this proposal in view of the importance of rapid information and efficient action to ensure food safety, especially in cases of outbreaks of foodborne diseases.

64) The Observer from the EC indicated that a proposal for revision of the EC legislation was under consideration (Com 2000/139 Final-2), and that the Rapid Alert System included countries in the EU and the European Economic Area (EEA). Its extension would be considered in the future, especially for those countries which had applied for membership of the EU.

65) The Delegations of Hungary and the Czech Republic informed the Committee of their national system of alert. The Delegation of the Czech Republic also informed the Committee of its ongoing preparations in this area and of its readiness to join the EC system in the future. The Delegation of Finland indicated that the Nordic countries had established a system of information exchange with the Baltic countries with the contact point in Norway, and stressed the need for a practical system which could be used in case of crisis.

66) The Representative of WHO presented the WHO Outbreak Alert System for communicable diseases, including foodborne diseases, whereby the information on outbreaks is collected from different sources, including networks such as Pro-Med, national authorities and the media. This information is checked by a verification team in the Outbreak Verification System and forwarded to public health authorities after confirmation.

67) The Committee noted that the establishment of a Pan-European rapid alert system would be considered by the Pan-European Conference on Food Safety, to be organized in the second half of 2001 (see also Agenda Item 3).

**PRESENCE OF ANISAKIS spp. IN FISH : HEALTH AND COMMERCIAL IMPLICATIONS (Agenda Item 6e)<sup>15</sup>**

68) The Delegation of Spain introduced a document which highlighted the adverse health effects associated with nematodes of the genus *Anisakis*, and the need to address this specific issue since current Codex standards only include references to parasites or nematodes in general. The Delegation proposed that the Committee on Fish and Fishery Products should consider the development of requirements addressing the presence of *Anisakis* spp. in fish, including appropriate control measures.

69) The Secretariat recalled that the food safety aspects of parasites in general and nematodes in particular were under consideration in the Committee on Fish and Fishery Products, as appeared in the following documents, advanced to Step 5 by the last session of the CCFFP (June 2000)<sup>16</sup>. The Proposed Draft Code of Practice for Fish and Fishery Products included a reference to *Anisakis simplex*, in the section on hazards associated with fresh fish and shellfish (section 4.1.1.1 Parasites) and recommendations for safe handling of fresh fish. The Proposed Draft Standard for Salted Atlantic Herring and Salted Sprats included provisions for the absence of live nematodes in the Hygiene Section, while the method for determining the viability of nematodes was still under development.

70) The Delegation of Spain indicated that it was aware of the existence and value of these references but considered that it was necessary to proceed with a more detailed debate on these questions.

71) Several delegations expressed the view that the regional Committee was not competent to decide on the relevance of a specific food safety issue in fish and fishery products, or to determine whether this represented an area of concern to the region. The Delegation of Spain indicated that its intention was not to initiate a technical discussion but to draw the attention of the CCFFP to the need for specific requirements and control measures related to *Anisakis* spp.

72) The Committee noted the concerns presented by the Delegation of Spain and agreed that it was more appropriate for this question to be raised and addressed in the Committee on Fish and Fishery Products.

**GLUTEN-FREE FOODS FOR COELIACS. ANALYSIS OF THE SITUATION AND FUTURE ACTION (Agenda Item 6f)<sup>17</sup>**

73) The Delegation of Spain, while introducing the discussion paper, recalled that the Committee on Nutrition and Foods for Special Dietary Uses could not reach consensus on the maximum level and method of analysis to be included in the Draft Revised Standard for Gluten-Free Foods, and asked the advice of the Commission since no further progress on the revision was possible at this stage. The Delegation stressed the importance of this issue for the region and proposed to consider future action in the framework of Codex.

74) The Secretariat pointed out that the Committee on Food Labelling had never considered the definition of "gluten free", neither had it been proposed at any stage that it should do so. The CCFL had established Guidelines for Use of Nutrition Claims including conditions for claims for specific nutrients, which had been defined by the CCNFSDU, and this was a different area of work. The level of gluten was not discussed as the condition for a claim, but as a product definition in the revision of the current Standard, which had been assigned to the CCNFSDU as the sole Committee responsible. As to the methods, the CCMAS was not responsible for coordination between laboratories, or the definition of methods for specific analytes, but for their endorsement, and the methods had to be proposed by the Committees responsible for the standards, as the CCNFSDU in the present case.

75) Some delegations suggested that although it had not been the case so far, this question might be considered by the CCFL. The Committee noted that member countries would have the opportunity to present their views when considering the Draft Standard at the next session of the Commission.

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<sup>15</sup> CX/EURO 00/10

<sup>16</sup> ALINORM 01/18, Appendices V and VI

<sup>17</sup> CX/EURO 00/11, CRD 3 (comments of AOECS)

76) The Delegation of Sweden recalled that it had proposed to the Committee on Methods of Analysis and Sampling a proprietary method for the determination of gluten, which had not been accepted since the responsibility for proposing the method belonged to the CCFSDU. The CCMAS had however agreed, in reply to a more general question, that proprietary methods could be used in Codex standards (ALINORM 99/23, para. 8).

77) The Committee noted that the Prolamin Working Group was working on the validation of methods for gluten detection, which should be completed in 2001, and agreed that the establishment of a new group was not necessary as it might duplicate work. The Committee also recognized the importance of coordination between laboratories working on gluten determination in the Region. The Committee recommended that all concerned Committees consider this issue as a matter of priority in order to establish a level and a method of analysis applicable to gluten-free foods.

78) The Regional Adviser for WHO/Europe reported on the initiatives taken by the WHO/EURO Regional Office in the attempt to organize a consultation of experts on the celiac disease. Contacts had been taken with the Ministry of Health of Israel (since the incidence of celiac disease seems to be very high in a particular population group in that country) and with the Prolamine Working Group in order to organize a scientific meeting on the clinical and food related aspects of celiac diseases. This could not be organized due to lack of funds. The Representative indicated that the interest of WHO in becoming active on the issue was however still present and the WHO Regional Office through its Food Safety Programme was ready to play a coordinating role among all stakeholders involved, especially on the matter of a suitable detection method for small amount of gliadins, provided that funds were made available. The Committee was also informed that JECFA had considered matters related to certain allergens at its last meeting and the possibility to address intolerance to gluten would be considered in the future.

#### **HARMONIZATION AND COOPERATION IN FOOD LEGISLATION AND FOOD CONTROL ACTIVITIES IN THE REGION (Agenda Item 7)<sup>18</sup>**

79) The Committee noted that information had been provided by the Czech Republic, Finland, France, Poland, Slovak Republic and Sweden on national food control authorities, food legislation and cooperation activities. No additional information was put forward by the delegations present at the meeting.

#### **ACTIVITIES OF CODEX CONTACT POINTS AND NATIONAL CODEX COMMITTEES IN THE REGION (Agenda Item 8)**

80) The Committee noted that document CX/EURO 00/13 had not been prepared since no specific information had been received from countries in the region for the present session. This item was regularly included in the Agenda to allow exchange of information on Codex work in the region and identify the needs for technical assistance from FAO and WHO in this area.

81) The Committee was informed that FAO had organized a Regional Workshop on Administration of National Codex Committees for selected CEE and CIS countries in Lithuania in June 1998. It also organized national workshops in Hungary, Romania and the Slovak Republic to promote Codex activities and to provide training on the role of Codex Contact Points. Information on Codex activities in the subregion, Codex structure and administration were presented at a Regional Training Workshop on Codex Alimentarius organized by the International Consumers Union in Warsaw in October 1999. In support of strengthening Codex activities within the subregion, the SEUR Home Page for Food and Nutrition had been updated to include additional information on the Codex schedule of meetings and links to the ESN Home Page in Headquarters, the Directory of Codex Contact Points and Codex Standards. The Committee was further informed that a Technical Cooperation Project on Strengthening the National Codex Committee (TCP/MOL/8921) was underway in Moldova to improve that country's capabilities related to increased Codex participation.

<sup>18</sup>

CL 2000/19-EURO, CX/EURO 00/12 (comments from the Czech Republic, Poland and Slovak Republic), CX/EURO 00/12-Add.1 (comments from Finland, France, Sweden))

## **CONSUMER PARTICIPATION IN CODEX WORK AND RELATED MATTERS (Agenda Item 9)<sup>19</sup>**

82) The 23<sup>rd</sup> Session of the Commission agreed to develop a checklist of measurable objectives to assess consumer participation in Codex work<sup>20</sup>, and encouraged Regional Coordinating Committees to serve as relevant fora to exchange information. The measurable objectives were further considered by the Codex Committee on General Principles<sup>21</sup>. Informative papers were received from 4 governments to prepare this discussion on the involvement of consumers in national Codex work and related matters.

83) The Delegation of the Czech Republic provided information on consumer participation in Codex work based on several measurable objectives, since national Consumer Non-Governmental Organizations had been identified in the country; they had been invited to take part to the National Codex Committee and they had been pleased to take part in the Czech Food Legislation elaboration. Financial support was provided to Consumer NGOs in order to ensure their development, training and independence. The Delegation expressed its disappointment not to see more comments and more precise data on consumer participation, especially from EU members, that could have been useful to the Czech Republic to improve its own existing structure, and to allow informed discussion during the Session of the Coordinating Committee for Europe.

84) The Delegation of the Slovak Republic recalled that even though National Codex structures had been in force since 1996, Slovak Consumer involvement had been quite limited because Slovak Consumer associations were not yet strong enough and so efficient as in other countries in Europe. Their future involvement should be however promoted in a near future through the National Codex Contact Point or the National Codex Committee and its related Working Groups.

85) The Delegation of France recalled that both the Melbourne Conference Recommendations and the Codex Draft Medium-Term Plan stressed the need for governments to answer consumers concerns as a whole. Consumer associations should be associated to the development of the national strategies on Risk Communication and to the preparation of Codex standards, guidelines or recommendations at national and international levels. The Delegation proposed that the Committee should identify better consumer expectations and concerns in order to integrate them into Codex standardization work, in addition to the current discussions on national consumer policy. The Delegation of France also proposed that the Committee should reflect further on risk communication in Codex.

86) The Delegation of Switzerland recalled that the structures allowing consumer involvement are already in force at the national level, but Swiss consumers associations do not yet participate actively, notwithstanding efforts for the promotion of the existing system.

87) The Delegation of the United Kingdom recalled that exhaustive information had been provided to the Committee at its previous sessions. The British authorities were maintaining constant contacts and exchange of views with consumer delegates. The Delegation proposed to inform the Commission that the Committee for Europe considered it essential to encourage greater participation of consumers in Codex meetings.

88) The Delegations of Sweden and Finland recalled that participation of consumers was ensured at the national level and that structures had been in place for a long period of time without major changes since the last session.

89) The Secretariat pointed out that International Consumer NGOs participate regularly and actively in Codex Regional Committees and in general subject Committees, and that can even lead to the development of new work as in the case of questions concerning food labelling.

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<sup>19</sup> CL 2000/19-EURO; CX/EURO 00/14 (comments from the Czech Republic, Poland and Slovak Republic; information was also received from Finland)

<sup>20</sup> ALINORM 99/37, para. 43

<sup>21</sup> ALINORM 01/33, para. 110

90) The Committee agreed that consumer participation at the international level in Codex Committees was essential for the Codex Alimentarius in view of its objective to protect consumers' health and in order to ensure consumer confidence in the decision process. The Committee recognized the importance to reflect consumer concerns on health and other factors and it agreed that this point should be discussed at its next session as such.

#### **OTHER BUSINESS AND FUTURE WORK (Agenda Item 10)**

91) The Committee noted that future work would include standing items of the Agenda, and other items of interest which may arise from the work of the Commission and Codex Committees, or from proposals by member countries in the Region.

#### **NOMINATION OF THE COORDINATOR (Agenda Item 11)<sup>22</sup>**

92) The Committee noted that the Rules governing the nomination of the Coordinator had been amended by the 23<sup>rd</sup> Session of the Commission and that the Committee had to nominate a member country as Coordinator for appointment by the Commission. The Committee noted that Spain had held the Coordination for the two past sessions and was not therefore eligible under Rule II. 4 to hold another term.

93) The Committee expressed its warm appreciation to Dr Felipe Mittelbrunn García for his excellent Chairmanship of the Committee and his efforts to promote coordination in the region since his appointment as Coordinator in 1997, and expressed its thanks to the Government of Spain for hosting the session twice in Madrid.

94) The Delegation of Hungary, supported by all delegations, proposed to nominate the Slovak Republic for appointment as Coordinator for Europe by the 24<sup>th</sup> Session of the Codex Alimentarius Commission and until the end of the 25<sup>th</sup> Session of the Commission. The Slovak Republic accepted the nomination and expressed its wish to work with all countries in the region to prepare a successful meeting of the next Coordinating Committee.

#### **DATE AND PLACE OF THE NEXT SESSION (Agenda Item 12)**

95) The Committee was informed that the next session of the Committee was tentatively scheduled to be held in the Slovak Republic in September 2002. The exact date and venue would be determined in consultation between the Codex Secretariat and the host country, subject to confirmation by the Commission.

## SUMMARY STATUS OF WORK

<b>Subject Matter</b>	<b>Step</b>	<b>Action by</b>	<b>Document Reference in ALINORM 01/19</b>
Proposed Draft Revised Regional Standard for Mayonnaise	3	24 <sup>th</sup> CAC	paras. 38-40
Proposed Draft Revised Regional Standard for Vinegar	3	24 <sup>th</sup> CAC	para. 44
Nomination of Coordinator		24 <sup>th</sup> CAC	para. 94
Exchange of information on Food Legislation and Food Control, Cooperation and Training		Governments 23 <sup>rd</sup> CCEURO	para. 79
Activities of Codex Contact Points and National Codex Committees		Governments 23 <sup>rd</sup> CCEURO	paras. 80-81
Consumer Participation		Governments 23 <sup>rd</sup> CCEURO	paras. 82-90

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