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Agenda Item 31

ALINORM 74/28

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX ALIMENTARIUS COMMISSION
Tenth Session, Rome, 1-12 July 1974
REPORT OF THE FIRST SESSION OF THE
COORDINATING COMMITTEE FOR AFRICA
Rome, 24-27 June 1974

Introduction

1. The First Session of the Coordinating Committee for Africa was held at FAO Headquarters, Rome, from 24 to 27 June 1974. The Committee had been established under Rule IX.1 (b) (2) by the Codex Alimentarius Commission at its 9th Session (ALINORM 72/35, para 106).

2. The Session was attended by 31 participants from the following 19 countries:

Algeria	Malawi	Sudan
Cameroon	* Mexico	Togo
* France	* Netherlands	Tunisia
Gabon	Nigeria	United Kingdom
Ghana	* Saudi Arabia	Upper Volta
Kenya	Senegal	* Viet-nam, Rep. of
Madagascar		

* Observers

Observers were present from the following organizations:

- Joint FAO/WHO/OAU Regional Food and Nutrition Commission for Africa
- Arab Organization for Standardization and Metrology - Arab League (ASMO)

The list of participants is contained in Appendix I to this Report.

3. The meeting was opened by Mr. G.O. Kermode, Chief, Joint FAO/WHO Food Standards Programme, who welcomed the delegates on behalf of the Directors-General of FAO and WHO. He referred to the Joint FAO/WHO Food Standards Regional Conference for Africa held in Nairobi from 2 to 9 October 1973, the purpose of which had been to carry out an assessment of food legislation and food control in the African region. He pointed out that because of the fact that considerable gaps in food legislation and food control systems had been found to exist in many African countries, the

delegates to the Regional Conference had shown great interest in remedying this situation where applicable and further wished to elaborate jointly a basic food law.

4. At the Regional Conference a number of advantages in having modern food legislation and food control systems had become apparent:

- (i) minimum requirements would protect the consumer;
- (ii) a framework for industry would be provided;
- (iii) countries would be able to protect themselves against dumping.

It was therefore concluded that sound basic food law and a food control system to enforce it should be regarded as being an essential part of economic development.

5. The Joint Secretaries of the Session were Mr. J. Lupien and Mr. W.L. de Haas (FAO) and Dr. J. Munn (WHO).

Election of Chairman and Vice-Chairman

6. The Committee elected as its Chairman Mr. D.A. Akoh from Nigeria and as its Vice-Chairman Dr. T. N'Doye from Senegal.

Adoption of the Agenda

7. The Committee agreed to adopt the Agenda with one modification. The nomination of a coordinator for Africa for appointment by the Commission and the location of meetings of the Coordinating Committee (item 3) were moved to follow item 8 in order to give the delegates the opportunity to discuss these two issues prior to making formal proposals.

Development of a Modern Food Law for Africa

8. The Committee had before it three basic documents for the discussion of this topic: OX/AFRICA 73/5 The Development of a Modern Food Law in the African Countries, CX/AFRICA 73/9 Report of the Joint FAO/WHO Food Standards Regional Conference for Africa and CX/AFRO 74/3 Comments Received from African Countries on Document CX/AFRICA 73/5.

9. The Chairman opened the discussion by asking for comments on progress in updating existing food laws, and posed the question if a draft law or guideline could be developed for all countries in the African region. The Committee agreed to consider the basic working document CX/AFRICA 73/5 on a point by point basis. The delegate of Sudan recommended that one of the criteria for a modern food law should be that foods conformed to certain minimum quality criteria.

10. A general discussion on the overall philosophy of modern food law and how it could be achieved followed. There was agreement on the basic criteria for which modern food law should be created: consumer protection and prohibition of sale of foods which do not conform to the food laws and legislations. Considerable discussion was held on whether a food law should be a simple enabling act which would grant authority to the administrative body responsible for enforcement to create food standards or other food regulations, or whether such standards should be included in the law itself. The Committee agreed that the approach of creating an enabling act was the best approach and that consideration of a basic framework of content of food law should be done by the Committee for the guidance of the Member Countries.

11. It was pointed out that the types of food law currently in effect in various African countries vary, and some countries have very old laws, while others had updated their laws recently. It was suggested and agreed by the Committee that a basic framework be

developed and then Member Countries examine their existing laws and adapt them to the new framework if necessary.

12. A discussion was held concerning the utilization of Codex standards and codes of practice which could be utilized in the development of food laws and food regulations. The Committee recognized the need for basic food laws within each country in order to enable the country to consider its own national food regulations and compare them with the Codex Recommended Standards. It was pointed out that the Codex Recommended Standards formed an excellent framework for the creation of national regulations, but that each country would feel it necessary to examine the Codex Standards in the light of local conditions and that some modifications might be necessary, based on such conditions. Utilization of the Codex standards as a framework, however, would greatly facilitate the adoption of the Codex standards by the Member Countries with regard to foods moving in international commerce.

13. The need for adequate regulations with regard to hygiene, sampling, methods of analysis of foodstuffs, pesticide residues in foods, food additives, food labelling and compositional standards for food was agreed upon by the Committee. Following the general discussion of the basic working paper, the Committee made a point by point review of the Appendix to the paper, which sets forth the basic points for inclusion in modern food law.

14. Following the general discussion of the philosophy of food laws, the Appendix to basic working document CX/AFRICA 73/5 was introduced by the Secretariat. It was pointed out that the Appendix was in two parts, one covering basic points for inclusion in modern food law and the second part covering main provisions of the subordinate legislation. In line with the basic agreement of the Committee that a food law should be an enabling act, it was pointed out that the basic act should contain definitions, general provisions prohibiting various acts, provisions concerning importation warranty and defences, and overall provisions for administration and enforcement, including power by the Ministry involved in enforcement of the act to set detailed regulations for contaminants, other harmful substances, labelling, composition, administrative procedures, etc. Part II of the Appendix concerned itself with specific matters which should be included in the regulations prepared under the enabling provisions of the food law.

15. In discussing the definitions section of Part I, there was an extensive discussion concerning the point whether water should be considered as food. The Committee was of the opinion that water as an ingredient added intentionally to foods, or when it is sold in package form, such as bottled mineral waters, should be considered as food and included in the definition.

16. There was discussion concerning whether the definition of the term "sell" should include the offer of food in any way and the Committee agreed that foods which are donated, bartered or offered for some consideration should all be covered by this definition. The delegation of Algeria suggested that the word "sell" should be precisely defined.

17. There was an extensive discussion concerning problems which occur with regard to translation of texts from English to French or to other languages, and the meeting decided that it was necessary to be extremely careful in this regard to avoid confusion from one text to the next and that the original language for each document be indicated. The delegation of Gabon, considering that a law could not bring out all the implications of the definitions, felt that it would be preferable to establish a glossary of definitions

which would become an integral part of the law, and of the regulations and texts of enforcement, especially as certain definitions could be reviewed without affecting the body of the text.

18. There was general agreement by the Committee to the provisions set forth in sections 2 and 3 of the Appendix, Part I, concerning offences which should be detailed in a food law and provisions concerning importation warranty and defences.

19. With regard to section 4, concerning administration and enforcement, the Committee agreed that any advisory body to the official entrusted with enforcement of a food act should be very broadly based, consisting of representatives from various government agencies industry and consumer groups and should be empowered to advise the official in all areas of food control and not only food standards as was suggested in the working paper. The duties of such a body in coordination of the various government agencies who are active in the field of food control were pointed out.

20. With regard to Part II of the paper, there were several comments concerning the drafting of the suggested regulations, and the Committee felt that a re-draft of this section in certain areas might be indicated. It was pointed out that provisions concerning imports and exports should be included for draft regulations so that foodstuffs would be required to comply with the regulations of an exporting country and the importing country so that countries weak in the area of food control at present would not be used as "dumping grounds".

21. Based on the various comments received, the Secretariat agreed to prepare a revised draft of the paper for review by the Committee meeting. Following the review of the revised draft, it would be sent to the Member Governments for comments utilizing the Codex machinery, and the revised paper and the comments would be reviewed by the Committee at its next meeting.

Foods of Significance in the International Trade of the Countries of Africa

22. The Secretariat introduced the above mentioned paper (CX/AFRICA 73/6) and highlighted various aspects of the discussion of the paper during the Regional Conference. The Committee agreed that in principle it would be useful (at a future date) to subdivide the region into five major sub—regions on the basis of specific parameters as proposed in the paper, and pointed out that this had been agreed at the Nairobi Conference.

23. It was suggested that the inventory of food legislation in African countries which had been undertaken by the Codex Secretariat should be continued in the future. This activity, however, should form part of the work of the Coordinator.

24. In considering the conclusion of the paper that "the first priority would seem to be the establishment of sound basic food legislation and the means of enforcing and policing it satisfactorily" one delegate pointed out and the Committee agreed that an important factor for the success of the exercise was the coordination of the work of the various national government agencies dealing with the matter. Several delegates were of the opinion that concurrently with the work on legislation and food control it was desirable to elaborate standards, in particular in order to evaluate better specific laboratory requirements and to select monitoring activities.

25. It was pointed out that in making proposals for standards for certain products a distinction might be made between (i) such commodities which were of great importance to Africa but traded on a world wide basis, (ii) products of significance in intra-African

trade and in all probability on a sub-regional basis in particular and (iii) products which could be classed in either group.

26. The Committee was of the opinion that foods of special interest to Africa should include, besides the foods already agreed upon in the Nairobi Conference, meat (including dried, smoked, salted and other meats), fish and fish meal and delegates were requested to submit additional lists of foods for consideration. It is advisable that the prepared list will be reviewed from time to time to consider inclusion of other food stuffs of importance to African countries as judged by the level of imports and exports in different countries in the region. Further studies of volume of consumption, trade and foods of importance were requested by the Committee and it was suggested that this could be one of the tasks of the Coordinator. From these studies lists of products for regional standards could be further elaborated.

27. The Secretariat pointed out that in order to be able to initiate any work on the elaboration of standards it would be necessary to justify it according to the work priorities criteria as laid out in the Procedural Manual. On the whole the Committee agreed that elaboration of new standards should start on the basis of the list of commodities given in para 52 of the paper.

Benefits to accrue for Africa if all the Countries of the Region accept Codex Recommendations and Standards in their National Legislation

28. The paper on this subject which was introduced by the Secretariat considered the following matters: 1) the need for a better understanding on the part of Member Countries in the Region as to how the food standards work of the Codex Alimentarius Commission can be helpful and useful to them; 2) the incorporation of Codex Recommendations and Standards into national regulations throughout the Region so that all foods imported into the countries in the Region would comply with these standards which would be a useful measure of self-protection for the Region.

29. From the discussion that followed it became clear that there was no objection to the acceptance of Codex standards. However, caution was recommended. It was stated that consideration should be given to the way that the developing countries can benefit from the acceptance of Codex standards as well as the implications of such acceptance, especially in regard to the issue in the Acceptance Procedure which prohibits the distribution of products domestically that do not comply with the Codex standards and the adequacy of the existing food control services. Many countries cited the need for adequately trained laboratory staff and well equipped laboratories to enforce the provisions of the Codex standards before acceptance.

30. Several delegations mentioned the possibility that developing countries might be used as a "dumping ground for sub-standard products", and while it was expressed that this has probably not happened often in the past, the incorporation of Codex standards into national legislations would afford better protection from such an occurrence in the future. It was also mentioned that it might be useful for an importing country to require whenever possible that foods comply with the regulations of the exporting country or the Codex standards, as well as with regulations of the importing country.

31. In the development of a national food control service it was pointed out that the process should occur in a step by step procedure from food laws to regulations to standards and then to control services. It was emphasized that a common food law for the African Region would not appear to be practical at this time, "but that a basic guide to form a base for countries to follow in up-dating legislation would be useful. It was

suggested that food regulations could and should be harmonized. In so doing the African Region could improve the quality of its products for export and have a useful guide for the quality of foods to be imported. The use of Codex Standards to develop the basic food regulations in Zambia was mentioned. The need for additional Codex contact points in the developing countries was stressed. Greatly improved food control infrastructure was also needed in most cases to enforce up-dated food laws.

32. In summary it was agreed that progress was being made in the acceptance of Codex standards and that the Codex standards were useful, but that effective food control activities should be a prerequisite for the acceptance of such standards. Plans for the implementation of such food control training programmes should occur simultaneously with the development of national food legislations. These matters are to be drawn to the attention of the office of the Coordinator for Africa.

Consideration of Ways and Means of Assisting African Countries to Develop Food Control Services

33. The Secretariat introduced this Agenda item and listed the three papers before the Committee for consideration: Infrastructure for National Food Control Services (OX/AFRICA 73/7), Current and Planned Assistance through Projects sponsored by FAO, WHO and other UN Agencies in the field of food legislation, food standards and supporting infrastructure (OX/AFRICA 73/8), and Ways and Means of Assisting African Countries to develop Food Control Services (CX/AFRO 74/6). It was pointed out that different countries in the Region are in different stages of development with regard to the four basic elements necessary to a complete food control service: (i) up-to-date food law and regulations, (ii) adequately trained field inspection staff and competent chemists and microbiologists, (iii) adequate laboratory facilities, and (iv) an overall administrative organization.

34. The Secretariat indicated the various international and bilateral possibilities for assistance in this area and mentioned the regular programme work of FAO/WHO in operating the Codex Alimentarius Commission's Food Standards Programme, other Regular Programme activities in offering food control assistance on a regional basis and individual country basis, projects funded by UNDP, the FAO Government Cooperative Programme and individual government trust fund programmes. Attention was called to the FAO Government of Zambia Project which is summarized in CX/AFRICA 73/8, describing the formation of a food law regulation, and a cadre of analysts, field inspectors and administrative personnel through local training and fellowships abroad, and equipping of a food control analytical laboratory.

35. It was stressed that one of the prime considerations for countries seeking assistance in the area of food control is to assure that it receives sufficiently high priority in the country's development programme.

36. In discussing this Agenda item a number of delegations pointed out that one of the biggest problems was creating a realization at highest government levels of the importance of the subject of food control which was considered a basic requirement to obtain results. Several delegations described the action taken in their country to create this awareness, namely through creation of interministerial committees to consider problems of food control and utilization of the work of the Codex Alimentarius Commission. It was further stated that the creation of appropriate coordination mechanisms between all government agencies involved and at the regional offices of the international agencies was absolutely necessary before full utilization could be made of any assistance in the area of food control.

37. Some delegations mentioned problems that they were having in trying to set up an effective food control service due to shortages of trained personnel or lack of adequate laboratory facilities. It was mentioned that an FAO consultant had recently visited six French-speaking countries of Africa to study existing food control infrastructure. It was considered that the reports from these visits would be useful in taking follow-up action. FAO was requested to prepare a model document to assist countries in the Region in preparing a request for project aid in food control.

38. The delegations of Tunisia and Sudan pointed out that it was highly desirable that countries requesting assistance make a thorough inventory of existing facilities and get basic work under way in creating suitable laws and other infrastructure to make any aid fully effective.

39. Several delegations mentioned the need for training at different levels: technicians, graduate chemists and microbiologists, field inspectors and appropriate administrative personnel. The possibility of training within Africa at various levels was explored as well as the desirability of specific fellowships elsewhere. There was a definite preference for training at a national or regional level (see also para 43.).

40. The role that the Joint FAO/WHO/OAU Regional Food and Nutrition Commission for Africa could play in assisting the Codex Coordinating Committee was mentioned and the possibility of OAU and the Economic Commission for Africa (ECA) assisting training efforts in food control was raised. Regional training centres were discussed and it was agreed that training should be given the highest priority in development of food control services. The delegation of Ghana pointed out that there might be problems with regard to financing the development of regional training centres and that consequently proper coordination of existing facilities seemed to be the best short-term solution to existing specific trade and health problems. The expansion or formation of regional training centres should in the meantime be examined and planned on a longer term basis. The need for greatly improved communication between food control officials of neighbouring countries was stressed. The possibility of devising regional approaches for different areas of Africa to try to solve various problems was also emphasized. These matters could be discussed at the next session of the Coordinating Committee and followed up immediately by the Coordinator.

41. The representative of the FAO/WHO/OAU Regional Food and Nutrition Commission for Africa mentioned that there would be a meeting of this Commission in Brazzaville from 12-13 September 1974, and at that time the creation of an African Food and Nutrition Research Institute would be discussed. If this Institute were established it could be instrumental in alleviating training problems in the field of food standards and food control, making the Codex programmes more effective in the improvement of food control services in Africa. The representative also pointed out that the Association of African Universities, with Headquarters in Accra, could grant fellowships for specific studies on an inter-regional basis and that countries needing further specific training should take this into account.

42. In summarizing the discussion the Secretariat pointed out that FAO and WHO were attempting to assist in several different ways. In particular country visits to assess existing food control infrastructure could be of use in determining future needs for assistance. The Secretariat offered to furnish model project documents to those countries desiring them for their guidance in requesting specific types of assistance. The Secretariat further pointed out the need for carefully coordinated project activities at the national level in requests for assistance so that at the end of a project a country would

have an inter-agency Food Advisory Body, the foundation of a food law and food regulations, and trained personnel to operate the food control services.

43. With regard to the proposal for forming regional training centres, it was agreed that training of personnel should receive the highest priority but that a common approach to food laws and regulations would be essential before regional training could be undertaken on a broad scale.

44. With regard to OAU and ECA support, the Secretariat mentioned that the Report of the Coordinating Committee should be sent to OAU and ECA with request for comments with a view to future participation of these Organizations.

45. The Secretariat pointed out that a series of manuals on food control organization, food inspection, food analysis and other related projects were being prepared by FAO and WHO and that these could be used in local training programmes by local experts. The first manual on overall food control organization was currently in preparation with funding assistance from the United Nations Environment Programme.

46. The Secretariat mentioned training efforts through the holding of seminars and described briefly two seminars on food control held recently in the Middle East and funded by UNICEF. It was recommended that delegations perhaps through the medium of the Coordinator explore the possibility of similar seminars with funding agencies such as UNICEF and UNDP either on a regional basis or through the activities of the Codex Coordinating Committee for Africa.

Nomination of Coordinator for Africa for Appointment by the Commission and Location of Meetings of the Coordinating Committee for Africa

47. The Committee in dealing with the above subject had before it document CX/AFRO 74/2 + Addendum 1 and Addendum 2 containing

- i) an extract from the Rules of Procedure of the Codex Alimentarius Commission governing the appointment of Coordinators;
- ii) a chapter highlighting various aspects of holding a session of the Coordinating Committee in Africa;
- iii) responses from Governments in Africa concerning the possibility of hosting sessions of the Coordinating Committee in their countries;
- iv) a review of the extent of membership and the convening of sessions of the Coordinating Committee.

48. In conjunction with the above-mentioned issue which originally had appeared as item 3 on the Agenda but had been deferred until the end of the session, the Committee briefly considered the question of African sub-regional meetings to assist the Coordinating Committee in its work (originally item 6 on the Agenda).

49. At the Regional Conference in Nairobi it had been agreed that the Secretariat should enquire "as to which countries (i) would have the necessary facilities for holding sessions of the Committee and (ii) would be willing to bear part of the costs of hosting the session", (para 119, CX/AFRICA 73/9). Replies had been received from Gabon, Ghana, Nigeria and ASMO.

50. From the earlier discussions of the Committee, it appeared that the concept of a number of delegations of the task of a Coordinator differed considerably from the task hitherto carried out by the Coordinator for Europe. It was suggested that the Coordinator should have a permanent office and that his activities should include visiting the various

countries of the African region. One of the other activities could be to help to select commodities of specific interest in international or intra-regional trade for which standards should be elaborated. It was suggested that the Coordinator's office should be permanently based in one of the African countries, the Coordinator should be appointed for a certain term of office and variable arrangements should be made for locating sessions of the Committee. The Coordinator could further be assisted by work at sub-regional level. The permanent office could act as a liaison with these sub-regional contact points. Other delegations expressed the view that the office of the Coordinator would move with the Coordinator according to the country from which he came.

51. The Secretariat pointed out that initially a major role for the Coordinator would be in relation to the organization and chairing of sessions of the Coordinating Committee to elaborate the basic food law. If the Committee held the view that the Coordinator should be involved in other activities which would imply travelling, it should be borne in mind that in the present budgetary biennium (1974-1975) no allocation had been made for financial support of a Coordinator for Africa in the latter role, and that at the earliest any provision which could be contemplated would be in the budget for 1976-1977, subject to a recommendation in this respect by the Commission and endorsement by the governing bodies of FAO and WHO. Such a commitment, however, should be seen in a wider context in view of the possibility of the establishment of Coordinating Committees for Latin America and Asia and would be a matter of general interest for consideration by the Commission.

52. The proposal was made that, in order to facilitate contacts among the different countries of the African region, it might be useful to select the Coordinator from a French-speaking country if the Secretariat were to be located in an English-speaking country and vice-versa. It was further suggested to appoint a Coordinator for the period between the 10th and 11th Sessions of the Commission in order to get the work of the Committee under way and to consider this time as an interim period; his main task would be to chair the Second Session of the Committee. At the Third Session of the Committee - in conjunction with the 11th Session of the Commission - a decision would then be taken on the future role of the Coordinator and on a possible rotation of the venue. In this connection, it was observed that Egypt might wish to host the Fourth Session of the Coordinating Committee.

53. All delegations were of the opinion, however, that the work of the Coordinator should be given a wider scope. The Committee requested that any savings from the Codex budget be used to strengthen the Coordinating Committee activities during the present financial period.

54. The Committee accepted the generous offer of the Government of Ghana to host the Second Session of the Coordinating Committee in Accra.

55. The Secretariat summarized the existing activities of FAO regional offices and food and nutrition officers based in Cairo and Accra and also mentioned activities of various consultants. The work of WHO regional offices in Alexandria and Brazzaville was also highlighted. Officers and consultants had visited the countries on a regular basis and had made food legislation and food control infrastructure studies in the region which could be of use to the Regional Coordinator. Based on the existing information and likely financial restraints which might face the Coordinator during his tenure, which would last until the next Commission meeting, the Secretariat suggested the role of the Coordinator might be limited during the next 18 month period.

56. In view of the various financial problems which existed with regard to the wider role viewed for the office of the Coordinator, the Committee strongly recommended that the Commission consider providing funds, with agreement from the Governing Bodies of FAO and WHO, for the establishment of a permanent office with permanent staff assistance for the Coordinator for Africa. The Committee also recommended that financial assistance be sought from FAO/WHO as well as from the participating Governments and African Organizations such as OAU and ECA. The Committee a strongly recommended that the United Nations Development Programme give strong and immediate support if possible to the proposed post of Food Control Officer for Africa to enable continued and strong support to the Coordinator and the Coordinating Committee.

57. Based on the discussion and the information placed before the meeting by the Secretariat, the delegation of Ghana agreed to nominate a Coordinator on the understanding that his role would be limited during the next eighteen months and would not entail any additional financial obligation beyond those Ghana had agreed to undertake with regard to hosting the next meeting of the Coordinating Committee for Africa.

58. The Committee unanimously agreed that Dr. Robert Oteng, Director of the Ghana Standards Board be recommended to the Codex Alimentarius Commission as Coordinator of the Codex Coordinating Committee for Africa.

APPENDIX I

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LISTE DES PARTICIPANTS
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