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# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### CODEX ALIMENTARIUS COMMISSION

*Twenty-eighth Session*

*Rome, Italy, 4 – 9 July 2005*

### REPORT OF THE FIFTY-SIXTH SESSION OF THE EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

*FAO, Headquarters, Rome, 30 June-2 July 2005*

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## INTRODUCTION

1. The Executive Committee of the Codex Alimentarius Commission held its Fifty-sixth Session at FAO Headquarters, Rome, from 30 June to 2 July 2005, under the chairmanship of 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 Mr Ezzeddine Boutrif, Chief, Food Quality and Standards Service, FAO on behalf of Mr Hartwig de Haen, Assistant Director-General, Economic and Social Department of FAO. Mr Boutrif welcomed the participants to Rome. He said that there were high expectations in FAO on the outcome of the meeting as the Commission needed guidance from the Executive Committee on several key issues in order to allow Codex to adapt its modus operandi to the changing needs of members.

3. Dr Jørgen Schlundt, Director, Food Safety, Zoonosis and Foodborne Diseases Department, WHO, presented opening remarks on behalf of Dr Kerstin Leitner, Assistant Director-General, Sustainable Development and Healthy Environments, WHO. He said that WHO continued to strongly support Codex work including the provision of scientific advice. He stressed that for Codex public health should be on top of its overall agenda. He informed the Committee that the World Health Assembly in May 2005 had adopted a resolution<sup>1</sup> on how the Codex Alimentarius Commission could contribute to full implementation of international public health policies within the framework of its operational mandate.

## ADOPTION OF THE AGENDA (Agenda Item 1)<sup>2</sup>

4. The Executive Committee agreed to the proposal of the Secretariat to insert a new agenda item, between items 2 and 3 of the Provisional Agenda, called "Critical Review of the Proposed Draft and Draft Standards and Related Texts".<sup>3</sup>

5. The Executive Committee also agreed to insert, after item 8 of the Provisional Agenda, a new item "Other Business" to discuss the following issues:

- Summary, analysis and suggested approach concerning responses to Circular Letter 2004/38-GEN on distribution of Codex documentation<sup>4</sup>;
- A proposal from New Zealand: "Elaboration of Risk based Standards for Microbiological Hazards: Enhancing the Process"<sup>5</sup>.

6. The Executive Committee adopted its agenda as amended above. The Executive Committee also agreed that due to the limitation in time, Provisional Agenda Items 6 and 7 be discussed after the other items.

## PROPOSALS FOR THE ELABORATION OF NEW STANDARDS AND RELATED TEXTS AND FOR THE DISCONTINUATION OF WORK (Agenda Item 2)<sup>6</sup>

7. The Executive Committee noted that project documents were submitted in most cases by Codex Committees and in some cases by Members, as both possibilities existed according to the Elaboration Procedure. The Executive Committee agreed that as a general rule, proposals for new work including project documents should be submitted through the subsidiary bodies concerned in order to allow for thorough consideration of all relevant issues and to facilitate the critical review process. The Committee recognized that some flexibility was needed and that Members might also make proposals for new work directly to the Commission when adequate justification was provided.

8. The Executive Committee recommended approval of new work or discontinuation of work as summarized in Appendix II of this Report and made specific comments on the following proposals.

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<sup>1</sup> WHA 58.32

<sup>2</sup> CX/EXEC 05/56/1

<sup>3</sup> ALINORM 05/28/5 Add.1 and Add.2 and ALINORM 05/28/6 Add.1

<sup>4</sup> CAC/28 LIM 12 (This document was distributed at the 55<sup>th</sup> session of the Executive Committee as CRD-2.)

<sup>5</sup> CAC/28 LIM 14

<sup>6</sup> ALINORM 05/28/8, ALINORM 05/28/8-Add 1, ALINORM 05/28/8-Add.2, LIM 18 (Proposal for new work on fats and oils prepared by Malaysia)

## **Commission and Committee on Food Labelling**

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

9. Some Members expressed the view that the work on the updating of the Guidelines was taking a large part of resources available to the Committee on Food Labelling and that the opportunity of proceeding with further work in this area should be considered carefully by that Committee in view of its current workload and priorities. The Executive Committee recommended that the question of undertaking new work on the revision of the Guidelines should be referred back to the Committee on Food Labelling for further consideration, taking into account its overall programme of work.

## **Coordinating Committee for Asia**

### Proposed Draft Standard for Non-Fermented Soybean Products

10. The Coordinator of Asia indicated that non-fermented soy bean products had a long history of use in the diets in Asian region and that in view of the recent increase in trade, the standard covering these products should be developed for ensuring consumer health and fair trade practices. This proposal was originally submitted by China and was supported by the Coordinating Committee for Asia as new work proposal.

11. The Executive Committee noted that the project document was submitted by China rather late, and also noted the need to take a cautious approach in approving a proposal for a new commodity standard covering a relatively wide range of products, in view of the ongoing review of the mandate of Codex Committees and of the Criteria for the Establishment of Work Priorities.

12. After some discussion, the Committee recommended that the new work be undertaken by the Coordinating Committee for Asia as a regional standard, without prejudice to possible extension of territorial application if such proposal was made and decision taken at a subsequent step during the elaboration of the standard. The Committee also recommended that China be invited to consider increasing the specificity of the scope for the products to be covered by this standard when preparing a proposed draft.

## **Codex Committee on Fats and Oils**

### Proposed Draft Amendment to the Codex Standard for Named Vegetable Oils: Low Linolenic Acid Soybean Oil and Mid-Oleic Acid Soybean Oil

13. The Executive Committee considered these two proposals to amend the Standard for Named Vegetable Oils, proposed by the Committee on Fats and Oils. The Executive Committee recognised that a series of requests to amend the Standard had routinely been proposed since the adoption of the Standard and that further proposals could be expected in the future. The Executive Committee therefore recommended that the Committee on Fats and Oils consider what general approach would best address the present and future requests in an efficient and continuous manner, which would not entail the initiation of new work. The two proposals should be considered in the framework of such an approach to be identified by the Committee on Fats and Oils. The Committee noted that the outcome of this consideration by the Committee on Fats and Oils on this issue could provide useful experience that might benefit other commodity committees in improving their standard setting activities.

### Proposed Draft Amendments to the Codex Standard for Named Vegetable Oils: Palm kernel stearin and Palm kernel olein

14. The Executive Committee noted the proposal submitted by Malaysia<sup>7</sup> had not been reviewed by the Committee on Fats and Oils and recommended that this proposal be presented to the Committee on Fats and Oils for consideration.

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<sup>7</sup>

## **Committee on Fish and Fishery Products**

### Proposed Draft Code of Practice on the Processing of Scallop Meat

15. Some Members, while supporting the new work proposed on a Code of Practice, pointed out that in the corresponding Proposed Draft Standard for Quick Frozen Scallop Adductor Meat, and generally throughout Codex, due account should be taken of natural variations in order to ensure that the standard would be applicable on a world-wide basis. It was noted that the approach taken by the Committee on Fish and Fishery Products whereby a statement of principle replaced a numerical value and left the establishment of such a value to member countries could be used to facilitate the standard setting process. The Executive Committee recommended approval of new work on the Code as proposed.

## **Committee on Processed Fruits and Vegetables**

### Proposed Draft Standard for Soy Sauce

16. The Executive Committee recommended that the Commission discontinue work on the elaboration of a Codex Standard for Soy Sauce within Codex, with the understanding that such decision would not prevent the Commission from revisiting this matter in the future and reconsider the amenability of the product to standardization. It was noted that there were presently no major health risks associated with this product and that consumers' protection from fraudulent practices should be one of the factors to be taken into account when reassessing the need for standardizing this product.

## **CRITICAL REVIEW OF THE DRAFT STANDARDS AND RELATED TEXTS SUBMITTED TO THE COMMISSION FOR ADOPTION (Agenda Item 3) <sup>8</sup>**

17. The Secretariat recalled that the revised Elaboration Procedure, as adopted by the 27<sup>th</sup> Session of the Commission, included a critical review of draft standards and related texts submitted to the Commission for adoption in accordance with the criteria mentioned in paragraph 8 of Part 2 "Critical Review"<sup>9</sup>. The Secretariat introduced the document presenting relevant information on the texts submitted for final adoption to the Commission, including the background to the development of the texts, the status of endorsement, when applicable and specific issues identified in the elaboration of individual texts.

18. The Committee noted that when provisions that required endorsement by general subject committees had not been endorsed, these provisions could not be included in the final standard or related text. The Committee noted the information provided in the document and did not make specific comments.

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

19. The Executive Committee recalled that the 27<sup>th</sup> Session of the Codex Alimentarius Commission (July 2004) agreed to proceed with the revision of the Code working by correspondence on the quality provisions of the Code until preliminary adoption at Step 5 and finalization as per hygienic/safety provisions by the Codex Committee on Food Hygiene before final adoption at Step 8. In taking this decision, the Commission accepted the offer of the United States of America to coordinate the work by correspondence<sup>10</sup>. As a follow-up to this decision, two Circular Letters were distributed to request comments at Step 3 on those sections dealing specifically with quality provisions.

20. The Executive Committee acknowledged that there were still a few pending comments on the quality provisions of the Code that could be addressed. In addition, the Committee noted that some provisions in the Code involved both quality and safety relevance that were difficult to address from the purely "quality" point of view. The Committee agreed that in order to make progress on the finalization of the quality provisions, further comments should be requested, especially on those Sections containing a mixture of quality and safety aspects.

<sup>8</sup> ALINORM 05/28/5, ALINORM 05/28/5-Add 1, ALINORM 05/28/5-Add.2

<sup>9</sup> Procedural Manual of the Codex Alimentarius Commission, 14<sup>th</sup> Edition

<sup>10</sup> ALINORM 04/27/41 para.172

21. As a result, the Committee agreed to recommend that the Commission return the Code to Step 3 for circulation, comments and finalization by correspondence as per those quality provisions identified in the sections containing provisions addressing both safety and quality, with a view to its adoption at Step 5 at the 29<sup>th</sup> Session of the Commission. Subsequent work on the Code would be transferred to the Codex Committee on Food Hygiene for finalization of hygiene/safety provisions. It was agreed that the Codex Secretariat would cooperate with the US Secretariat in the preparation of the Circular Letter inviting comments at Step 3.

#### **FINANCIAL AND BUDGETARY MATTERS (Agenda Item 4)<sup>11</sup>**

22. The Secretariat introduced to the Executive Committee a working document containing the estimate of expenditure of the Commission for 2006-2007, while noting that the expenditure of the 2002-2003 biennium had already been reported to the 27<sup>th</sup> session of the Commission. The Secretariat drew the attention of the Executive Committee to the report of FAO/WHO budgets for Codex-related activities (FAO/WHO scientific support to Codex), prepared by FAO and WHO as an information document in response to the request of the 54<sup>th</sup> Session of the Executive Committee<sup>12</sup>.

23. The Secretariat indicated that the Codex budget proposal for 2006-2007 in Table 1 of the working document was based on the Zero Real Growth (ZRG) scenario of FAO, one of the budgetary scenarios to be discussed by the FAO governing bodies, namely the FAO Conference in November 2005. The final contribution from FAO to the Codex programme would be dependent on the budget scenario adopted by the FAO Conference and the level of net appropriation for the Codex programme under the said scenario. If the ZRG budget proposal was approved by FAO, Codex would be able to basically maintain the same level of activities as in the current 2004-2005 biennium by making some further cost savings.

24. The Representative of WHO informed the Committee that while WHO was committed to maintain the nominally same level of contribution to Codex for the next biennium, the regular budget allocated to food safety activities as a whole was decreasing over the past few years. Consequently the food safety activities of WHO were becoming increasingly dependent on the extrabudgetary resources. Possible establishment of a trust fund, to finance expert activities for the provision of scientific advice was mentioned.

25. The Representative of FAO called the attention of the Committee to the effort made by FAO governing bodies to assign high priority to the provision of scientific advice to Codex by increasing the funds allocated to these activities from the regular budget. The Representative expressed concern that FAO's effort could be jeopardized if a matching level of funding was not ascertained by WHO for joint FAO/WHO activities.

26. Members and Observers unanimously stated that high priority should be given by the parent organizations to Codex and Codex-related activities and that these activities should be fully protected from any budget cuts. FAO and WHO should finance these activities at a level that meets the demand of Codex members, primarily through the regular budgets rather than using extra-budgetary resources.

27. The Member for Africa noted that in the current biennium the final FAO budget had been determined six months after the start of the budget period. This situation did not allow FAO programmes, including Codex, to effectively develop and implement a work plan. The Member hoped that the ongoing debate within FAO on this and related issues would result in improved budgeting and planning process for the Organization, with a positive outcome for Codex.

28. The Executive Committee agreed that FAO and WHO should continue to assign high priority to Codex through the contributions from their Regular Budgets. The Committee recommended that the budget preparation and finalisation process be improved within FAO so as to allow Codex and related programmes to receive the indication of a definitive budget level before each biennium commence.

<sup>11</sup> ALINORM 05/28/9 and CAC/28 INF.15

<sup>12</sup> ALINORM 04/27/4 para. 44

29. The Executive Committee expressed its serious concern on WHO's budgetary outlook for the activities related to the provision of scientific advice during the next biennium, with particular reference to JECFA, JMPR and JEMRA. The Committee at the same time noted that it was up to the member states participating in the governing bodies of FAO and WHO to identify priorities among programmes. The Committee agreed to encourage member states to enhance coordination between different ministries and departments at the national level with a view to consistently supporting Codex and Codex-related activities undertaken by FAO and WHO. The Committee recommended that FAO and WHO pay due attention to the importance of neutrality and independence of scientific advice when exploring possibilities to use extrabudgetary resources in this area of work.

**IMPLEMENTATION OF THE JOINT FAO/WHO EVALUATION OF THE CODEX ALIMENTARIUS AND OTHER FAO AND WHO WORK ON FOOD STANDARDS – GENERAL IMPLEMENTATION STATUS (Agenda Item 5a)<sup>13</sup>**

**GENERAL ASPECTS**

30. The Executive Committee noted the status of the implementation of the recommendations of the Evaluation and discussed whether some recommendations required further action, or a confirmation of earlier decisions.

**Proposal 12 - Participation of Observers in the Executive Committee**

31. The Secretariat informed the Committee that on the basis of the discussion in the Committee on General Principles the Secretariat was currently studying the feasibility of making the audio recording of the proceedings of the Commission available on the Internet. When all financial and technical aspects had been solved, and if this experience proved positive, the extension of these arrangements to the audio-recording of the Executive Committee's proceedings could be considered in the future.

**Proposal 19 - Use of Facilitators**

32. The Committee supported the conclusion of the 21<sup>st</sup> Session of the Committee on General Principles that Committees consider the use of facilitators on an experimental basis.

**Proposal 35 - Conduct of Meetings: Reports**

**Proposal 36 - Country Groupings**

33. The Committee recalled that these proposals had been discussed from a general point of view, while revising the Guidelines for Codex Committees in the Procedural Manual and discussed whether further action was required.

34. The Member for Europe pointed out that these recommendations had already been taken into account and that the guidance provided to Committees on the conduct of meetings had been revised and adopted by the 27<sup>th</sup> Session of the Commission, and therefore it was not necessary to undertake further revision of the current provisions in the Procedural Manual.

35. Some members proposed to reconsider the current arrangements for Codex meetings as a large amount of time was used for the drafting and adoption of the report, whereas time could be more effectively used for actual discussion in order to facilitate the progress of Codex work, and noted that modern technologies could be helpful for this purpose. In particular, if the audio recordings were made available on the Internet, reports would not need to go into detail as to the discussion but could concentrate on the decision.

36. The Coordinator for Latin America and the Caribbean expressed the view that reports should not be unduly shortened in order to allow member countries, and especially developing countries that did not participate in the meetings, to have a clear understanding of the debates and the rationale for the decision taken, especially for complex technical issues.

<sup>13</sup>

37. As regards country groupings, the Member for North America drew the attention of the Committee to the related issue of the way in which written comments were taken into account during Committee meetings and proposed that recommendations be developed to ensure that such comments were considered in a consistent and uniform manner throughout Codex, and further noted that the informal meeting of Codex Chairs could usefully address this issue.

38. After some discussion, the Executive Committee agreed that no further revision of the provisions in the Procedural Manual was recommended at this stage and that Proposals 35 and 36 needed not be referred to the Committee on General Principles.

### **Proposal 32 - Co-chairmanship**

39. The Committee supported the conclusion of the 21<sup>st</sup> Session of the Committee on General Principles that this proposal should be tested on a case-by-case basis and that the Commission should be informed accordingly. The Committee noted some positive outcomes of co-chairmanship experienced at the latest session of the Committee on Food Hygiene (co-hosted by the United States and Argentina) and of the Committee on Fish and Fishery products (co-hosted by Norway and South Africa).

### **Other Decisions of the 26<sup>th</sup> Session of the Commission (Table 2)**

40. The Executive Committee considered the proposals in Table 2 of the working document concerning other recommendations of the 26<sup>th</sup> Session of the Commission related to the Evaluation. The Committee noted that the proposals of the 22<sup>nd</sup> Session of the Committee on General Principles on the abolition of the acceptance procedure would be considered for adoption by the Commission. The Committee agreed that further work was required on the three other proposals in the Table, in order to complete the revision of Codex Elaboration Procedures, and recommended that the Committee on General Principles consider proposals for revision of the relevant sections in the Procedural Manual on the basis of a document to be prepared by the Secretariat at its next session.

### **REVIEW OF THE REGIONAL COORDINATING COMMITTEES**

41. The Committee recalled that the 27<sup>th</sup> Session of the Commission had agreed that a Circular Letter would be distributed to Codex members to invite comments on the role and relevance of Regional Coordinating Committees. The comments received were discussed in all Coordinating Committees held since the last session of the Commission. The Secretariat introduced the document that included a brief summary of the Coordinating Committees' deliberations and proposals for consideration by the Commission.

### **Role of Regional Coordinating Committees in furthering the objectives of the Codex Alimentarius Commission**

42. The Committee noted that the consideration of specific standard setting issues in Coordinating Committees was an important item for some regions as it allowed countries to exchange views on the implications of the standards for the region, and also allowed them to develop awareness of Codex issues, especially for developing countries. The Committee therefore agreed that no recommendations preventing such discussions should be made.

43. The Committee recommended that the Commission reassert the important role the Coordinating Committees play in furthering the objectives of the Commission and encourage countries to participate more actively and effectively in the work of Coordinating Committees. The Committee also agreed that the Commission should encourage Coordinating Committees to consider inclusion, in their provisional agenda, of any particular items regarding problems arising from food control, food safety concerns and approaches for strengthening food regulatory systems, in accordance with the terms of reference of the Committees and preferably in consultation of the Regional Offices of FAO and WHO.

**Terms of reference of the Regional Coordinating Committees as set out in the Procedural Manual, including the relevance of developing regional standards**

44. The Committee noted that the Coordinating Committee for Latin America and the Caribbean had proposed to amend its mandate to include “the adoption of regional positions on strategic subjects”. The Committee recalled that the terms of reference of Coordinating Committees were identical and questioned whether the terms of reference of one single committee could be amended without amending those of all Committees concerned. It was also noted that according to their current terms of reference (paragraph e) Coordinating Committees could draw the attention of the Commission to any aspects of the Commission’s work of particular significance to the region, which already allowed for discussion of issues of importance to the region. The Committee agreed that these issues would require further consideration at the Commission.

45. As regards the elaboration of regional standards, the Committee recalled its earlier decision concerning a regional standard to be developed by the CCASIA and also noted that the CCNEA was currently developing regional standards, and therefore recommended to retain the reference to regional standards in the mandate of Coordinating Committees. At the same time, the Committee noted that the work programme of Coordinating Committees should appropriately be managed to allow for discussion of any matters referred to these Committees from the Commission.

**Effectiveness of Regional Coordinating Committees in respect of country participation record and of venues and meeting intervals**

46. With reference to the views expressed in certain Coordinating Committees that these Committees should meet with the same periodicity as the Commission, the Member for Africa noted that the frequency of meetings of Coordinating Committees would have financial implications to both the Codex Secretariat and Coordinators as host governments.

47. The Committee agreed that Coordinating Committees should be invited to consider the use of complementary mechanisms which would improve regional and/or sub-regional communication and coordination.

**Respective roles of the Regional Coordinator as *ex officio* Chairperson of the Regional Coordinating Committee and the Member(s) of the Executive Committee elected on a geographic basis**

48. The Committee recalled that the need for clarification of the respective roles of the Coordinator and the Member elected on a geographical basis had been raised several times, including in Coordinating Committees, but that no specific proposals had been put forward so far. The Committee agreed that it would be especially important to clarify their respective roles if the Commission adopted the amendment to the Rules of Procedure whereby the Coordinators became Members of the Executive Committee. The Committee therefore agreed to recommend that the Committee on General Principles consider this issue and develop proposals for consideration by the 29<sup>th</sup> Session of the Commission.

**Any other issues**

49. The Committee agreed to encourage Regional Coordinators, FAO and WHO to consider organizing relevant regional events such as seminars or workshops in conjunction with the sessions of Coordinating Committees.

**REVIEW OF THE CODEX COMMITTEE STRUCTURE AND MANDATES OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 5b)<sup>14</sup>**

50. The Executive Committee recalled that at its 55<sup>th</sup> Session in February 2005 it had considered a preliminary report prepared by a team of consultants who conducted a review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces. Subsequently, a final report was prepared and was circulated for comments by Members and Observers<sup>15</sup>.

51. The Chairperson suggested that the Executive Committee review each of the recommendations in light of the comments received, with a view to providing a set of concrete proposals to the Commission.

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<sup>14</sup> ALINORM 05/28/9C Part II; ALINORM 05/28/9C Part II Add.1

<sup>15</sup> CL 2005/12-CAC

52. The Coordinator for Latin America and the Caribbean expressed her concern on the way the Committee was proceeding with the consideration of this subject, in view of broader issues concerning the objective of Codex and the challenges identified by the team of consultants. In this context the Coordinator pointed out that the analysis of the report required a wider discussion about Codex, what members wanted to achieve in the future and the strategic measures that should be adopted for this purpose. The Coordinator considered that the challenges described in the consultants' report went beyond individual recommendations.

53. The Committee however noted that the joint FAO/WHO Evaluation in 2002 considered new challenges faced by Codex and FAO/WHO on broad terms, while the current exercise was aimed at providing clear direction and guidance on how to improve the Committee structure of the Commission to allow Codex to meet the current and future need of Members. In this context, the Committee agreed to examine the recommendations one by one.

54. The Executive Committee noted that the Recommendations included in Section 13 of the consultants' report should be read in the light of the discussion developed in the preceding sections. After discussion, the Executive Committee recommended that the Commission endorse the following recommendations<sup>16</sup>:

**[1] A formal prioritization should be undertaken of all new work proposals, before resources are allocated.**

**[2] Steps should be taken to increase the proportion of work done by correspondence.**

**[3] A time limit should be set for completion of each new project.**

**[8] Steps currently being taken to encourage collegial working with the Codex Secretariat should be encouraged.**

**[9] Maximum use should be made of working groups, bilateral, or other low-level contacts between sessions to reduce the time needed to reach consensus in plenary meetings.**

55. The Committee noted that some of the recommendations above had been already implemented, namely by the introduction of the critical review function in the Executive Committee. The Committee also noted that the guidelines prepared by the Committee on General Principles on the operation of working groups would improve the process of the work done by correspondence.

56. The Committee further recommended endorsement by the Commission of the following recommendations:

**[13] All committees should be encouraged to adopt a more systematic approach to self-management.**

**[14] CCFAC should be split into separate Additives and Contaminants committees.**

**[15] The GSFA should be the single authoritative reference point for food additives and this should be made clear in all commodity standards.**

57. The Committee noted that the Committees on Pesticide Residues and on Food Additives and Contaminants already had built-in systems for prioritisation of work and that the Committee on Food Hygiene was striving to enhance its strategic direction. The Member for Europe informed the Committee that the current host country of the Committee on Food Additives and Contaminants (the Netherlands) was looking forward to continuing to host a Codex Committee on Contaminants and Toxins in Food.

58. The Committee recommended endorsement of Recommendation 16 as follows, with amendments for clarification purposes:

**[16] All Codex requests for JECFA advice on additives and contaminants should be routed exclusively through the Additives or Contaminants committees and requests for JECFA advice on residues of veterinary drugs through the Committee on Residues of Veterinary Drugs in Food.**

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<sup>16</sup>

The numbers assigned to each of the recommendations below correspond to those presented in Section 13 of Consultants' Final Report (CL 2005/12-CAC)

59. Furthermore, the Committee agreed to recommend that the Commission endorse Recommendation 7, modified as follows:

**[7] A regular meeting of the chairs of the subsidiary bodies should be encouraged in conjunction with Codex sessions. Provision of secretarial support could be considered to produce a summary of the main points discussed, which should be made available to all Codex Members. The Codex Secretariat is encouraged to explore the use of Internet technologies to facilitate continued communication among Codex Chairs.**

60. The Committee did not support the following recommendations:

**[10] All standard-setting work should be subject to a greater degree of management oversight. Specifically, a new Commodities Management Committee should be established to manage the preparation and updating of commodity standards.**

**[12] The circumstances in which the Executive Committee, or some other body, should carry out a similar management role for other committees should be carefully considered by the Commission.**

**[17] Consideration should be given to re-writing the TOR of CCMAS and re-assigning responsibility for specifying methods of analysis and sampling to the committee specifying the relevant limits.**

**[20] Provision for the drafting of regional standards should be removed from the TOR of the Regional Coordinating Committees.**

61. The Executive Committee agreed that the Executive Committee should play a pivotal role in exercising standards management oversight. While the Committee recommended retaining the current terms of reference for the Committee on Methods of Analysis and Sampling, the Committee agreed that the terms of reference of the Committee on Food Hygiene should clearly state that it could address methods related to microbiological specifications, currently referred to in a footnote in the Procedural Manual. The Committee recommended that development of regional standards be retained in the terms of reference of Coordinating Committees, while noting that care should be taken so that proposals to convert regional standards into worldwide standards did not hinder the work programme management of commodity committees.

62. The Committee did not hold any position on the following recommendations:

**[5] Codex should review its remit to ensure that it conforms more closely to the current expectations of its members, having particular regard to the implications of the WTO agreements.**

**[19] CCMH should now be wound up. CCFH should consider possibility of drafting a set of general guidelines to help rationalize hygiene provisions in commodity standards.**

63. The Committee agreed that the following recommendations required further study:

**[4] Wherever possible, committees should be given enabling TOR only. They should be reactivated as necessary to undertake defined tasks and adjourned *sine die* once the task is completed.**

**[6] The relevance of the work of other international standards setting bodies should be determined, and a clear statement of demarcation lines made clear to all participants.**

**[11] All commodity committees and task forces should be given simple TOR which should be revised for a limited period only, to assign specific tasks to the committees.**

**[18] The Commission should consider carefully whether nutrition should play a role in Codex, and if so, what that role should be.**

64. The Executive Committee noted that the issue of how Codex should deal with nutrition matters was linked to the proposal from WHO considered under Item 9 (see paras.81-84).

65. Furthermore, the Executive Committee noted that splitting the Committee on Food Additives and Contaminants into two Committees would result in the number of Codex sessions per year increasing in the immediate future. The Committee therefore noted the need to keep to limit the number of Codex sessions to a manageable level through careful planning. Further consideration should also be given to possible ways to re-organise the commodity work of the Commission.

66. The Executive Committee recommended that further discussion focus on how to streamline the commodity standard setting of the Commission, including by combining committees and adjusting the frequency/interval of meetings, based on the analysis of the workload of commodity committees as well as the relationship between vertical committees and horizontal committees. It was also recognized that options involving the merging/splitting of committees or creation of task forces should be reviewed in the light of resources implications for the Secretariat, host governments, and Member Governments.

67. In order to continue the consideration of the matters pending above, the Executive Committee recommended that the Secretariat issue a Circular Letter to obtain the views of Members and Observers specifically on these issues and that the Executive Committee at its 58<sup>th</sup> Session (June 2006) consider this matter in the light of the comments received. In addition, the Executive Committee recommended that possibilities should be sought to organise a workshop on this subject in conjunction with the 23<sup>rd</sup> Session of the Committee on General Principles (April 2006) to facilitate the exchange of views between Members.

## **MATTERS ARISING FROM THE REPORTS OF CODEX COMMITTEES AND TASK FORCES (Agenda Item 6)<sup>17</sup>**

### **Future Work on Animal Feeding in Codex**

68. The Executive Committee noted that the replies submitted in response to the Circular Letter CL 2004/22-CAC requesting views on areas where future work on animal feeding was desirable and on specific project proposals, recognised the need for additional Codex work in this area. However, the replies showed that there was no unanimous support for immediately resuming Codex work at this stage by the establishment of a mechanism to carry out further work.

69. The Executive Committee agreed to recommend that the Commission postpone consideration of new work on animal feeding until 2008, in order to allow governments to gain experience in the implementation of the Codex Code of Practice on Good Animal Feeding (CAC/GL 54-2004). In recognising the important links between animal feeding and food safety, the Committee also recommended that this matter be considered during the preparation of a new Strategic Plan 2008-2013 and that the Commission reassess, within this timeframe, the need for additional work on animal feeding.

### **Antimicrobial Resistance**

70. The Executive Committee recalled that antimicrobial resistance had been a subject of discussion within Codex for some time and reaffirmed the importance and urgency for Codex to start work on antimicrobial resistance related to non-human use of antimicrobials. The Committee recalled that, upon request of the Commission, two joint FAO/OIE/WHO Expert Workshops<sup>18</sup> had been held in 2003 and 2004.

71. The Committee noted that other international organisations had already been working on the issue of antimicrobial resistance, in particular: WHO for aspects related to the clinical and non-clinical use of antimicrobials and human health, and OIE for aspects related to animal health. It was also noted that the Codex Committee on Residues of Veterinary Drugs in Foods had submitted the proposed draft Code of Practice to Minimise and Contain Antimicrobial Resistance<sup>19</sup> to the 28<sup>th</sup> Session of the Commission for final adoption.

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<sup>17</sup> ALINORM 05/28/9D, ALINORM 05/28/9D-Add 1, CAC/28 LIM 7 (European Community); CAC/28 LIM 19 (Republic of Korea)

<sup>18</sup> Joint WHO/FAO/OIE Expert Workshop on Non-human Antimicrobial Usage and Antimicrobial Resistance, Geneva, 1 – 5 December 2003; 2<sup>nd</sup> Joint FAO/OIE/WHO Workshop on Non-human Antimicrobial Usage and Antimicrobial Resistance: Management Options, Oslo, Norway, 15-18 March 2004

<sup>19</sup> ALINORM 05/28/31, Appendix VIII

72. The Committee reaffirmed that any Codex work on antimicrobial resistance should stay in the remit of the Commission's mandate, should be based on sound science and follow risk analysis principles, should take full account of the work of other organisations to avoid duplication of work, and should recognise the importance of a holistic approach to solving the question at hand.

73. The Committee agreed that the scope and activities of the proposed work by Codex should be discussed in detail before the Commission could take a decision on how to achieve the goal. Several Members supported the establishment of an *ad hoc* Intergovernmental Task Force as a faster and more efficient mechanism to deal with this subject than the use of existing Codex Committees or an Inter-Committee Working Group. There was no objection to this view but an Observer emphasized that the terms of reference should be clarified before taking a decision as to how the work should be carried out. The Committee noted the offer of the Government of the Republic of Korea to host such a Task Force. It was also noted that a decision as to the mechanism to be used by the Commission should be made in the light of cost implications for the Codex Secretariat, FAO and WHO, including JEMRA, and host government.

74. In conclusion, the Executive Committee recommended that an in-session working group meeting be convened during the 28<sup>th</sup> Session of the Commission, open to all interested parties, to further examine the scope and terms of reference contained in Annex 2 of ALINORM 05/28/9D and LIM 19 and provide its findings and suggestions to the 28<sup>th</sup> Session of the Commission so as to facilitate a decision by the latter on this matter.

#### **Proposed Terms of Reference for an FAO/WHO Expert Consultation on Active Chlorine**

75. The Secretariat reminded the Committee that a comprehensive evaluation of the use of active chlorine, including an assessment of its benefits and risks, was necessary in order to develop concrete recommendations on its safe use. The Codex Committees on Food Hygiene and on Food Additives and Contaminants had defined the scope for the provision of scientific advice, in the form of the terms of reference of an expert consultation, for the aspects falling within their respective mandates.

76. The Executive Committee recommended that the Commission request FAO/WHO to convene an expert consultation to conduct a comprehensive assessment of the use of active chlorine, taking into account the terms of reference prepared by the Codex Committees, with a view to providing the requested scientific advice to the Commission.

#### **RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 7)<sup>20</sup>**

77. Due to the initial prioritization of Agenda Items, to time constraints and in view of the role of the Executive Committee, the Committee did not consider this item.

#### **FAO/WHO TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (Agenda Item 8)<sup>21</sup>**

78. Due to time constraints, the Committee did not consider in detail the annual report of the FAO/WHO Project and Trust Fund for Enhanced Participation in Codex. Some members and observers observed that the operations of the Trust Fund, such as communication on the results of applications, delivery of air tickets and payment of per diem, needed further improvement. The Member for Latin America and the Caribbean expressed the view that it was necessary to develop draft guidelines for the administration of the Trust Fund. The Coordinator for Latin America and the Caribbean reasserted its request that the report on the status of the Trust Fund should include a list of the countries that had applied and for which Codex meetings they had applied, in addition to the information on the beneficiaries.

79. The Coordinator for Africa expressed its strong wish that the use of the Trust Fund be extended to other activities of importance for the region concerned and in particular the strengthening of Codex Contact Points. In reply to this request, it was clarified that during the current year, the Trust Fund would also be used to fund the organization of and country participation in regional training activities in two Regions.

<sup>20</sup> ALINORM 05/28/9E, CAC/28 INF. 2; CAC/28 INF. 3; CAC/28 INF. 7; CAC/28 INF 8

<sup>21</sup> ALINORM 05/28/9F, CAC/28 INF 12

80. The Representative of WHO expressed satisfaction for the increasing contribution from donors to the Trust Fund, and concurred with the need to further improve logistic aspects of the operation of the fund. The Committee noted that this matter would be discussed during the Commission and that an information meeting on the Trust Fund organised by FAO/WHO on 8 July 2005 would allow for better interaction among beneficiaries, donors and administrators of the fund.

#### **OTHER MATTERS ARISING FROM FAO AND WHO (Agenda Item 9)** <sup>22</sup>

##### **Implementation of the WHO Global Strategy on Diet, Physical Activity and Health: Action that Could be Taken by Codex**

81. The Representative of WHO drew the attention of the Committee to the fact that the Global Strategy on Diet, Physical Activity and Health had been developed at the request of Member States of WHO to reduce morbidity and mortality due to non-communicable disease and that the paper LIM-6 had been prepared at the request of the 55<sup>th</sup> Session of the Executive Committee<sup>23</sup>. The Representative pointed out that the World Health Assembly (WHA) Resolution 57.17 endorsed the above strategy and called upon the Codex Alimentarius Commission “to continue to give full consideration, within the framework of its operational mandate, to evidence-based action it might take to improve the health standards of foods consistent with the aims and objectives of the strategy”. The Representative of WHO referred to the potential work to be undertaken by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses, including validity of health claims and format for nutrition labelling, as well as to the impact of Codex commodity standards on the intake of sugar, salt and fats, and to the advertisement linked to food.

82. The Committee noted that the potential areas for action by Codex identified in the LIM paper had major relevance for the work of the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses, while the issue of whether existing Codex commodity standards constituted barriers to healthy diet remained to be clarified.

83. The Representative of FAO supported Codex possible work on the implementation of the Global Strategy and expressed FAO’s readiness to work with WHO on the identification of these areas where relevant Codex Committees could be involved.

84. In view of the importance of the matter for Codex and the need for careful consideration of the role Codex could play in implementing the WHO Global Strategy, the Executive Committee recommended that WHO, in cooperation with FAO, produce more a focused document for consideration by the Committees on Food Labelling and on Nutrition and Foods for Special Dietary Uses including specific proposals for new work.

##### **Status of Requests for Scientific Advice from Codex Subsidiary Bodies**

85. The Executive Committee noted the information provided by the Representative of FAO regarding the status of requests for scientific advice from Codex subsidiary bodies and other initiatives undertaken by FAO and WHO in relation to the provision of scientific advice. The Representative stated that the criteria for the prioritization of requests for scientific advice, agreed upon by the Executive Committee at its 55<sup>th</sup> Session<sup>24</sup>, would continue to be used by FAO and WHO as a useful guide when determining priority among requests.

#### **OTHER BUSINESS (Agenda Item 10)**

##### *Distribution of Codex documentation*<sup>25</sup>

86. The 55<sup>th</sup> Session of the Executive Committee had considered the replies to CL 2004/38-GEN on the subscription to Codex electronic distribution lists and the distribution of Codex documentation.<sup>26</sup>

<sup>22</sup> ALINORM 05/28/9G; CAC/28 LIM-6 (prepared by WHO in cooperation with FAO); CAC/28 INF.9 (Resolution WHA57.17)

<sup>23</sup> ALINORM 05/28/3 para.90

<sup>24</sup> ALINORM 05/28/3 para.75

<sup>25</sup> CAC/28 LIM.12 (This document was distributed at the 55<sup>th</sup> session of the Executive Committee as CRD-2).

<sup>26</sup> ALINORM 05/28/3 paras 101-103

87. The Secretariat recalled that electronic distribution of Codex documents had already been operational since several years. Members and Observers had been enjoying the possibility to subscribe to Codex Email Lists. Given these possibilities, the Secretariat felt that it was high time to encourage extended use of these facilities and reduce the costs incurred by printing and sending hardcopies of documents via postal and other mail services.

88. The Executive Committee agreed that this was a worthwhile approach, provided that it would not lead to a disadvantage to developing countries and endorsed the following actions to be pursued by the Secretariat:

- 1) Encourage Observer Organizations to register to the electronic distribution lists with a view to discontinuing the despatch of printed copies (working documents in particular) to Observer Organizations by 2006;
- 2) Discontinue the hardcopy despatch of Codex documents to those Members opting for exclusive electronic distribution;
- 3) Limit to the maximum of five the number of copies of Codex documents being sent to a Member, all languages combined, while stressing the core function of the Codex Contact Points to circulate documentation to those concerned within their own countries;
- 4) Continue to encourage host governments to accept greater responsibilities in document translation, printing and despatch, wherever possible and appropriate, while paying due attention to ensuring a good quality of translations;
- 5) With a view to eliminating duplication in document distribution, review the Codex document despatch lists including those addressees other than national Codex Contact Points and Observers;
- 6) Encourage Members and Observers to observe more strictly the deadline for comments submission, beyond which these will not be translated or distributed by the Secretariat; however, the Committee recognized that in some cases late availability of documents made it difficult or impossible to meet the deadline for comments;
- 7) Keep the number of agenda items of a Codex session below a manageable size and make working documents concise and well-focused; and
- 8) Consider means to avoid proliferation of room documents other than in-session documents, containing late comments or unsolicited comments, recognising that these documents are normally produced only in the original language and that their handling was placing large burden on the secretariats and the chairpersons.

89. Given the low rate of response to the Circular Letter, the Executive Committee recommended that the Secretariat consider sending a new Circular Letter to all Codex Members and Observers, stating that in principle the paper distribution would be replaced by electronic distribution as default choice, unless a reply is received by the determined deadline to request maintaining distribution of hardcopies. This action is intended to improve timely distribution of documents and to reduce documentation costs.

***Elaboration of Risk-based Standards for Microbiological Hazards: Enhancing the Process***<sup>27</sup>

90. The Member for South West Pacific introduced a proposal which had been prepared by New Zealand describing the need and approach for enhanced elaboration of risk-based microbiological standards by the Codex Committee on Food Hygiene (CCFH). According to the proposal the development of “global” microbiological risk assessments was a complicated and resource-intensive task. For this reason, progress has been slow to date in the Codex Committee for Food Hygiene and no standards based on the work of the Joint FAO/WHO Expert Meetings on Microbiological Risk Assessment (JEMRA) had been set. The absence of Codex standards in this area and the application of different national standards could cause tension between trading partners and disrupt trade.

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<sup>27</sup>

CAC/28 LIM 14 (Submission from New Zealand)

91. In their written submission, New Zealand proposed to enhance the standard setting process in this area. One means to speed up the work consisted in having for each work topic a champion country to steward the development of the standard between Committee sessions while ensuring transparency of the process through relevant documentation.

92. The Executive Committee welcomed the proposal and recommended that the Commission invite the Codex Committee on Food Hygiene to discuss the document in detail.

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**APPENDIX I**

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LISTE DES PARTICIPANTS  
LISTA DE PARTICIPANTES**

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## CRITICAL REVIEW OF PROPOSALS TO UNDERTAKE NEW WORK OR TO REVISE STANDARDS

TABLE 1: PROPOSALS FOR NEW WORK

RESPONSIBLE COMMITTEE	STANDARD AND RELATED TEXTS	REFERENCE	RECOMMENDATION OF 56 <sup>TH</sup> CCEXEC
CAC/CCFL	Proposed Draft Revision of the <i>Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods</i>	ALINORM 04/27/41, para. 102 ALINORM 04/27/9 ALINORM 04/27/22, para. 78	Not recommended (see para. 9)
CCASIA	Proposed Draft Standard for Non-Fermented Soybean Products	ALINORM 05/28/15, para. 114	Recommended (see paras 10-12)
CCRVDF	Priority List of Veterinary Drugs requiring Evaluation or Re-evaluation	ALINORM 05/28/31, para. 171 and Appendix IX	Recommended
CCFICS	Proposed Draft Principles for the Application of Traceability/Product Tracing in the Context of Food Import and Export Inspection and Certification Systems	ALINORM 05/28/30, para 98 and Appendix IV	Recommended
CCFICS	Proposed Draft Revision of the Codex Guidelines for Generic Official Certificate Formats and the Production and Issuance of Certificates	ALINORM 05/28/30, para. 108 and Appendix V	Recommended
CCFO	Proposed Draft Amendment to the Codex Standard for Named Vegetable Oils: Mid-oleic Sunflower Oil - Accelerated Procedure	ALINORM 05/28/17, para. 46	Recommended
CCFO	Proposed Draft Amendment to the Codex Standard for Named Vegetable Oils - Accelerated Procedure: Low Linolenic Acid Soyabean Oil; Mid-Oleic Acid Soyabean Oil	ALINORM 05/28/17, para. 64	Not recommended (see para. 13)
CCFO	Proposed Draft Amendment to the Codex Standard for Named Vegetable Oil; Amendment to Total Carotenoids in Unbleached Palm Oil - Accelerated Procedure	ALINORM 05/28/17, para. 67	Recommended
CCFO	Proposed draft Amendments to the Codex Standard for Named Vegetable Oils: Palm kernel stearin and Palm kernel olein	CAC/28 LIM 18	Not recommended (see para. 14)
CCFFP	Proposed Draft Code of Practice on the Processing of Scallop Meat	ALINORM 05/28/18, para. 114	Recommended (see para. 15)

RESPONSIBLE COMMITTEE	STANDARD AND RELATED TEXTS	REFERENCE	RECOMMENDATION OF 56 <sup>TH</sup> CCEXEC
CCGP	Proposed Draft Amendments to the Rules of Procedure: duration of the term of office of the Members of the Executive Committee	ALINORM 05/28/33A, para. 111	Recommended
CCPR	Priority List of Chemicals for Evaluation and Re-evaluation by JMPR	ALINORM 05/28/24, para. 241 and Appendix XIV	Recommended
CCPR	Proposed Draft Revision of the MRL Elaboration Procedure	ALINORM 05/28/24, para. 200	Recommended
CCFAC	Proposed Draft Revision of the “Class Names and International Numbering System for Food Additives - CAC/GL 36-2003”	ALINORM 05/28/12, para. 94 and Appendix XIV	Recommended
CCFAC	Proposed Draft Appendix to the Code of Practice for the Prevention and Reduction of Aflatoxin Contamination in Tree Nuts to address additional measures for the prevention and reduction of Aflatoxins in Brazil Nuts	ALINORM 05/28/12, para. 131 and Appendix XX	Recommended
CCFAC	Proposed Draft Code of Practice for the Reduction of Chloropropanols during the Production of acid-Hydrolyzed Vegetable Proteins (HVPs) and Products that Contain acid-HVPs	ALINORM 05/28/12, para. 183 and Appendix XXVII	Recommended
CCFL	Proposed Draft Definition of Trans-Fatty Acids (Amendment to the <i>General Standard for the Labelling of Prepackaged Foods</i> and the <i>Guidelines on Nutrition Labelling</i> ) - Accelerated Procedure	ALINORM 05/28/22, para. 96	Recommended
CCFFV	Proposed Draft Revision of the Codex Standard for Sweet Cassava Section 1 - Definition of Produce and Section 3 - Provisions concerning Sizing including consequential amendments to relevant sections of the Standard derived from the revision to Sections 1 and 3 to accommodate other varieties of cassavas fit for human consumption as appropriate;	ALINORM 05/28/35, paras 91 - 94 Appendix VIII	Recommended

**TABLE 2: PROPOSALS FOR THE DISCONTINUATION OF WORK**

<b>RESPONSIBLE COMMITTEE</b>	<b>STANDARD AND RELATED TEXTS</b>	<b>REFERENCE</b>	<b>RECOMMENDATION OF 56<sup>TH</sup> CCEXEC</b>
CCRVDF	Draft and proposed draft MRLs for phoxim (in cattle tissues and cow's milk), cefuroxime (in cow's milk), cypermethrin (in sheep tissues) and alpha-cypermethrin (in cattle and sheep tissues and cow's milk)	ALINORM 05/28/31, para. 93 and Appendix VII	Recommended
CCPFV	Draft Codex Standard for Soy Sauce	ALINORM 05/28/27 paras. 85-87	Recommended (see para. 16)
CCGP	Revision of the Definition of "Food" in the Procedural Manual	ALINORM 05/28/33A, para. 97	Recommended
CCFL	Draft Amendment to the Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Proposed Draft Revised Annex 2 – Permitted Substances: Table 4 (at Step 6)	ALINORM 05/28/22, para. 33	Recommended