

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 4, 5, 7, 8

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON GENERAL PRINCIPLES

Thirty-second Session

Virtual, 8, 9, 11, 12, 15 and 17 February 2021

Comments of Thailand

Agenda item 4 - Procedural guidance for committees working by correspondence

Thailand appreciates the great effort and the hard work of the electronic working group chaired by New Zealand and co-chaired by Germany, Japan and the United State of America.

General Comment

In general, Thailand has no objection on the prepared guideline and believed that it will be very useful for current committee working by correspondence (e.g. CCFFP) and the Commission, as well as any Subsidiary body who will be appointed to work by correspondence in the future. The clear criteria and its process will enhance the efficiency and success of working.

Specific comments

Thailand has specific comments on four main issues which are about the virtual meeting for CWBC, flexibility of the use of languages, setting up an electronic working group to support working, and seeking the clarification on the period of participation after registration.

Firstly, on the point of virtual meeting, we are of the view that it can bring the difficulty on the access of informal discussion among virtual participants and unequitable participation due to the difference of time zone. Furthermore, we realize that the objective of assignment of working by correspondence differs from the concept of working via the special physical meeting (virtual session) which is needed the advancement of standards without the delay as in the last CAC Session. Working by correspondence should mainly communicate through e-mail or electronic circular letter. However, the nature of consideration by CAC and subsidiary bodies are different. The virtual meeting is not a regular practice for subsidiary bodies, and only considered to be used in the extraordinary circumstance, such as pandemic period. Codex should provide time for learning on its benefits and impacts, especially on inclusiveness, active participation, transparency and consensus building. Therefore, we think that the guidance should not include Virtual Session as a normal practice for CWBC. However, Chairperson may provide an alternative option for the use of virtual technology where it is necessary to solve some remaining issues as virtual consultation. Consequently, we would like to propose as the follows:

- delete the *Sub-section "vi"* from the **Section 3 Criteria relevant for selection and assignment of work by correspondence** as read: ~~vi [Potential for the use of web-based tools and real-time technology to facilitate meetings either at the committee or working group level to help progress the work of the Committee (including for a limited number of issues that may be challenging to manage in the correspondence setting);]~~
- delete the text in square brackets from the first paragraph of the **Section 5 Sessions of CWBC** as read: ~~{for virtual means⁶}~~
- in the **Section 8 Roles of the Chairperson and the Codex Secretariat in CWBC**,
 - delete the text "either" and "or through virtual consultations" which is in the square brackets in the second bullet as read: All questions are fully considered ~~{either on the basis of correspondence or through virtual consultations};~~

- add another bullet as being the last bullet as follow: “All remaining issues are solved through all efforts. Chairperson may consider to use tools and technology for virtual consultation in those issues where necessary and cannot solve through normal practices.”
- add a sub-section i to the topic *Options for the Chairperson when a CWBC is not able to progress work* in **Section 9 Advancement of standards and related texts** as read “i. convene virtual consultation on remaining or complex issues;” and then edit the old sub-section i to ii and so on.
- Retain the text in the square brackets in **Section 10 Reporting to the Commission** and remove the square brackets as read “{Where deemed necessary provision should be made for virtual consultations to facilitate consideration of the draft report prior to its finalisation.}”

Secondly, for the issue of languages in the **Section 6 Inclusiveness, participation and languages**, we do not oppose the opportunity of careful consideration on the limitation of operation with not less than three of the working languages of the Commission. However, we are of the opinion that the decision on deviation from the requirement should be approved by the Commission. Therefore, we would like to propose additional text in the end of the second sentence of the second paragraph, as read “...Given the importance of inclusiveness and transparency, any proposal to deviate from the requirement to operate in not less than three of the working languages of the Commission should be based on careful consideration of all relevant factors and should be approved by CAC. It is...”

Thirdly, we notice that the mechanism of the establishment of working group under the CWBC in order to support its work is still unclear. In principle, we think that CWBC should be able to decide to establish e-WG or p-WG in order to either draft standard and related texts or discuss on complex issues. We realize that Codex has a successful experience from using such approach in the CCPFV when the Committee, working by correspondence, decided to establish the e-WGs for drafting standards for gochujang, chili sauce, mango chutney, dried fruits and canned mixed fruits. Therefore, it will be clearer if the support by both electronic and/or physical working groups is mentioned in related Section e.g. the role of the Chairperson under **Section 8 Roles of the Chairperson and the Codex Secretariat in CWBC**.

Finally, in the **Section 4 Verification of membership and credentials for participation**, we would like to seek a clarification whether the registration of Members and observers to a CWBC also indicate the period for working apart from the period of opening and close date which they can register as this is linked to the content on determining a quorum in Section 7.

Agenda item 5 - Revision/Amendments to Codex Texts

Thailand appreciates Codex Secretariat for preparing document. We would like to provide comments as follows:

Definition of Amendments/Revision and Possible workflows

In general, we are of the opinion that the framework of “amendment” and “revision” should be clear to avoid confusion. We understand that the amendments can be classified into editorial amendment and substantive amendment. In our view, the correction by having an evidence to support the error or simply editing an error may be grouped into the editorial amendments. In contrast to the insertion of an explanatory footnote, updating of reference and method of analysis should be considered as the substantive amendments. Thus, if Codex will set different workflows between editorial amendment and substantive amendment, the type of amendment and their examples in Procedural Manual should be clear. In addition, since the substantive amendments can affect the objective and practices of countries, they should be carefully considered by the Committee prior to being proposed to CCEXEC. We therefore would like to propose the change of workflow for substantive amendment that its proposal should be made by a subsidiary body only (in case that the relevant subsidiary body is active).

Proposals for a version number and a version history

As the above comment, we are of the view that correction can be classified as either editorial amendment or substantive amendment. So, the fourth digit could be omitted. Also, it is quite confusing about the version number of the fourth digit for correction and the given examples (the second and the third bullet).

Written procedure in case the relevant subsidiary body is adjourned, abolished or dissolved

In general, we believe that a clear procedure for adjourned, abolished or dissolved subsidiary body will be beneficial for increase effectiveness of Codex work management. In particular, the initial step of new work in order to avoid any delay that might be occurred due to missing steps. In our view, the proposal of amendment or the project document of revision and new work for adjourned, abolished or dissolved subsidiary bodies can be initiated from the Codex Secretariat or a Member and then submitted to CCEXEC for critical review as normal process.

Agenda item 7 - Discussion paper on monitoring the use of Codex standards

Thailand appreciates France for preparing this discussion paper.

We agree in principle with the monitoring on the use of Codex standards and related texts. However, we understand that it is quite difficult to achieve desirable outcome. We realize that the key success of this work depends on information sharing among countries. An appropriate tool will help to achieve the information sharing.

However, we are of the view that there is difficulty to develop the term of use. It could be simpler to begin the work by carrying out the framework of use of Codex standards, for example adopting, modifying or applying Codex standard to national standard or guideline; using Codex standard as reference to product research and development, or as criteria in producing or processing of food products, etc.

When Codex have already defined the framework of use and mapped groups of standards and related texts, an appropriate questionnaire tools can be developed then. With this regard, Codex may be chosen as standards for running the first phase as addressed in Recommendation 2. However, we are of the opinion that this is not the mandate of CCGP.

Lastly, we think that Codex should examine impacts of Codex standards according to the objective 3.3 of Codex Strategic Plan 2020-2025. The impacts should be based on the two objectives of Codex that are protecting consumers' health and facilitating fair trade.

Agenda item 8 - Discussion paper on monitoring Codex results in the context of the Sustainable Development Goals (SDGs)

Thailand appreciates France for analyzing and preparing this useful discussion paper.

In general, we agree with the monitoring Codex results in the context of the SDGs and the recommendations. However, we think that it can obtain a clear view if Codex can set indicators that are consistent or responding to the indicators of the relevant SDGs. So, we think that Codex should define the clear linkage between each Codex standard and related text and the specific goal and indicator of SDGs, including suitable indicators relating to the linkage. Codex Secretariat may start up this work through the consultation with FAO and WHO.

After that, a survey tool showing Codex standards and its indicators responding to SDGs indicators could be developed in order to provide a framework of sharing information for subsidiary bodies and members. Nevertheless, it should focus and scope on the standard setting as it is the Codex's mission. Moreover, Codex should prioritize its works.

Finally, we propose that Codex may consider a mechanism via multi-stakeholders in collaboration, multi-strategic approach by creating and linking appropriate strategies of subsidiary bodies, and multi-level of participation (international, regional and national level).