



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

39th Session

FAO Headquarters, Rome, Italy, 27 June – 1 July 2016

PROVISIONAL ANNOTATED AGENDA

DIVISION OF COMPETENCE

BETWEEN THE EUROPEAN UNION AND ITS MEMBER STATES ACCORDING TO RULE OF PROCEDURE II PARAGRAPH 5 OF THE CODEX ALIMENTARIUS

Item	Subject	Document
1	Adoption of the Agenda Member States Competence / Member States Vote. ¹	CX/CAC 16/39/1
2	Report by the Chairperson on the 71 st Session of the Executive Committee Member States Competence / Member States Vote.	REP16/EXEC
3	Final adoption of Codex texts at Steps 8, 5/8 and 5A - Comments Competence and Voting Rights are specified in Annex I	CX/CAC 16/39/2 CX/CAC 16/39/2 Add. 1 CX/CAC 16/39/3
4	Adoption of Codex texts at Step 5 - Comments Competence and Voting Rights are specified in Annex II	CX/CAC 16/39/4 CX/CAC 16/39/4 Add. 1 CX/CAC 16/39/4 Add. 2 CX/CAC 16/39/5
5	Revocation of Codex texts Competence and Voting Rights are specified in Annex III	CX/CAC 16/39/6 CX/CAC 16/39/6 Add. 1
6	Proposals for New Work Competence and Voting Rights are specified in Annex IV	CX/CAC 16/39/7 CX/CAC 16/39/7 Add. 1
7	Discontinuation of Work Competence and Voting Rights are specified in Annex V	CX/CAC 16/39/8 CX/CAC 16/39/8 Add. 1
8	Amendments to Codex Standards and Related Texts – Standards for Canned Tuna and Bonito (Codex Stan 70-1981) and for Canned Crab Meat (Codex Stan 90-1981) European Union Competence / European Union Vote.	CX/CAC 16/39/9
9	Codex Work Management and Functioning of the Executive Committee - Comments Member States Competence / Member States Vote.	REP16/GP App. II CX/CAC 16/39/10
10	Relations between FAO and WHO policies, strategies and guidelines and Codex work Member States Competence / Member States Vote.	CX/CAC 16/39/11
11	Codex work on antimicrobial resistance - Comments Mixed Competence / European Union Vote.	CX/CAC 16/39/12 CX/CAC 16/39/12 Add. 1

¹ This is without prejudice to the substantive competence that the European Union has for individual items on the Agenda.

12	Matters referred to the Commission by Codex Committees and Task Forces Competence and Voting Rights are specified in Annex VI	CX/CAC 16/39/13 CX/CAC 16/39/13 Add. 1 CX/CAC 16/39/13 Add. 2
13	Codex Budget planning (2016-17) and report on expenditures (2014-15) Member States Competence / Member States Vote.	CX/CAC 16/39/14 CX/CAC 16/39/14 Add. 1
14.1	FAO/WHO Scientific Support to Codex (report on activities) Mixed Competence / Member States Vote.	CX/CAC 16/39/15
14.2	FAO/WHO Scientific Support to Codex (budget and expenditure) Member States Competence / Member States Vote.	CX/CAC 16/39/16
14.3	FAO/WHO Scientific Support to Codex (increasing sustainability) Member States Competence / Member States Vote.	CX/CAC 16/39/17
15	FAO and WHO Capacity Development Activities (report on activities) Member States Competence / Member States Vote.	CX/CAC 16/39/18
16.1	FAO/WHO Project and Trust Fund for Enhanced Participation in Codex (final report of the preceding project ended in 2015) Mixed Competence / Member States Vote.	CX/CAC 16/39/19
16.2	FAO/WHO Project and Trust Fund for Enhanced Participation in Codex (status report of the successor initiative started in January 2016) Mixed Competence / Member States Vote.	CX/CAC 16/39/20
17	Relations between the Codex Alimentarius Commission and other International Organizations Member States Competence / Member States Vote.	CX/CAC 16/39/21
18	Election of the Chairperson and Vice-Chairpersons Member States Competence / Member States Vote.	CX/CAC 16/39/22 CX/CAC 16/39/22 Add. 1
19	Designation of Countries responsible for Appointing the Chairpersons of Codex Committees Member States Competence / Member States Vote.	CX/CAC 16/39/23
20.1.	Food integrity/authenticity Mixed Competence / Member States Vote.	CX/CAC 16/39/24
20.2	Visa issue for attendance at Codex meetings Member States Competence / Member States Vote.	CX/CAC 16/39/25
21	Other Business <i>Competence and right to vote to be determined in the light of the issues to be dealt with (document not yet available).</i>	
22	Adoption of the Report Member States Competence/Member States Vote. ²	

² This is without prejudice to the substantive competence that the European Union has for individual items in the Report.

Final adoption of Codex texts at Steps 8, 5/8 and 5A

Part 1 – Standards and related texts submitted for adoption

Codex body	Standard and Related Texts	Reference	Step
CCFFV	Standard for Aubergines (Proposed Draft) Mixed Competence / Member States Vote	REP 16/FFV para. 51, Appendix III	5/8
CCFFP	Code of Practice for Processing of Fish Sauce (Draft) Mixed Competence / Member States Vote	REP 16/FFP para. 18, Appendix III	8
CCFFP	Code of Practice on the Processing of Fresh and Quick Frozen Raw Scallop Products (Proposed Draft) Mixed Competence / Member States Vote	REP16/FFP para. 24, Appendix IV	5/8
CCFFP	Code of Practice for Fish and Fishery Products (Section on Sturgeon Caviar) (Proposed Draft) Mixed Competence / Member States Vote	REP16/FFP para. 29, Appendix V	5/8
CCFFP	Sampling plans in the <i>Standard for Live Abalone and for Raw, Fresh Chilled or Frozen Abalone for Direct Consumption or for Further Processing</i> (CODEX STAN 312-2013); <i>Standard for Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish</i> (CODEX STAN 311-2013); and <i>Standard for Fresh and Quick Frozen Raw Scallop Products</i> (CODEX STAN 315-2014) Mixed Competence / Member States Vote	REP16/FFP para. 8	-
CCFFP	Amendments to Food Additive Provisions in Standards for Fish and Fishery Products European Union Competence / European Union Vote	REP16/FFP para. 56, Appendix VI	-
CCFFP	Amendments to Section 7.4 <i>Estimation of fish content</i> of the <i>Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets – Breaded or in Batter</i> (CODEX STAN 166-1989) Mixed Competence / Member States Vote	REP 16/FFP para.63a, Appendix VII	-
CCFFP	Amendment to Section 11 – <i>Processing of salted and dried salted fish</i> of the <i>Code of Practice for Fish and Fishery Products</i> (CAC/RCP 52-2003) Mixed Competence / Member States Vote	REP 16/FFP Paras 66b, Appendix VIII	-
CCFH	Guidelines for the Control of Non-typhoidal <i>Salmonella</i> spp. In Beef and Pork Meat Mixed Competence / European Union Vote	REP16/FH para. 22, Appendix II	5/8
CCFH	Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites Mixed Competence / European Union Vote	REP16/FH para. 30, Appendix III	5/8

Codex body	Standard and Related Texts	Reference	Step
CCFH	Annex I “Examples of Microbiological Criteria for Low-Moisture Foods when Deemed Appropriate in Accordance with the <i>Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods</i> (CAC/GL 21-1997)” and Annex II “Guidance for the Establishment of Environmental Monitoring Programmes for <i>Salmonella</i> spp. And other Enterobacteriaceae in Low-Moisture Food Processing Areas” to the <i>Code of Hygienic Practice for Low-Moisture Foods</i> (CAC/RCP 75-2015) (Proposed Draft) Mixed Competence / European Union Vote	REP16/FH para. 41, Appendix IV	5/8
CCFH	Annex III “Spices and Dried Aromatic Herbs” to the <i>Code of Hygienic Practice for Low-Moisture Foods</i> (CAC/RCP 75-2015) (Draft) Mixed Competence / European Union Vote	REP16/FH para. 41, Appendix IV	-
CCNFSDU	Additional or Revised Nutrient Reference Values for Labelling Purposes in the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985) (Proposed Draft) European Union Competence / European Union Vote	REP 16/NFSDU para. 52a, Appendix II part I	5/8
CCNFSDU	Amendment to the Annex of the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985) to add a definition for RASBs (Draft) European Union Competence / European Union Vote	REP 16/NFSDU para. 50a, Appendix II part II	-
CCNFSDU	Amendment to Section 10, Methods of analysis in <i>Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants</i> (CODEX STAN 72-1981) (Draft) Mixed Competence / Member States Vote	REP 16/NFSDU para. 94, Appendix V part I	-
CCFICS	Principles and Guidelines for the Exchange of Information between Importing and Exporting Countries to support the Trade in Food (Proposed Draft) Mixed Competence / European Union Vote	Para. 25 and Appendix II	5/8
CCFICS	Revision of the <i>Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations</i> (CAC/GL 19-1995) (Proposed Draft) Mixed Competence / European Union Vote	Para. 43 and Appendix IV	5/8
CCFICS	Revision of the <i>Guidelines for the Exchange of Information Between Countries on Rejections of Imported Food</i> (CAC/GL 25-1997) (Proposed Draft) Mixed Competence / European Union Vote	Para. 48 and Appendix V	5/8
CCMAS	Methods of Analysis and Sampling in Codex Standards (Draft and Proposed Draft) Mixed Competence / Member States Vote	REP 16/MAS para. 44, Appendix II	-
CCMAS	Amendments to the Procedural Manual Mixed Competence / Member States Vote	REP 16/MAS Paras. 60 and 73 Appendix III	-
CCFA	Specifications for the Identity and Purity of Food Additives (Proposed Draft) Mixed Competence / European Union Vote	REP16/FA, Para. 30 (i) and App. III, Part A.	5/8

Codex body	Standard and Related Texts	Reference	Step
CCFA	Revision of the GSFA food category 01.1 “Milk and Dairy Based Drinks” (renamed “Fluid milk and milk products”) and its consequential changes (N14-2015) (Proposed Draft) European Union Competence / European Union Vote	REP16/FA, Para. 87 and App. XII	5/8
CCFA	Food additive provisions of the <i>General Standard for Food Additives</i> (GSFA) (Draft and Proposed draft) European Union Competence / European Union Vote	REP16/FA, Para. 98(i) and App. VII, Parts A-F	8 and 5/8
CCFA	Amendments to the <i>International Numbering System for Food Additives</i> (CAC/GL 36-1989) (Proposed Draft) Mixed Competence / European Union Vote	REP16/FA, Para. 110 and App. XIII	5/8
CCFA	Revision of Sections 4.1.c and 5.1.c of the <i>General Standard for the Labelling of Food Additives When Sold as Such</i> (CODEX STAN 107-1981) (N15-2015) (Proposed Draft) European Union Competence / European Union Vote	REP16/FA, Para. 155 and App. XV	5/8
CCFA	Revised food additives section of the <i>Standards for Cocoa Butter</i> (CODEX STAN 86-1981), <i>Chocolate and Chocolate Products</i> (CODEX STAN 87-1981), <i>Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake</i> (CODEX STAN 141-1983) and <i>Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars</i> (CODEX STAN 105-1981) European Union Competence / European Union Vote	REP16/FA, Para. 52(i), and App. V	-
CCFA	Revised food additives provisions of the GSFA related to the alignment of the four commodity standards for chocolate and chocolate products and the commodity standards identified by the Committee on Fish and Fishery Products (CCFFP) European Union Competence / European Union Vote	REP16/FA, Para. 52(i),b and App. VII (Part G and H)	-
CCFA	Amendments to the Standard for Dairy Fat Spreads (CODEX STAN 253-2006) European Union Competence / European Union Vote	REP16/FA, Paras 153	-
CCCF	Maximum level for inorganic arsenic in husked rice (Draft) European Union Competence / European Union Vote	REP 16/CF para. 45, Appendix II	8
CCCF	Proposed maximum levels for lead in fruit juices and nectars ready-to-drink (inclusion of passion fruit); canned fruits (inclusion of canned berries and other small fruits); canned vegetables (inclusion of canned leafy vegetables and canned legume vegetables); jams, jellies and marmalades (lower ML and inclusion of marmalades); pickled cucumbers (lower ML); preserved tomatoes (lower ML and deletion of the note on the application of a concentration factor); and table olives (lower ML) – (Draft) European Union Competence / European Union Vote	REP 16/CF para. 89, Appendix III	5/8
CCCF	Revised <i>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</i> (CAC/RCP 51-2003) (Draft) Mixed Competence / Member States Vote	REP16/CF para. 124, Appendix IV	8

Codex body	Standard and Related Texts	Reference	Step
CCCF	Proposed annexes on zearalenone, fumonisins, ochratoxin A, trichothecenes and aflatoxins to the <i>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</i> (CAC/RCP 51-2003) – (Draft) Mixed Competence / Member States Vote	REP16/FFP para. 128, Appendix IV	5/8
CCPR	Proposed MRLs for pesticides – (Draft) European Union Competence / European Union Vote	REP16/FFP para. 113, Appendix II	5/8

Part 2 – Standards and related texts held at Step 8 by the Commission

Standard and Related Texts	Reference	Notes
Draft MRLs for Bovine Somatotropin European Union Competence European Union Vote	ALINORM 95/31, Appendix II	Held at Step 8 by 23 rd CAC (ALINORM 03/41, para. 34)

CX/CAC 16/39/4 , CX/CAC 16/39/4 Add. 1 and Add. 2

Agenda Item 4

ANNEX II

[Adoption of Codex texts at Step 5](#)

Codex body	Standard and Related Texts	Reference	Step
CCSCH	Standard for Cumin (Proposal Draft) Mixed Competence / Member States Vote	REP 16/SCH para. 25, Appendix III	5
CCSCH	Standard for Thyme (Proposed Draft) Mixed Competence / Member States Vote	REP16/SCH Para 37, Appendix IV	5
CCFFV	Standard for Garlic (Proposal Draft) Mixed Competence / Member States Vote	REP 16/FFV para. 70, Appendix IV	5
CCFFV	Standard for Kiwifruit (Proposed Draft) European Union Competence / European Union Vote	REP 16/FFV para. 76, Appendix V	5
CCFICS	Guidance for Monitoring the Performance of National Food Control Systems (Proposed Draft) Mixed Competence / European Union Vote	REP16/FICS para. 32, Appendix III	5
CCPR	Proposed revision to the <i>Classification of Food and Feed</i> (selected commodity groups: Group 020 – Grasses of cereal grains) (draft) European Union Competence / European Union Vote	REP 16/PR para. 141, Appendix X	5
CCPR	Proposed Guidance on performance criteria for methods of analysis for the determination of pesticide residues (draft) European Union Competence / European Union Vote	REP16/PR Para 163, Appendix XI	5
CCFL	Proposed Revision of the <i>General Standard for the Labelling of Prepackaged Foods</i> : Date marking (Draft) European Union Competence / European Union Vote	REP 16/FL para. 49, Appendix II	5
CCMMP	Proposed draft standard for dairy permeate powders Mixed Competence / Member States Vote		

CX/CAC 16/39/6 and CX/CAC 16/39/6 Add. 1

Agenda Item 5
ANNEX IIIRevocation of Codex texts

Codex Body	Standard and Related texts	Reference
CCFH	<i>Code of Hygienic Practice for Spices and Dried Aromatic Herbs</i> (CAC/RCP 42-1995) Mixed Competence / European Union Vote.	REP16/FH para.40a
CCFA	Specifications for withdrawal : (Specifications for aluminium silicate (INS 559), calcium aluminium silicate (INS 556) and glycerol ester of gum rosin (INS 445(ii)) Mixed Competence / European Union Vote	REP 16/FA para. 30(ii), Appendix III- Part B
CCFA	Food additive provisions of the Commodity Standards or GSFA (without specifications or evaluation no longer supported for JECFA evaluation) European Union Competence / European Union Vote	REP 16/FA para. 32, 121(ii), 126 (i), Appendix VI& VIII
CCCF	Revocation of maximum levels for lead in the GSCTFF namely: canned raspberries, canned strawberries, canned green beans and canned wax beans, canned green peas, jams (fruit preserves) and jellies, pickled cucumbers, preserved tomatoes, and table olives European Union Competence / European Union Vote	REP16/CF para.90, Appendix III
CCPR	Maximum residue limits for pesticides recommended for revocation European Union Competence / European Union Vote	REP16/CF para.113, Appendix III

CX/CAC 16/39/7 and CX/CAC 16/39/7 Add.1

Agenda Item 6
ANNEX IVProposals for New Work

Codex Body	Standard and Related texts	Reference
CCFFV	Codex Standard for Fresh Dates Mixed Competence / Member States Vote	REP16/PFV, See Annex I of this document
CCFFP	New work on guidance for histamine control in the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003) and sampling plans of histamine in standards for fish and fishery products Mixed Competence / European Union Vote	REP 16/FFP para. 72 and 80 See Annex II of this document
CCFH	Revision of the General Principles of Food Hygiene (CAC/RCP 1-1969) and its HACCP Annex Mixed Competence / European Union Vote	REP 16/FH para. 45 (c), Appendix V
CCFH	Revision of the Code of Hygienic Practice for Fresh Fruits and Vegetables (CAC/RCP 53-2003) Mixed Competence / European Union Vote	Para. 46 (b) and Appendix VI
CCNFSDU	Proposed guideline for ready to use therapeutic foods (RUTF) Mixed Competence / European Union Vote	REP 16/NFSDU para. 88, Appendix IV See Annex III of this document
CCFL	Guidance for the labelling of non-retail containers of food Mixed Competence / Member States Vote	REP16/FL, para. 54, Appendix III
CCAFRICA	Regional Standard for dried meat Mixed Competence / Member States Vote	REP 15/CCEXEC para. 30

CX/CAC 16/39/8 and CX/CAC 16/39/8 Add. 1

Agenda Item 7
ANNEX VDiscontinuation of Work

Codex Body	Text	Reference and Project Document
CCFFP	Appendices 1 – 11 to the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003) Mixed Competence / Member States Vote	REP 16/FFP Para. 66b
CCFA	Food additive provisions of the GSFA (Draft and Proposed Draft) European Union Competence / European Union Vote	REP 16/FA Para. 98 (iii), Appendix X
CCPR	Draft and proposed draft MRLs for pesticides European Union Competence / European Union Vote	REP 16/PR Para. 114, Appendix VI

CX/CAC 16/39/13 and CX/CAC 16/39/13 Add 1 and 2

Agenda Item 12
ANNEX VIMatters referred to the Commission by Codex Committees

Codex Body	Text
CCNFSDU	Information documents - recorded details of all NRVs-R. European Union Competence / European Union Vote
CCMAS	Food integrity/food authentication Mixed Competence / Member States Vote
CCGP	Consistency of the Risk Analysis Texts across the Relevant Committees Mixed Competence / European Union Vote
CCFFP	Committee on Fish and Fishery Products - Suspension of Physical meetings Member States Competence / Member States Vote
CCMAS	Protein conversion factors Mixed Competence / Member States Vote
CCFL	Organic aquaculture (revision of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods) European Union Competence / European Union Vote
CCMMP	Matters from CAC38 - Surface treatment of Mozzarella European Union Competence / European Union Vote
CCMMP	Report and analysis of responses to CL 2016/6-MMP: Draft General Standard for Processed Cheese Mixed Competence / Member States Vote
CCS	Report on the Draft Standard for Non-Centrifuged Dehydrated Sugar Cane Juice Mixed Competence / Member States Vote.