

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

Viale delle Terme di Caracalla, 00153 Rome, Italy - Tel: (+39) 06 57051 - E-mail: codex@fao.org - www.codexalimentarius.org

Agenda Items 2, 3.1, 3.2, 4, 5, 6, 7.1, 7.2, 8, 9

CX/EURO 19/31/CRD5
Original Language Only

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
FAO/WHO COORDINATING COMMITTEE FOR EUROPE
Thirty-first Session

Almaty, Kazakhstan, 30 September – 4 October 2019

Comments of the European Union

AGENDA ITEM 2

Keynote address Food fraud –addressing risks, prevention and counteraction

The European Union and its Member States (EUMS) fully recognise the priority of addressing food fraud.

The series of joint Europol-Interpol OPSON operations carried out over the years have demonstrated that both the complex nature of our globalised agri-food supply chain and the economic motivation for more profit continue to contribute to the prevalence of fraud.

The EU has also experienced a number of crisis caused by food fraud, such as the horse meat scandal and more recently the case of fipronil in eggs.

Addressing fraud should not only be about crisis management but also about being proactive in prevention, detection and exchange of information between operators and authorities. For this purpose, an EU Food Fraud Network was established in 2015. It is a network connecting the European Commission, all EU Member States, Switzerland, Norway, Iceland and Europol. It allows efficient cross-border cooperation between competent authorities and exchange of information on suspected cases of food fraud. Similar arrangements could be developed between authorities at regional level to facilitate sharing of information on food fraud.

Initiatives are under way by many governments and within the industry to combat food fraud. It is therefore very timely for Codex, as the pre-eminent international food standard setting body, to consider developing guidance assisting governments to tackle fraudulent practices in food trade.

Due to the complexity, potential public health implications, economic consequences, international aspects and the high interest of consumers, businesses and competent authorities in food fraud, the EUMS support developing Codex guidance on food fraud prevention and control. Such guidance would help governments to target food fraud within their national food control systems and promote a coordinated approach to fight food fraud at international level.

Discussions are ongoing within CCFICS on food fraud. A discussion paper is being developed by an electronic working group chaired by the US and co-chaired by the EU, Iran and China to consider the role of CCFICS in addressing food fraud.

In the view of the EUMS, CCFICS has the mandate and expertise to elaborate guidance in areas such as what type of vulnerabilities competent authorities should consider when designing control programmes targeting food fraud. Another priority area meriting CCFICS guidance would be the exchange of information and cooperation between different authorities at national and international levels as well as communication with stakeholders and general public on incidents of food fraud. Further guidance could also be developed on administrative measures specifically targeting food fraud. CCFICS should also start working on definitions for food integrity, food authenticity and food fraud to ensure that there is a common understanding what we mean by these terms. It could also be considered whether these definitions should be adopted as Codex definitions, which would be a work for CCGP.

CCEURO should encourage CCFICS to launch new work on food fraud, as there are clearly certain areas within the remit of CCFICS where Codex guidance would be very useful for Codex members.

AGENDA ITEM 3.1.**Food safety and quality situation in the countries of the region: Current and emerging issues in the region**

The European Union and its Member States (EUMS) thank the FAO and WHO for their paper on “Food safety and quality situation in the countries of the region: Current and emerging issues in the region” (CX/EURO 19/31/3) and for the information gathered from the survey on critical and emerging food safety and quality issues.

Identifying issues that could be of regulatory significance for action at either the regional or global level is useful in driving forward the Codex agenda and in ensuring Codex remains able to provide workable and timely responses to the food safety and quality challenges ahead. It is important to be proactive to guarantee high food safety standards for consumers and to prevent crises. In this respect, the EUMS consider the survey to have been useful at collecting ideas and in helping Codex to prioritise those areas where we feel resources should be channelled.

45% of the CCEURO membership clearly identified food fraud, antimicrobial resistance and contaminants /food additives as main emerging issues in the region when it comes to food safety and quality.

The EUMS encourage Codex to speed up work on the main emerging issues identified by the CCEURO region, in the believe that work on those issues will benefit the entire membership, and commit to participate actively to the work of the Codex subsidiary bodies were those issues are already dealt with.

The EUMS consider that members of the CCEURO region should strongly contribute and support Codex work on the three main emerging issues identified in the region.

In addition, the EUMS would like to draw the attention of the Committee to Climate change and related issues, which were identified by 36% of the region as an emerging issue. Climate change is also recognised as a driver for change in the Codex Strategic Plan 2020-2025. While it is currently not possible to assess the full impact of climate change on food safety, it is likely that change in climatic conditions and the more frequent occurrence of extreme weather patterns will affect inter alia microbiological and chemical hazards. Codex must therefore be prepared to address food safety issues related to climate change.

AGENDA ITEM 3.2.**The future of food safety: Outcome of the first FAO/WHO/AU International Food Safety Conference and the International Forum on Food Safety and Trade - What next? (CX/EURO 19/31/4)**

The European Union and its Member States (EUMS) would like to thank FAO and WHO for organising the food safety conference in Addis Ababa, and the International Forum on Food Safety and Trade in Geneva. These events provide a great impetus to boost the profile of food safety at national and global level.

The EUMS especially welcome the statement related to the role of food safety and international trade of food products in achieving the SDGs, as underlined in the document CX/EURO 19/31/4 annexes. It is the view of the EUMS that Codex's role is crucial in national, regional, and worldwide efforts to progress the 2030 Agenda. The EUMS further note that CCGP 31 (March 2019) agreed that a discussion paper will be tabled on this question at its next session, to explore possible mechanisms for gathering and harmonising data to monitor the SDGs relevant for Codex.

The EUMS would propose various actions to contribute to food safety:

- Codex members should commit to actively engage in the implementation of the Codex Strategic Plan 2020-2025;
- Codex members should use different tools to promote the profile of food safety at national level, including the annual World Food Safety Day of 7 June;
- Codex members should highlight the importance of food safety in the governing bodies of the parent organizations.

One such effort is the inclusion of food safety on the agenda of the next World Health Assembly in May 2020 in order to renew focus on food safety within the governing bodies of the WHO. This should materialize as a WHO resolution on food safety with specific areas of focus.

CCAFRICA recently supported the efforts for such resolution as part of the follow-up actions of the two events in Addis and Geneva. CCEURO should also express its support for this initiative.

Concerning action areas of food safety for the next decade, one important area would be the role of food safety systems in the promotion of sustainable food production. This is linked to the United Nations' Sustainable

Development Goal 2 – ending hunger, achieving food security and improved nutrition, and promoting sustainable agriculture.

AGENDA ITEM 4

USE OF CODEX STANDARDS IN THE REGION (CX/EURO 19/31/6)

The European Union and its Member States (EUMS) thank the Secretariat for the paper on “Use of Codex Standards in the Region” and for the information gathered from the survey on the use of Codex standards. The information gathered is useful in feeding into the discussion on this topic and to answer the questions provided by the Secretariat.

One of the main difficulties identified by members of the CCEURO with the use of Codex standards seems to be the “lack of awareness of Codex provisions by national stakeholders”. It would be important to further explore the reasons why this issue continues to occur as one of the main reasons hindering the use of Codex standards, despite capacity building efforts over the years to develop Codex structures in CCEURO member countries.

Monitoring the use of international standards is a difficult endeavour given differing approaches to food safety worldwide. That being said we do understand that there are useful reflections that can be made as a result of the information gathered and in that sense, the results should be stored for future reference. The biennial regional surveys are also important as they serve as an indicator for Objective 3.2 (Support initiatives to enable the understanding and implementation/application of Codex standards) of the Codex Strategic Plan 2020 – 2025.

The surveys up to now have concentrated on Codex food safety standards. In future surveys, it would be interesting to have a look at how Codex commodity standards are used by Codex members. Concerning the frequency of surveys, the EUMS prefer to maintain the current frequency, i.e. every two years prior to regional coordinating committee sessions.

Lastly, the EUMS note that the monitoring of the use of international standards is becoming more and more relevant in Codex and that CCGP thoroughly discussed the matter at its 31st session in Bordeaux in March 2019. In that context, CCGP agreed that France would prepare a discussion paper, which will give an overview of available data and potential data sources, identify possible gaps and set out suggestions for taking this work forward. Against this background, it is important to note that the monitoring of Codex standards needs to be addressed not only at the regional but also at the global level.

AGENDA ITEM 5

Matters Arising from the Codex Alimentarius Commission and other Codex Committees (CX/EURO 19/31/7)

Regular Review of Codex Work Management: Electronic Working Groups

The Member States of the European Union (MSEU) thank the Secretariat for the paper “Matters arising from the Codex Alimentarius Commission and other Codex Committees “.

The MSEU take note of the mandate given to the Codex Secretariat by CAC40 to develop practical guidance for EWGs (see recommendations in REP19/GP – para. 61).

Following completion of this work, the MSEU would strongly support new work to be taken on board by the CCGP to review the Guidelines for Electronic Working Groups.

50th and 51st Session of the Codex Committee on Food Additives Guidance on the alignment of food additive provisions and alignment plan (CX/EURO 19/31/7)

The FAO/WHO Coordinating Committee for Europe (CCEURO) has been informed about the alignment exercise performed by the Codex Committee on Food Additives (CCFA) (CX/EURO 19/31/7, paras 16 and 17).

The European Union would suggest that CCEURO takes the following conclusions:

CCEURO recognizes its responsibility for the Standard for Fresh Fungus “Chanterelle” (European Regional Standard), CODEX STAN 40R-1981 R. This standard does not contain food additive provisions.

According to Annex C to the General Standard for Food Additives (GSFA) there is a cross reference of the CODEX STAN 40R-1981 R to the food category 04.2.1.1 of the GSFA. Food category 04.2.1 is listed in the Annex to Table Three of the GSFA. Thus the use of food additives listed in Table Three in foods belonging to the food category 04.2.1 (including its subcategories) is governed by the provisions in Tables One and Two.

CCEURO confirms that the use of food additives is technologically not justified in foods conforming to the CODEX STAN 40R-1981 R. Thus all current food additive provisions in food category 04.2.1.1 of the GSFA

should be amended by adding the new note XS40R “Excluding products conforming to the Standard for Fresh Fungus “Chanterelle” (European Regional Standard) (CODEX STAN 40R-1981 R).

CCEURO requests CCFA to take the considerations above into account when proceeding with the alignment exercise.

CCFICS – Food integrity, food authenticity and food fraud

CCEURO should thank CCFICS for the information and convey a message to CCFICS that food fraud is a high priority for CCEURO. CCEURO should encourage CCFICS to launch new work on food fraud, as there are clearly certain areas within the remit of CCFICS where Codex guidance would be very useful for Codex members (see comments under item 2). CCEURO should add that general issues on food fraud should eventually be discussed within CCGP.

AGENDA ITEM 6

Codex Work relevant to the Region (CX/EURO 19/31/8)

Strategic Plan 2020-2025: Work Plan

The Member States of the European Union (MSEU) welcome the timely adoption of the Codex Strategic Plan 2020-2025. It provides a solid basis to further Codex work in the forthcoming five-year period. To ensure that the plan will deliver, efforts must now be concentrated in creating an effective work plan for implementation. The MSEU are very pleased to see that the Regional Coordinating Committees have been granted a crucial role in the development of the work plan.

Statements of Principles concerning the role of science

The MSEU welcome the acknowledgement of CAC42 that there is a need to ensure a fully transparent process with ample opportunities for all Codex members to provide input for the work of the CCEXEC sub-committee on the application of the Statements of Principle concerning the Role of Science.

The MSEU appreciate that in order to reinforce transparency and the possibility for all members to give input to this work

- informal discussions on this issue will be held in the margins of appropriate Codex meetings: FAO/WHO Regional Coordinating Committees and the CCGP;
- Circular Letters requesting comments from all members in advance of both CCEXEC78 and CCEXEC79 will be issued in order to guarantee inclusiveness and transparency.

Proposed Draft MRLs for Zilpaterol Hydrochloride (Cattle, Kidney, Liver, Muscle)

With regard to the draft MRLs for Zilpaterol the EU considers that the outcome of the discussion on this important issue at the last CCEURO session in 2016 (CCEURO30) remains fully relevant. We therefore suggest that the following conclusions, as set out in the CCEURO30 report, be re-iterated in the report of this CCEURO session:

“2.6. At the 30th session of the FAO/WHO Coordinating Committee for Europe Members discussed the issue of Codex adopting standards for growth promoters with a focus on Zilpaterol hydrochloride. In its conclusion on the item of “work relevant to the region” CCEURO30:

noted the unanimous views of CCEURO members against the use of growth promoters and the establishment of Codex Maximum Residue Limits (MRLs) for such substances expressed during the discussion;

reaffirmed the need for Codex, including the Joint FAO/WHO Expert Committee on Food Additives (JECFA), to focus their scarce resources on subjects of global importance, rather than investing much effort into those that would affect negatively Codex processes; ..”

In addition, the EU welcomes the ongoing work on the 'Statements of Principle' by the CCEXEC subcommittee. We expect the subcommittee to develop practical guidance, taking into account the conclusions of the document on the 'history and implications of the fourth paragraph of the Statements of Principle' prepared by the Codex Secretariat (CX/EXEC 19/77/10). The EU considers such guidance to be essential for finding a way forward regarding growth promoters in CCRVDF.

Sustainable Funding of Codex Scientific Advice

In the extensive discussions at CAC42 on the sustainable funding for scientific advice for Codex work it was emphasised that in particular WHO should step up its efforts to ensure sufficient and sustainable funding for the joint FAO/WHO scientific advice programme from its core budget.

The MSEU believe that the WHO, as parent organisation of the Codex Alimentarius, should renew its focus on food safety. Therefore, the MSEU support a broad discussion on the importance of food safety and the

international food standard setting bodies to promote global health within the next 146th WHO Executive Committee and the 74th World Health Assembly (WHA), with the objective of developing a resolution on food safety. This resolution, which would build upon the previous 2000 and 2010 WHA food safety resolutions, would include a reference to the importance of guaranteeing sustainable funding for scientific advice.

Interested WHO members are currently working to develop such a resolution and to include the topic on the agenda of the next WHA. The MSEU encourage CCEURO members to support actively this initiative in the WHO governing bodies.

Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)

The ongoing work on AMR is a key priority for CCEURO and for Codex globally. Therefore, CCEURO should urge TFAMR to ensure timely and successful completion of the work on the two Codex texts on AMR/

Proposed Draft Revision of the Code of Practice to Minimize and Contain Antimicrobial Resistance

Proposed Draft Guidelines on Integrated Surveillance of Antimicrobial Resistance.

At the same time, CCEURO members should foster the implementation of AMR national action plans and commit to participate actively to the work of the TFAMR to facilitate its work and promote its objectives.

Ongoing standard setting work of relevance to the Region – Table 1

The MSEU would highlight that CCGP's work on Committees working by correspondence is also a topic of interest for the region and could be included in table 1 of CX/EURO 31/19/8.

AGENDA ITEM 7.1

Implementation of the Codex Strategic Plan 2014-2019 (CX/EURO 19/31/9)

The Member States of the European Union (MSEU) thank the Secretariat for the document on the implementation of the Codex Strategic Plan 2014-2019 (CX/EURO 19/31/9).

In addressing this agenda item, we would like to take a forward-looking approach rather than entering into a detailed discussion on the progress made on the individual goals of the Strategic Plan 2014-2019. In fact, as indicated in the background document, no specific CCEURO regional strategic plan was formally established for the past period and the implementation reports presented to the Executive Committee in the past five years highlight the well-known challenges with regard to monitoring the implementation and the measuring impact of the previous Strategic Plan.

We should also note that the new Codex Strategic Plan 2020-2025 was already adopted by the CAC last summer and that discussions on its implementation are in full swing (as evidenced by our discussion on the CCEURO regional work plan this week).

For us, the main lesson learned from the previous Strategic Plan is that the approach needs to be better targeted and more flexible: slimmer and more specific objectives, a better definition of the intended outcomes with better measurable indicators, a flexible approach allowing every Codex region to identify those activities that are best suited to achieving the strategic goals, and the possibility for review every two years and - where necessary - adjustment *en route* of the implementation framework. These insights have been taken into account in the preparation of the new Strategic Plan and we are confident that in future we will be able to better measure and monitor the impact on the ground and progress made as we go.

When it comes to assessing the effectiveness of e-Working Groups over the past period, we appreciate the statistical data set out in Appendix II to the background document. This information will also be useful for our ongoing internal discussions to assess the participation of the EU and its Member States in e-Working Groups. With regard to the working methods of e-Working Groups, we see a clear need to clarify the existing practice. We would welcome, in particular, clearer guidance for both e-Working Group chairs on managing e-discussions and for Committee chairs on how to take account of the outcome of e-discussions in physical meetings.

AGENDA ITEM 7.2

Codex Strategic Plan 2020- 2025 – Roadmap to implementation (CX/EURO 19/31/10)

The Member States of the European Union (MSEU) thank the Secretariat for the document on the implementation of the Codex Strategic Plan 2014-2019 (CX/EURO 19/31/10).

We welcome the work undertaken by all those who have contributed to ensuring that the Codex strategic plan 2020-2025 could be adopted by CAC42 and that its implementation can be discussed during the 2019 session of the Regional Coordinating Committees. We acknowledge, in particular, the efforts by the CCEXEC subcommittee tasked with compiling the input from every region into the general work plan to be presented for approval by CAC43 in 2020. We consider that section 5 (workplan development) and section 6

(recommendations) in the Secretariat's document provide a comprehensive framework which will allow to address all the issues that are of key interest and priority for our region.

As indicated in Table 1 of document CX EURO/31/10, Codex members are involved in various manners in the implementation of the five goals set out in the Codex Strategic Plan: either in their national activities, or in discussion with their counterparts in the CAC and its subsidiary bodies, or acting as FAO and WHO members.

Responsible parties for achievement of the Codex Strategic Goals

The MSEU consider that the Regional Coordinating Committees are well placed to act as an intermediary between Codex, the national level and the global level, in order to strengthen and coordinate the achievement of Codex's strategic goals. Nevertheless, it seems more efficient to address some of the activities described in Table 1 (e.g. improvement of the knowledge on the use of Codex standards) directly at the Codex level.

Drivers of change

We note that the link between Codex and the SDGs, even if not explicitly developed through the 5 goals and related activities set out in the Strategic Plan, is highlighted in section 2 («Drivers of change») of the Strategic Plan. In this regard, we look forward to the discussion paper that will be tabled by France for the upcoming CCGP32 session in March 2020 with suggestions to make better use of Codex outputs in achieving the SDGs.

We welcome the two-layer approach underlying the new Codex Strategic Plan: one global framework setting out common goals and objectives for all Codex members and a flexible implementation layer allowing every Codex region to identify those activities that are best suited to the specific potential and priorities of each region.

Goals and Objectives

When it comes to determining which of the goals set out in the Strategic Plan would be most relevant for the CCEURO region in the next two years, the MSEU consider that high priority should be given to goal 1 (addressing current, emerging and critical issues in a timely manner) and goal 2 (developing standards based on science and Codex risk analysis principles).

Goal 1: Address current, emerging and critical issues in a timely manner

With regard to goal 1, we would highlight that a proactive approach is critical to ensure that Codex is able to deliver on its mission to protect consumer health and promote fair practices in food trade. The CCEURO survey on emerging issues has shown that antimicrobial resistance (AMR), food fraud, issues related to contaminants and food additives, as well as climate change with all its consequences and risks for public health are issues that will continue to require full attention in Codex's work in the CCEURO region. When it comes to the activities to support the achievement of goal 1 in the CCEURO region, we would highlight increased international cooperation in food inspection activities, e.g. through capacity-building and information-sharing on identified and prioritised needs such as, food fraud, new distribution channels/e-commerce and AMR.

Goal 2: Develop standards based on science and Codex risk-analysis principles

With regard to goal 2, we obviously attach great importance to Codex's key role as a global forum to agree on food safety and quality standards, based on science and Codex risk management principles and taking due account of other legitimate factors for health protection and fair trade practices. Activities that could contribute to achieving goal 2 in the CCEURO region could include identifying obstacles to achieving a better quantity and quality of data and ways to tackle those obstacles, as well as developing a new strategy to ensure sustainable funding for scientific advice (as outlined in the discussion paper presented at CAC42 (CX/CAC 19/42/14 Add.1, para. 3.3.3)). In this regard, we note that discussions are ongoing with a view to including a specific item on food safety on the agenda of the next World Health Assembly (WHA) in 2020 and having a WHA Resolution adopted on this issue.

Finally, it could be useful for CCEURO members to share experience regarding the participation of their experts in FAO/WHO expert committees. In this regard, special attention should be paid to ensuring an appropriate regional balance in FAO/WHO expert committees and adequate involvement of experts from the CCEURO region in the risk evaluation tasks carried out by the various expert committees.

The MSEU are keen to hear the views of the other members of the CCEURO region on the goals and activities that they consider most relevant for the region, so as to come to a common understanding of those that matter most to our region and to ensure that they are duly reflected in the future work plan to implement the Codex Strategic Plan.

AGENDA ITEM 8**Codex communications work plan (CX/EURO 19/31/11)**

The Member States of the European Union (MSEU) thank the Secretariat for the document on the Codex communication work plan (CX/EURO 19/31/11).

Over the past decades, huge efforts have been made at all levels in terms of capacity-building to develop Codex standards and to promote their use worldwide. Equally important however is effective communication to ensure that the value of Codex's work is understood and acknowledged by those directly concerned – regulators, stakeholders, and not least consumers. Goal 3 of the new Codex Strategic Plan fully recognises the need to step up efforts to that effect.

We welcome the excellent work by the Codex Secretariat to integrate a real multimedia communication dimension into the Codex website. We would encourage the communication team in the Codex Secretariat to further strengthen their efforts and we acknowledge that regional input can make a useful contribution to this endeavour.

With regard to the proposed communication activities at regional level, we would like to seek clarification on the following points:

- How would the regional communication activities link up with the activities of the Codex Secretariat and the activities of the Codex contact points at national level?
- What exactly would the role of the regional 'communications focal point' be, and would the Codex Secretariat provide hands-on expertise to ensure that proposed news items have the appropriate format and the right vibe?

Finally, as regards the draft regional communications work plan 2020-2025, we welcome the proposed objectives and activities. While we acknowledge that setting concrete targets is helpful, some of those seem quite ambitious. However, if a close cooperation between the regional 'communications focal point' and the Codex Secretariat's communication team is established, the targets are achievable. Codex members are indeed well placed to relate interesting Codex-related news, but journalists they are not. Therefore, the division of labour along the axis member-coordinator-secretariat should be further clarified.

We would also like to know more about the relation between the regional pages and the front page of the Codex website – are they completely separate, or will the most interesting regional news also feature on the front page and on the Codex twitter account? If this is to be the case, we think that it would be a further incentive for members to provide material.

AGENDA ITEM 9**Use of Russian language in CCEURO (CX/EURO 19/31/12)**

The Member States of the European Union (MSEU) thank the Secretariat for the document on the language policy in CCEURO (CX/EURO 19/31/12). We fully support adding Russian as a CCEURO working language. Russian is widely spoken in the CCEURO region (which has the largest Regional Coordinating Committee in Codex) and is also an official language of the CAC.

We believe that having Russian as a working language is fully in line with the recommendation concerning the revitalisation of the Regional Coordinating Committees.

The MSEU believe that it is essential to ensure that the best conditions are in place for the active participation of all countries in the region. It is worth recalling that many of Codex's newest members come from this part of the world. We would also like to commend the efforts made to date to include Russian as a working language of the region. This has allowed for greater transparency, inclusiveness and involvement in discussions to date.

We understand that there are resource implications for the inclusion of Russian as a working language in CCEURO. However, we feel that the cost of such an arrangement is comparatively low, bearing in mind the diversity and size of the CCEURO region.

In order to facilitate the participation of all members of the region in the work of Codex, the MSEU support recommendations 7.2.2. and 7.3. We believe that this will give us the best possible platform to achieve the objectives and goals of the recently adopted Strategic Plan 2020-2025.