

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
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HEALTH
ORGANIZATION



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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Twenty-seventh Session, 28 June - 3 July 2004
Centre International de Conférences Genève (CICG), Geneva, Switzerland

REPORT OF THE FIFTY-FOURTH SESSION OF THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

WHO Headquarters, Geneva, 24 - 26 June 2004

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INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its Fifty-fourth Session at WHO Headquarters, Geneva, from 24 to 26 June 2004. The session was presided over by Dr Stuart Slorach (Sweden), Chairperson of the Codex Alimentarius Commission. The list of participants, including the Secretariat, is included as Appendix I to this Report.

2. The session was opened by Dr Jørgen Schlundt, Director, Food Safety Department, WHO, who welcomed the participants on behalf of both FAO and WHO. He stated that the FAO and WHO have made significant efforts to increase funding to the Codex programme for this biennium to resolve the budgetary problems identified at the last session of the Committee. He expressed his wish to see Codex continue to give higher priority to matters related to the protection of consumers' health and to develop guidance on important food safety issues in a speedy manner.

ADOPTION OF THE AGENDA (Agenda Item 1)¹

3. The Executive Committee adopted the Provisional Agenda as the Agenda for its Session. It agreed to discuss Item 2 (Proposals for the Elaboration of New Standards and Related Texts and for the Discontinuation of Work), Item 5 (Implementation of the Joint FAO/WHO Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards), Item 6 (Matters Arising from the Reports of Codex Committees and Task Forces) and Item 7 (Relations between the Codex Alimentarius Commission and Other International Organizations) before other Items, with the understanding that the latter items could be discussed as much as time permitted.

LIST OF PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 2)²

4. The Committee recalled that according to the recommendation of its 53rd Session, many Codex Committees concerned had developed a project document to support proposals for new work. The Committee considered the proposals listed in ALINORM 04/27/09 and made specific comments and recommendations for the following items.

PROPOSALS FOR NEW WORK

Draft Terms of Reference and Project Proposal for the New Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology

5. The Committee recalled that the 26th Session of the Commission had requested the government of Japan to submit a proposal for a new Task Force on Foods Derived from Biotechnology, and that the Project Proposals and Draft Terms of Reference had been circulated for comments as CL 2004/7-FBT.

6. The Committee supported further work on foods derived from biotechnology, in view of the importance of this subject for governments and as several areas remained to be addressed. The Committee noted that the Government of Japan would provide further information in the near future as to the possibility of hosting a new Task Force.

7. As regards the Draft Terms of Reference for the Task Force, the Committee agreed that further work should be consistent with the Principles for the Risk Analysis of Foods Derived from Biotechnology and therefore recommended to amend paragraph (a) as follows

(a) to elaborate standards, guidelines or recommendations, as appropriate, for foods derived from modern biotechnology, taking full account of the Principles for the Risk Analysis of Foods Derived from Biotechnology.

¹ CX/EXEC 04/54/1

² ALINORM 04/27/09, LIM 9 (comments of Argentina, Australia, Canada, Hungary, Indonesia, Mexico, New Zealand, United States, Venezuela, BIO, CropLife International, 49P, Greenpeace International), LIM 11 (comments of the European Community), Lim 14 (Project Document on the revision of the *Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods*)

8. Some Members pointed out that it would facilitate future work in the Task Force if specific proposals for new work were put forward prior to the first session of the Task Force. It was noted that if approved by the Commission, the first session of the Task Force would be scheduled around October 2005, and that might allow further consideration of its programme of work by the 28th Session of the Commission in July 2005.

9. The Representative of FAO highlighted the importance of work on foods derived from biotechnology and recalled that the substantial progress achieved by the Task Force was largely due to the expert advice provided by Joint FAO-WHO Expert Consultations, that had been convened with the support of the Government of Japan. Future work in a new Task Force would require further scientific advice and the support of member countries.

10. The Committee agreed to recommend that a new Task Force on Foods Derived from Biotechnology be established with the Terms of Reference proposed in the working document (as amended above), subject to confirmation of Japan as host country. It was further agreed that a Circular Letter would be sent to solicit specific proposals for new work and to define priorities, and that a document would be prepared on the basis of the comments, for consideration by the first session of the Task Force.

Proposed Draft Standard for Ginseng (CCASIA)

11. The Member for Asia, while introducing the project document prepared at the request of the 26th Session of the Commission, pointed out that the CCASIA had proposed to develop a standard to cover the wide range of ginseng products commonly consumed in Asian countries as foods and that it was not intended to consider products used as drugs. The Member recalled earlier discussions in the CCASIA and supported elaboration at the initial stages in the CCASIA and finalisation by the Committee on Processed Fruits and Vegetables.

12. Several Members expressed their concerns about the development of this standard as many ginseng products were presented with various claims and might be more related to drugs than to conventional foods. These Members therefore proposed that following consideration by CCASIA, the standard should be further developed by the Committee on Nutrition and Foods for Special Dietary Uses. Some Members also pointed out that clarification was needed on products that could be marketed and regulated as foods or as drugs and whether such products should be considered in the framework of Codex.

13. The Coordinator for Asia stated that the standard should focus on the products consumed as foods in the Region and that the aspects of these products as dietary supplements could also be addressed by the CCASIA.

14. The Executive Committee was of the view that the Coordinating Committee for Asia could undertake the initial development of the proposed draft standard but could not reach a conclusion on further development of the standard for ginseng products and recognized that it would require further discussion in the Commission.

Proposed Draft Standard for Fermented Soybean Paste (Doenjang)

Proposed Draft Standard for Hot Pepper Fermented Soybean Paste (Gochujang)

15. The Committee recalled that the 26th Session of the Commission had agreed to request the Republic of Korea to prepare project documents for these two products, with a view to their consideration by the CCASIA and subsequently by the Committee on Processed Fruits and Vegetables.

16. The Member for North America questioned the need for international standards for fermented soybean paste as they seemed to be more relevant for intra-regional trade and expressed the view that soybean products were more adequately covered by the terms of reference of the Committee on Cereals Pulses and Legumes (CCCPL) than by the Committee on Processed Fruits and Vegetables.

17. The Committee agreed to recommend to the Commission that new work on both standards be undertaken by the CCASIA and, if required, finalised by the CCCPL. It was noted that whether the standards should be finalized as international standards or as regional standards could be decided when they reach Step 5.

Proposed Draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification (CCFICS)

18. The Committee had an exchange of views on the inclusion of "information relating to technical assistance to be provided by importing countries to exporting countries" in the "aspects to be covered" by the Appendices. It was pointed out that matters related to technical assistance were not covered in Codex texts, as they were the responsibility of FAO and WHO. It was however noted that this was an essential issue for developing countries and that other Codex texts on inspection and certification included general references to the need for technical assistance and cooperation between the importing and exporting countries.

19. The Committee therefore recommended rewording paragraph 3) of the Project Document in order to make it more consistent with other Codex texts in this area and recommended approval as new work.

Proposed Draft Sampling Plans for Aflatoxins in Almonds, Brazil Nuts, Hazelnuts and Pistachios (CCFAC)

20. The Committee noted that there was no project document for this proposal as the General Standard for Contaminants and Toxins in Foods was one of the exceptions proposed to the critical review process in the proposed amendments to the Elaboration Procedure. The Secretariat indicated that the sampling plans for contaminants are normally related to a maximum level and that the Terms of Reference of the Committee on Food Additives and Contaminants did not include consideration of sampling plans as such. The Committee also noted that maximum levels were under consideration in the Step Procedure for almonds, hazelnuts and pistachios, but not for Brazil nuts.

21. The Member for North America drew the attention of the Committee to the implications of the amendment to the Critical Review proposed by the CCFAC and endorsed by the Committee on General Principles. Specifically, under "maintenance of the General Standard for Contaminants and Toxins in Foods", the CCFAC was proposing potentially major new work which the Executive Committee was asked to consider without the benefit of a project document.

22. The Committee recommended approval of new work and recommended that CCFAC consider the development of a maximum level of aflatoxins for Brazil nuts and review its terms of reference in relation to sampling plans.

Revision of the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods

23. The Member for Europe, while not objecting to the revision of the Guidelines, expressed the view that this should not be a high priority of the Committee on Food Labelling, in view of its workload. The Member for North America recalled that the regular review of the Guidelines was specified in the Guidelines themselves and that this provision might need to be reconsidered.

Other Proposals for New Work

24. The Executive Committee recommended approval of all other proposals for new work, as listed in Table 1 of the working document.

General issues

25. The Member for North America noted that projects proposals had been prepared in some cases by the Committee concerned, by the Secretariat of host countries or by individual countries, while some proposals did not relate directly to a specific Committee, and proposed that additional guidance be developed on how to develop project documents more consistently. The Committee agreed that this question would require further consideration following the adoption of the proposed Critical Review by the Commission.

26. The Committee noted that it had carried out a critical review of proposals on the basis of project documents for the first time, and recognized the usefulness of such documents in the standards management process. The Committee agreed that when considering new work, the workload of the Committee concerned should also be taken into account, although this was not specifically mentioned in the Critical Review.

27. The Representative of WHO drew the attention of the Committee to some inconsistencies in the time frames proposed for the completion of standards and stressed the need for applying shorter time frames to address urgent health protection issues. The Member for North America pointed out that the time frame largely depended on the availability of scientific advice to address complex food safety issues. The Committee agreed that the question of timeframes would require further consideration in the future and that in general, Committees should make all efforts to ensure that consumers' health issues were addressed on a priority basis.

PROPOSALS FOR THE DISCONTINUATION OF WORK

Proposed Draft Amendment to the Standard for Canned Sardines and Sardine Type Products (inclusion of *Clupea bentincki*)

28. The Committee recalled that the 26th Session of the Commission had returned the Proposed Draft Amendment to Step 3 due to lack of consensus. The Committee on Fish and Fishery Products had recognized that there were no new elements put forward in order to resolve the issue, and had recommended that the Executive Committee discuss whether to discontinue work or to propose other appropriate action.

29. The Member for North America expressed the view that this proposal raised fundamental issues related to Codex work, as the current procedure for the inclusion of new species had been followed and had resulted in the conformity of the new species to the established criteria; however the inclusion of the species had been rejected on the grounds that the procedure should be revised. The Member expressed his objections to the discontinuation of work and stressed the need to adhere to established rules and criteria in order to ensure consistency and efficiency in decision-making throughout Codex. This position was supported by the Member for Latin America and the Caribbean, who referred to the comments of Chile in this respect.

30. The Coordinator for Africa supported discontinuation of work as it was clear from previous discussion that there was no consensus on the inclusion of a new species, and noted that the Committee on Fish and Fishery Products was in the process of revising the current procedure. This position was supported by the Members for Europe and for Africa.

31. The Committee recognized that there was no consensus and that the proposal to discontinue work would require further discussion by the Commission.

Establishment of a List of Predatory Fish (CCFFP)

32. The Committee confirmed the recommendations made at its 53rd Session (ALINORM 04/27/3, para. 88-89).

Other Proposals for Discontinuation of Work

33. The Executive Committee recommended approval of all other proposals for discontinuation of work, as listed in Table 2 of the working document.

FINANCIAL AND BUDGETARY MATTERS (Agenda Item 3)³

34. The Secretariat presented the report of the expenditures in the past biennium and the financial situation for the current biennium. The Secretariat indicated that for the present biennium the situation had improved since the 53rd Session of the Committee due to an increase in the budget allocated by the parent organizations, that would allow Codex to retain the initial schedule of meetings. However several cost saving measures still had to be applied to absorb the reductions foreseen in the 2004 allotments.

35. The Representative of FAO informed the Committee that FAO recognized Codex as a high priority and had substantially increased the budget allocated to Codex, in order to allow the implementation of the recommendations of the Evaluation. The budget allocated to scientific advice and to capacity building had also been substantially increased in order to provide an effective response to the demands of Codex and member countries.

36. The Representative of WHO indicated that WHO had substantially increased its contribution to the Codex budget and that funding for scientific advice would also be increased, especially as regards JMPR and JECFA. The Representative also recalled that the World Health Assembly Resolution on Codex, adopted in 2003, reflected the importance of Codex in the framework of WHO. Noting that the Resolution called on member countries to increase the involvement of the health sector in Codex and food safety matters, the Representative stated that Codex should increase its focus on health related issues and should improve its efficiency and inclusiveness.

37. The Member for North America, while recognizing the improvement in the budgetary situation, expressed concern with the fact that the Codex Secretariat was not yet fully staffed and stressed the difficulties this would create in view of the increased workload. The Committee recommended that the understaffing of the Codex Secretariat should be addressed by the parent organizations as a matter of priority.

38. The Committee noted the following proposals made in the discussion in order to provide additional information to Codex members on the budget and expenditures: indicating the expenditures in percentage of the total budget; specifying the budget allocated to the provision of scientific advice to Codex and member states and to Codex-related capacity building by both parent organizations; assessing the impact of the budget increase or decrease on Codex activities.

³ ALINORM 04/27/10

39. Several Members asked for the status of the funding of participation for developing country members of the Executive Committee. The Secretariat recalled that the proposed amendment to the Rule of Procedure on Budget and Expenses, when adopted, would remove the legal obstacles to such funding from the Codex budget. Funding would include the Coordinators when the amendment that gave them Member status would be adopted, but would not include the advisers to the Member elected on a geographical basis. The Secretariat also indicated that the possibility to fund participation in the forthcoming sessions of the Executive Committee would depend on the budgetary situation in the current biennium and that planning would be made for such funding in the budget for the 2006-2007 biennium. The Member for Africa suggested that the Secretariat could contemplate an opportunity to provide funding for a limited number of sessions of the Executive Committee within available additional budget resources. The Member also proposed that a document presenting the costs related to the funding of participation of developing country Members in the Executive Committee should be prepared for the information of Codex Members and possible decision by the Commission.

40. The Representative of FAO indicated that in order to reduce pressure on the Codex budget, consideration might be given to the use of the funds from the Trust Fund to support participation in the Executive Committee on a case by case basis and pending the availability of specific funding for Members of the CCEXEC from the Codex budget.

41. The Member and the Coordinator for Latin America and the Caribbean expressed their concern with the late distribution of documents in languages other than English and proposed to analyze the feasibility of reducing paper distribution and replacing it with electronic distribution through a Circular Letter in order to ask the views of members in this respect. This proposal had the purpose of reducing costs in this latter area and to use the savings to ensure the simultaneous distribution in all working languages. The alternative proposed was to link the deadline for comments with the date of distribution. They expressed concern with the fact that the 13th Edition of the Procedural Manual had been published only in English. They also referred to earlier discussions concerning the possibility of publishing the Procedural Manual in a more economic format to save costs.

42. The Representative of WHO pointed out that substantial costs were due to the length of Codex reports relative to those produced by other bodies in the UN system and proposed that Codex reports should focus on decisions rather than on discussion or the positions expressed by various delegations, and noted that this would also reduce the length of the meetings themselves and allow Codex to allocate more resources to priority areas of activity.

43. The Committee agreed that the Secretariat should explore the possibility to expedite translation into the languages of the Commission; the feasibility of replacing paper distribution with electronic distribution, and that the relevant Circular Letter should be issued as soon as possible. The Committee recommended that Codex reports should be kept shorter and focus on the decisions and conclusions rather than on discussions.

44. The Committee agreed that future reports on the budget should provide the following additional information: expenditures expressed in percentage of the budget; breakdown of the costs particularly for documentation and translation; and the FAO and WHO budget allocated to Codex-related activities, especially scientific advice requested by Codex as well as that requested by members.

45. The Coordinator for Latin America and the Caribbean objected to the recommendation concerning shorter reports as it was very important to retain the history of the discussion for the information of member countries.

STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION (Agenda Item 4)⁴

46. The Secretariat introduced the status of the Strategic Framework 2003-2007 and Medium Term Plan 2003-2007, the preparation of the new Strategic Plan and the status of the Action Plan for Codex-wide Development and Application of Risk Analysis Principles and Guidelines.

47. The Committee recalled the decision of its 53rd Session to discontinue further consideration of the Draft Medium-Term Plan 2003-2007 with the understanding that its elements would be used as a basis for the preparation of programme areas/activities to be incorporated into the new Strategic Plan. The Committee agreed to recommend that the preparation of the Strategic Plan should proceed as proposed in the working document, with a view to its final adoption by the Commission in 2007.

⁴ ALINORM 04/27/10A

IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS COMMISSION AND OTHER FAO AND WHO WORK ON FOOD STANDARDS (Agenda Item 5)⁵

General Implementation Status

48. The Committee noted that the status of the implementation of the recommendations of the Evaluation endorsed by the 26th Session of the Commission was presented in Tables 1 and 2 of the working document.

49. The Member for Latin America and the Caribbean drew the attention of the Committee to the need for follow-up of Proposal 34 Determination of consensus, and supported consideration of this question in the Committee on General Principles. The Chairperson noted that this would depend on the workload of that Committee.

Review of the Mandates of Codex Committees and Task Forces

50. The Secretariat presented the proposed Terms of Reference for the Review and indicated that a new paragraph c) had been added in order to ensure that the review took into account the issues related to the participation of member countries in relation to annual meetings of the Commission and the operation of the Trust Fund.

51. As regards the terms of reference of the review, the Committee agreed that input should be received not only from Codex Chairs but from the host countries of Codex Committees and Task Forces as they were responsible for the organization and planning of Codex meetings. Point b) should therefore read "Based on a detailed study of the points above and inputs received from Codex chairs and host governments..."

52. The Committee agreed to recommend that the Commission endorse the terms of reference as proposed in the working document, with the amendments mentioned above.

53. The Committee was informed that the recruitment of a small team (three or four) of consultants would be initiated after the Commission in view of the improved budgetary situation, and that the time frame presented in the working document would be followed in order to submit recommendations to the 28th Session of the Commission.

54. The Member for North America recalled that several informal meetings of Chairs had been held in conjunction with Codex meetings, allowing useful exchange of experience between Codex Chairs, and proposed to formalize this type of meeting. This proposal was supported by several Members who pointed out that formal meetings of Chairs could provide valuable advice on matters related to the management of meetings, such as determination of consensus, and improve coordination for issues of relevance to several committees. Mr Claude Mosha, Vice-Chairperson, while recognizing the usefulness of such meetings, expressed the view that the implications of a formal meeting of chairs should be considered carefully in order to ensure transparency and inclusiveness, and to clarify the interaction with the standard-setting process.

Review of the Regional Coordinating Committees

55. The Committee agreed to recommend that a Circular Letter should be sent to all Codex members to invite comments on the areas mentioned in the working document; and that Regional Coordinating Committees at their forthcoming sessions, should consider the comments from the governments of their respective regions and forward their view and/or recommendations to the 28th Session of the Commission.

56. The Member for Africa expressed the view that the process should be clarified in order to facilitate the use of the comments with a view to providing recommendations and to avoid lack of focus in the replies. The Secretariat indicated that it was urgent to proceed with the distribution of the Circular Letter immediately after the Commission in view of the planned dates of regional committees and the short period of time that would be available for comments for some of them, in order to allow substantial discussion in the Regional Committees.

⁵ ALINORM 04/27/10C

MATTERS ARISING FROM THE REPORTS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 6)⁶

57. The Executive Committee considered the matters arising from Codex Committees and Task Forces item by item.

CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

Recommended International Code of Practice for Packaging and Transport of Tropical Fresh Fruits and Vegetables⁷

58. The Executive Committee recommended that the Commission amend the Code by deleting the word “tropical” throughout in order to make it applicable to the packaging and transport of all fresh fruits and vegetables.

CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

Codex General Standard for Food Additives (GSFA)⁸

59. The Executive Committee recommended that the Commission adopt the amendments to the GSFA namely: deletion of Lists A and B and addition of a footnote to Section 1.1 of the Preamble, a reference to the JECFA website to provide ready access to the most up-to-date information on ADIs.

Codex General Standard for Contaminants and Toxins in Foods (GSCTF)⁹

60. The Executive Committee recommended that the Commission adopt the amendment to the General Standard for Contaminants and Toxins in Foods (removal of Annex IV and its reference in the General Standard).

61. The Coordinator for the Near East stated that the Codex Committee on Food Additives and Contaminants should develop Maximum Limits for Aflatoxins for foods in general.

Relation between the GSCTF and Codex Standards¹⁰

62. The Executive Committee recommended that the Commission endorse the following recommendations:

- (a) The Codex Alimentarius Commission should explicitly revoke existing safety-related maximum levels in commodity standards which are inconsistent with already adopted maximum levels by the Commission; and,
- (b) When CCFAC proposes maximum levels for final adoption at Step 8 it will simultaneously propose to explicit revocation of corresponding maximum levels in commodity standards which are inconsistent with the proposed maximum level.

RISK ANALYSIS

CODEX COMMITTEE ON FOOD HYGIENE

Proposed Draft Principles and Guidelines for the Conduct of Microbiological Risk management¹¹

63. The Executive Committee agreed that the past and ongoing work by the Committee on Food Hygiene (the Principles and Guidelines for the Conduct of Microbiological Risk Assessment (CAC/GL-30, 1999) and the draft Principles and Guidelines for the Conduct of Microbiological Risk Management), both of them addressing

⁶ ALINORM 04/27/10; ALINORM 04/27/10 Add.1; LIM 6 (Proposed Draft Revised Recommended International Code of Practice for the Processing and Handling of Quick Frozen Foods); LIM 15 (Opinion of the Legal Offices of FAO and WHO); LIM 17 (Project document on antimicrobial resistance prepared by Republic of Korea)

⁷ ALINORM 04/27/35, para.54

⁸ ALINORM 04/27/12, para.80 and Appendix IV

⁹ ALINORM 04/27/12 para 125 and Appendix XIII

¹⁰ ALINORM 04/27/12 para 124

¹¹ ALINORM 04/27/13 paras.70-71

issues that would be relevant to both member governments and to the Codex, was consistent with the Commission's expectations.

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

64. The Executive Committee endorsed the view of the Committee on Food Import and Export Inspection and Certification Systems that there was no need for this Committee to develop specific guidelines on risk analysis.

CODEX COMMITTEE ON MEAT HYGIENE

65. The Executive Committee endorsed the view of the Committee on Meat Hygiene that there was no need for this Committee to develop specific guidelines on risk analysis.

OTHER MATTERS

CODEX COMMITTEE ON FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

Requests from the 26th Session of the Codex Alimentarius Commission¹²

66. The Executive Committee endorsed the view of the Committee on Food Import and Export Inspection and Certification Systems that the Proposed Draft Appendices to the Guidelines on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection would also address the further elaboration of guidelines to facilitate the implementation of the control of food in trade.

CODEX COMMITTEE ON FOOD ADDITIVES AND CONTAMINANTS

JECFA Priority List (Peroxide Value)¹³

67. The Executive Committee noted the information provided by the Committee on Food Additives and Contaminants regarding the proposed evaluation of the peroxide value (PV) for instant noodles by JECFA.

CODEX COMMITTEE ON FOOD HYGIENE

Antimicrobial resistance¹⁴

68. The Executive Committee noted that the Committee on Food Hygiene supported the establishment of a Codex/OIE Task Force to develop broad risk management options for antimicrobial resistance related to non-human use of antimicrobials. The Executive Committee also noted that the 20th Session of the Committee on General Principles did not support the establishment of joint standards with other intergovernmental organizations.

69. The Executive Committee was informed that the Committee on Pesticide Residues and the ad hoc Intergovernmental Task Force on Animal Feeding did not propose specific actions as follow-up to the outcome of the two expert workshops on antimicrobial resistance convened by FAO, OIE and WHO. The Executive Committee also noted that the Committee on Residues of Veterinary Drugs in Food had initiated the elaboration of a Code of Practice for the containment of antimicrobial resistance and its forthcoming session would consider the proposed draft Code at Step 4.

70. The Representative of WHO recalled that the two FAO/OIE/WHO workshops had been convened at the request of the 48th session of the Executive Committee and urged the Executive Committee to invite the Commission to take necessary actions, in cooperation with the OIE, to address the issues regarding the terminology, risk assessment policy and risk management options for the containment of antimicrobial resistance. The Coordinator for Asia also stated that a project document for this issue would be introduced by the Delegation of the Republic of Korea during the 27th Session of the Commission, and supported the view of the Representative of WHO.

¹² ALINORM 04/27/30, para.90

¹³ ALINORM 04/27/12, para 209

¹⁴ ALINORM 04/27/13, para. 159

71. The Representative of FAO stated that Codex should carefully evaluate the need for and implications of joint OIE/Codex standards and should explore ways to make better use of its current subsidiary bodies to address the issue before taking further steps towards establishing a joint task force.

72. While noting that antimicrobial resistance is an important matter to be addressed by Codex, the Executive Committee was of the view that there are several possible options for the Commission to deal with this matter, including the establishment of a Codex task force with active participation of the OIE, or the use of existing Codex subsidiary bodies such as the Committee on Food Hygiene, the Committee on Residues of Veterinary Drugs in Foods and the Task Force on Animal Feeding. The Committee noted that OIE would participate in the 27th Session of the Commission and present its views during the session.

73. The Executive Committee agreed that before deciding on the procedure to follow the Commission should develop a clear and common understanding of what should be achieved by Codex in regard to the question of antimicrobial resistance related to non-human use of antimicrobials. The Executive Committee further agreed that it would be useful to prepare a Circular Letter to request the views of Members and Observer on what is expected as future achievements by Codex in this area.

CODEX COMMITTEE ON MILK AND MILK PRODUCTS

Proposals for a New Standard for Parmesan¹⁵

74. The Executive Committee noted the clarification provided by the Legal Offices of FAO and WHO (LIM 15) in reply to the two questions asked by the 6th Session of the Committee on Milk and Milk Products. It noted that from a legal point of view, Codex was able to elaborate a Codex standard on Parmesan cheese if applicable criteria for acceptance of new work had been met and that there were no requirements to the effect that aspects of intellectual property protection be considered as criteria to be taken into consideration by Codex when deciding on acceptance of new work or adopting standards.

75. The Members for North America, for Southwest Pacific and for Asia and the Coordinator for Latin America supported the initiation of new work to develop a Codex standard for Parmesan cheese, stressing that Codex should base its decisions to initiate new work on the agreed criteria in a systematic manner. The Member for Europe expressed its opposition to new work on this standard and stated that if new work was to be initiated in the absence of clear consensus smooth development of the standard was unlikely to occur.

76. The Member for Africa stated that a group of negotiators may assist in overcoming potential obstacles in the development of the standard.

77. The Coordinator for Latin America and the Caribbean stated that the opposition expressed by one Member was similar to the lack of consensus for the Proposed Draft amendment to the Standard for Canned Sardines proposed by Chile, insofar as although all Codex criteria had been complied with, obstacles to consensus were put forward.

78. The Committee noted that a majority of Members supported the initiation of new work to develop a Codex standard for parmesan. It also noted that there may be difficulties in achieving consensus on the content of the standard.

Time-bound decision-making¹⁶

79. The Executive Committee agreed that the five-year time frame should be maintained as a general rule, while the standards development process should be monitored on a case-by-case basis taking into account the frequency of Committee meetings and the number of the sessions at which a particular draft standard was considered by the Committee concerned.

¹⁵ ALINORM 04/27/11, paras.120-121

¹⁶ ALINORM 04/27/11, para. 12

CODEX COMMITTEE ON GENERAL PRINCIPLES

Proposed Draft Code of Ethics for International Trade in Food¹⁷

80. The Executive Committee agreed that there was a need to revise the current Code of Ethics and that in doing so the scope of the Code should be restricted to ethical considerations only. The Executive Committee also noted that food aid and food concession should be kept in the scope of the Code and that the Committee on General Principles could consider amending the current title of the Code so that it better reflects the scope of the document.

81. The Executive Committee noted the view of the Representative of WHO that the Code could also address the domestic transaction of foods since the objective of Codex included ensuring fair practices in the food trade.

Clarification of the Respective Roles of Members of the Executive Committee Elected on a Geographic Basis and of Coordinators¹⁸

82. The Executive Committee noted that this matter had been covered under Agenda Item 5 and that pending the outcome of the discussion at the forthcoming meetings of the Coordinating Committees, the Commission might revisit the issue and consider the need for further action to be taken.

CODEX COMMITTEE ON FOOD LABELLING

Country of Origin Labelling¹⁹

83. The Executive Committee recalled that the Committee on Food Labelling had sought the guidance of the Commission as consensus could not be reached on the need to undertake new work on the country of origin labelling.

84. The Member for the Southwest Pacific and the Coordinator for Latin America and the Caribbean stated that new work on this matter should not be started given the current workload of the Committee and the adequacy of existing Codex provisions. The Member for North America expressed his view that the Committee on Food Labelling should consider narrowing down the scope of the new work, by identifying concrete situations where the current provisions failed to provide adequate information to the consumers.

AD HOC INTERGOVERNMENTAL TASK FORCE ON ANIMAL FEEDING

Future Work on Animal Feeding²⁰

85. The Executive Committee recommended that a Circular Letter be prepared to request the views of governments on the areas where further work would be desirable so that the Commission could determine whether additional work should be required by Codex on animal feeding and if so what mechanisms would be most appropriate. The Committee noted that Denmark had indicated that it would be willing to host the Task Force if it was established.

86. The Coordinator for Latin America and the Caribbean stated that the Commission should make sure that it would not duplicate the work done by other international organizations.

¹⁷ ALINORM 04/27/33A paras.77-78

¹⁸ ALINORM 04/27/33A, paras.121-122

¹⁹ ALINORM 04/27/22, paras. 110-116

²⁰ ALINORM 04/27/38 paras.35-36

MATTERS RELATED TO RISK ANALYSIS***Codex Committee on Pesticide Residues***²¹***Codex Committee on General Principles***²²***Codex Committee on Milk and Milk Products***²³

87. The Executive Committee noted the information provided by these Committees related to risk analysis.

Proposed Draft Revised Recommended International Code of Practice for the Processing and Handling of Quick Frozen Foods

88. The Executive Committee agreed that in order to proceed with the revision of the Code, Option (b) provided in document LIM 6 would be most appropriate, taking into account the current workload of the Committee on Food Hygiene. The Committee noted the willingness of the host government of the Committee on Food Hygiene and of the Committee on Processed Fruits and Vegetables to coordinate the work by correspondence on the quality provisions of the Code.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 7)²⁴***Relations between the Codex Alimentarius Commission and other international intergovernmental organizations***

89. Following the introduction of the working document by the Secretariat, the Chairperson informed the Committee that the OIE Working Group on Animal Production Food Safety held its third session in Paris on 1 - 2 April 2004. The Chairperson and the Secretary of the Commission participated in this meeting as non-members, at the invitation of the OIE. He noted that the report of the meeting would be made available to the national contacts of the OIE.

90. The Chairperson observed that revised cooperation agreements between FAO and OIE and between WHO and OIE had been approved by the governing bodies of these organizations. He emphasized the importance of the food chain approach in food safety and stated that duplication or gaps of work could be avoided through the establishment of appropriate cooperation mechanisms between Codex and OIE.

Relations between the Codex Alimentarius Commission and international non-governmental organizations

91. The Executive Committee noted that the working paper contained in Tables 1 and 2 a preliminary analysis of NGO participation activities in the 2000-2003 period, in view of the fact that the revision of the Rules of Procedure regarding Observers was underway and the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission*, also providing for the review of observer status, would be revised subsequently.

92. The Committee noted that an information paper was submitted to the Commission from the International Organization for Standardization (ISO), following the preliminary contact made by the Codex Secretariat with the central secretariat of the ISO and the paper would be introduced by the representative of the ISO during the 27th Session of the Commission for further discussion.

93. The Member for North America stated that Codex should closely monitor the work of the ISO in order to avoid duplication of work or conflicting standardization between Codex and the ISO. Mr Mosha, Vice-Chairperson, noted that footnote 9 of the working document provided an example of the referencing of non-Codex texts in Codex standards (methods of analysis and sampling).

²¹ ALINORM 04/27/24, paras. 176 – 247

²² ALINORM 04/27/33A, paras. 37-43

²³ ALINORM 04/27/11, para. 8

²⁴ ALINORM 04/27/10E; CAC/27 LIM 7 (Corrigendum to ALINORM 04/27/10E)

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX - FOURTH PROGRESS REPORT (Agenda Item 8)²⁵

94. The Executive Committee noted the Fourth Progress Report of the Project and Trust Fund presented by FAO and WHO as the working document. The Committee welcomed the fact that the Trust Fund had become operational since March 2004 after the threshold of US\$ 500,000 was reached and noted, with appreciation, that in addition to the donors listed in Table 1 of the working document, Sweden and Australia were also contributing to the Trust Fund.

95. The Representative of FAO stressed the importance of national coordination and the key role of Codex Contact Points for the successful operation of the Trust Fund. He stated that the FAO/WHO Consultative Group was positively considering the use of the Trust Fund for projects other than those supporting travels to Codex sessions such as participation in training opportunities and for building capacities of a new Codex member country. He also indicated that additional funding opportunities could eventually be granted to a country taking on greater responsibilities at the regional level.

96. While noting that funds had so far been sought only from government donors, based on the considerations from a legal point of view, the Committee recommended that FAO and WHO look into the possibilities to seek funds from other sources in the future.

97. The Member for North America, supported by the Coordinator for Latin America and the Caribbean, stressed the importance of analysing individual reports from beneficiary countries to better evaluate the effectiveness of the operation of the Trust Fund and requested that these reports be made available. The Representative of WHO indicated that confidential treatment of original country reports would maximise the collection of relevant information but that care would be taken to ensure transparency when FAO and WHO would prepare a summary report. The Committee noted that detailed information regarding the applications received for 2004 and the distribution of funds to date would be provided at the 27th Session of the Commission.

98. The Committee noted that the reporting format would be finalised shortly and the reporting forms would be provided to the contact points of the beneficiary countries as well as to the participants concerned during the Codex sessions. The Committee was informed that the submission of reports for the activities of a given year by the beneficiary countries would be linked to the consideration of their applications for the succeeding year.

99. The Coordinator for Latin America and the Caribbean stated that the matching requirement was sometimes misinterpreted as an obligation to later reimburse the funds provided. The Committee recommended that the call for applications for 2005 be written in such a way to avoid this kind of misunderstanding. The Coordinator, supported by the Member for North America, stated that given the situation in developing countries, flexibility should be applied as to the requirement of notifying the names of participants to be funded six months prior to the meeting. The Coordinator also proposed to review the criteria for the selection of countries that would benefit from the Trust Fund.

100. The Member for North America emphasised that effectiveness in the participation was critical. In this regard, the Member requested that the criteria used in the distribution of funds be kept under review, with possible revision in the future. The Coordinator for Africa stressed that the participants, once designated, should properly prepare themselves before the Codex session so that their participation in the meeting would prove effective and that the Trust Fund could provide support for this purpose.

101. The Coordinator for Latin America and the Caribbean expressed the view that the submissions for application to the Trust Fund should be channelled exclusively through the Codex Contact Point in order to ensure coordination. The Member for Africa expressed his concern with this proposal as other relevant government authorities might not be consulted, and stressed the need to use official FAO and WHO channels of communication with member countries. The Representative of WHO confirmed that the call for application would be sent directly to Codex Contact Points and also through FAO and WHO official channels.

102. The Committee recognised the difficulties encountered by some countries to ensure coordination between governmental entities, including the ability of their Codex Contact Point to act as a national focal point, in a prompt manner, for handling applications and reporting of the Trust Fund. The Committee however noted the view of FAO and WHO that the Codex Contact Point should remain a fundamental and crucial element in the

process, since the strengthening of the role of Codex Contact Points was central to national capacity building in Codex matters.

103. The Coordinator for Africa stated that the National Codex Committee should play an important role in enhancing coordination at the national level. The Committee noted that there was a need to continue to work on the mechanism for ensuring adequate coordination between various government entities concerned and that Coordinating Committees could be called upon to discuss this matter, as appropriate.

OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 9)²⁶

104. The Representative of FAO, speaking on behalf of FAO and WHO, presented document ALINORM 04/27/10G which included the progress report on the FAO/WHO consultative process on the provision of scientific advice and an account of FAO and WHO capacity building activities. He briefly described the outcome of the FAO/WHO Workshop held in January 2004 and recalled that the Workshop report had been distributed for comments to be submitted to FAO and WHO. The Committee was also informed that an FAO/WHO Planning meeting had been held in April 2004 to consider the follow-up to the recommendations of the Workshop.

105. The Committee noted that all comments submitted on the report of the Workshop would be presented to the Commission for consideration in document CAC/27 INF.3A.

106. The Committee was also informed of the status of requests for scientific advice from Codex subsidiary bodies, to be considered by the Commission, and of the outcomes of FAO/WHO Expert Meetings and Consultations.

107. The Member for Europe recalled that the 53rd Session had not been able to reach a conclusion on the criteria for the prioritisation of scientific advice and had agreed to consider this matter at its next session. The Committee noted that it had not been possible to discuss this question at the current session but that it would be considered at the 55th Session.

²⁶

APPENDIX 1

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