



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**  
**CODEx ALIMENTARIUS COMMISSION**  
**41<sup>st</sup> Session**  
**FAO Headquarters, Rome, Italy, 2 - 6 July 2018**  
**COMMITTEES WORKING BY CORRESPONDENCE**  
**AND PILOT FOR A COMMITTEE ON STANDARDS ADVANCEMENT<sup>1</sup>**  
(Prepared by the Codex Secretariat)

## 1. Committees Working by Correspondence

### 1.1 Background

Several commodity committees have recently been reactivated to work by correspondence. The modality of working by correspondence raised a number of issues in terms of procedures and of management.

At CCEXEC73, a sub-committee of CCEXEC presented options available to the Commission when deciding on new work and the gaps and/or guidance needed for each step<sup>2</sup>. CCEXEC73 noted that the options presented were not exhaustive and suggested a few additional options.

CAC40 agreed with the CCEXEC73 recommendation to request the Secretariat to prepare a document which analyses advantages and disadvantages of the options contained in CCEXEC 17/73/7 and those mentioned at CCEXEC73, for consideration at CCEXEC75 and CAC41.

### 1.2 Overview of options to proceed work for which no Committee exists that presently holds physical meetings.

Different options were proposed in CX/EXEC 17/73/7 and in the discussion in CCEXEC73. These options could be used as procedural tools by the Commission when taking on new work depending on the circumstances to ensure efficiency, transparency and inclusiveness and to expedite the Codex standard setting process:

- (1.3.1) Create or re-establish a Committee or Task Force holding physical meetings (as was done for spices and AMR)
- (1.3.2) Assign work to an active Codex body holding physical meetings (2.2)
  - (1.3.2.(1)) Committee or task force (e.g. Histamine CCFPP to CCFH)
  - (1.3.2.(2)) FAO/WHO Coordinating Committee
  - (1.3.2 (3)) CAC
- (1.3.3) Establishing a super committee dealing with any work of adjourned committees (new concept)
- (1.3.4) Create or re-establish a Committee or Task Force working by correspondence (as was done for Sugars and Cereals, Pulses and Legumes)(2.4)
  - (1.3.4.(1)) Physical meeting of the committee in conjunction with a meeting of another committee working in a related area
  - (1.3.4.(2)) Joint physical meeting of several committees working by correspondence
  - (1.3.4.(3)) Establishing a pilot subsidiary body under Rule XI.1 (a) of the Rules of Procedure "Codex Committee on Standard Advancement: CCSA"

### 1.3 Detailed analysis of the different options

#### 1.3.1 Create or re-establish a Committee or Task Force holding physical meetings

This is no change from the present situation. The multiplication of physical meetings poses a financial burden on the host governments, the Secretariat and delegations.

<sup>1</sup> This paper is also on the CCEXEC75 agenda under item 9.

<sup>2</sup> CCEXEC 17/73/7

### 1.3.2 Assign work to an active Codex body holding physical meetings

Option (1): Transfer of the terms of reference of the committee working by correspondence to an active physical committee having a related area of work.

Option (2): Assignment of the new work to a FAO/WHO Regional Coordinating Committee.

Option (3): Establishment by the Commission of an EWG to conduct the new work, reporting directly to the Commission. The Commission/CCEXEC will discuss the proposal in the report and consider and decide on the advancement in the Step process.

#### 1.3.2.1 Advantages

- Physical meetings to address consensus-building issues
- Reduced workload for the Chair of Committee working by correspondence
- No additional costs for Codex Secretariat
- Easier to ensure participation of technical experts (for option (1))
- Allows for regional discussion to resolve contentious issues on a regional level (for option (3))

#### 1.3.2.2 Disadvantages

##### Option (1)

- Difficulty to select a suitable active committee
- Increased workload for the selected committee resulting in longer sessions or potential delay in other work areas
- Increased burden on the host country and chair of the selected committee

##### Option (2)

- Long interval of two years between meetings
- Technical experts may not travel to this meeting
- Mechanism required to collate and analyze input on international standards from different regions
- Potentially additional process delay if regional views differ, as there is no specified mechanism for discussion and building consensus

##### Option (3)

- Work in addition to the heavy agenda for the Commission and CCEXEC
- Member countries typically do not send technical experts to the Commission, precluding in-depth exploration of issues. Potential challenges for technical personnel attending the Commission (time, resources)

#### 1.3.2.3 Possible procedural gaps and/or guidance needed

##### Option (1)

- May require changes in ToRs of the active physical committee

##### Option (2)

- May require changes in ToRs of Regional Coordinating Committees or rules/procedures of FAO and WHO

##### Option (3)

- Important to ensure that CCEXEC fully carries out its critical review function, and ensure that all proposals coming to the Commission are ready

### 1.3.3 Establishing a super committee dealing with any work of adjourned committees

#### 1.3.3.1 Description

- Establishment of a "super committee", which could meet in Rome/Geneva one week before the CCEXEC meeting or in conjunction with a meeting of another committee.
- The super committee would cover any discrete work assigned to adjourned committees.
- The super committee could be led by Chair(s) appointed by countries designated as responsible for the adjourned committees.

### 1.3.3.2 Advantages

- Physical meeting would address the issue of difficulties building consensus electronically and may prove more efficient
- Committee could meet annually at any time during the year
- Cost of hosting a physical meeting expected to be nominal if in conjunction with CCEXEC

### 1.3.3.3 Disadvantages

- Increased workload for the Codex Secretariat in managing the logistics for an additional meeting
- Travel required for the physical meeting (alleviated somewhat if held on the margins of an existing meeting)
- Potential additional travel cost when additional technical experts are needed for discussions.
- Absence of CCEXEC members from their offices for three weeks could be problematic

### 1.3.3.4 Possible procedural gaps and/or guidance needed

- Creation of ToRs of the “super committee”

## 1.3.4 Create or re-establish a Committee or Task Force working by correspondence

### 1.3.4.1 Description

Option (1): Convening of a physical meeting of the committee working by correspondence in conjunction with a meeting of an active physical committee working in a related area

Option (2): Convening of a joint physical meeting of several committees working by correspondence

Option (3): Establishing a pilot subsidiary body under Rule XI.1 (a) of the Rules of Procedure “Codex Committee on Standard Advancement: CCSA”

### 1.3.4.2 Advantages

- Physical meetings to address consensus-building issues
- Prudent use of contingency resources of the Secretariat
- Uniform procedure in particular for the advancement of the standard (for Option (3))

### 1.3.4.3 Disadvantages

#### Option (1)

- Difficulty to select a suitable active physical committee
- Increased travel days for participants and Codex staff
- High level of coordination between two host secretariats required

#### Option (2)

- High level of coordination among chairs of several committees working by correspondence required
- High level of coordination at a national level required for member states to identify and send relevant experts to one joint meeting
- Increased burden on the Codex Secretariat (time, financial and human resources) to organize and hold the joint meeting

#### Option (3)

- Additional costs, especially for developing countries, to send experts to attend CCSA meetings
- Increased burden on the Codex Secretariat (time, financial and human resources) to organize and hold the joint meeting

### 1.3.4.4 Possible procedural gaps and/or guidance needed

- Creation of ToRs of CCSA (for Option (3))

## 1.4 Recommendations

1.4.1 CCEXEC / The Commission is invited to note the options when deciding on new work along with the advantages and disadvantages.

1.4.2 CCEXEC / The Commission is invited to consider possible procedural gaps and/or guidance needed for each option.

1.4.3 CCEXEC / The Commission is invited to start new work on the procedural gaps and/or guidance needed, in particular the development of the proposed best practice for standard-development by correspondence.

## **2 Pilot for a Committee on Standards Advancement**

### **2.1 Background**

2.1.1 CAC40 welcomed the innovative approach of a standards advancement committee as recommended by CCEXEC73 (see option 4 in Table 1). However, there was no consensus on when to establish it as a pilot. Some delegations wished to further reflect on the proposal and its implications.

2.1.2 This paper was prepared in response to the request for a more detailed proposal highlighting the Terms of Reference, modalities of work and cost implications of such a committee for consideration by CCEXEC75 and discussion and decision (on the pilot) at CAC41.

### **2.2 Proposal**

The pilot Codex Committee on Standards Advancement (CCSA) would deal with the advancement of standards that have been for long time under development by committees working by correspondence. The establishment of CCSA would allow for a transparent consensus-building and decision-making process, the lack of which was highlighted as a key issue with the work by correspondence only.

### **2.3 Terms of reference**

“On behalf of a subsidiary body established under Rule XI1.(b) working by correspondence, to consider comments received at steps 3/6 and amend proposed draft standards at step 4/7 with a view to their finalization and submission to the Commission for adoption at steps 5/8 and 8.”

### **2.4 Modalities of work**

2.4.1 CCSA could be established within the current procedures in accordance with Rule XI.1 (a).

CCSA would be convened as needed by the Commission. The committee would be expected to deal with a very limited number of standards for advancement. The outputs of this committee would be considered by CCEXEC in its critical review process for final decision by CAC.

2.4.2 CCSA would be serviced by the Codex Secretariat with no host government and convened back-to-back with a session of the Commission for no longer than two days, depending on the agenda.

2.4.3 A chair would be elected at the start of each session and the Chair of the committee working by correspondence could be considered for this task.

### **2.5 Cost implications**

The operating expenses of CCSA would be covered by the Codex budget. Based on the average cost of running a CCEXEC meeting, the operating expenses of CCSA are estimated to be approximately USD 100,000.

### **2.6 Recommendation**

CCEXEC / The Commission is invited to note the above proposal.

CCEXEC / The Commission is invited to discuss whether or not to implement a pilot for CCSA at CAC