

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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**ALINORM 01/32**

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME  
CODEX ALIMENTARIUS COMMISSION**

*Twenty-fourth Session  
Geneva, Switzerland, 2-7 July 2001*

**REPORT OF THE SIXTH SESSION OF THE CODEX COORDINATING COMMITTEE  
FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC**

*Perth, Australia, 5-8 December 2000*

## SUMMARY AND CONCLUSIONS

The Sixth Session of the Codex Coordinating Committee for North America and the South-west Pacific reached the following conclusions:

- Supported the inclusion of specific elements in the Commission's Medium-Term Plan 2003-2007, including elements directed towards the continuing high priority work of the Codex Ad Hoc Intergovernmental Task Force on Animal Feeding, efforts toward more effective scheduling of Codex meetings so that issues of common concern might be progressed more efficiently, and, facilitation of the elaboration of standards for maximum residue limits for pesticides and veterinary drugs (paras. 5–9);
- Expressed its appreciation to FAO, WHO, Australia and New Zealand for their efforts in conducting and providing resources for various projects, workshops and seminars related to food safety and food control activities in the region (para. 19);
- Congratulated WHO for identifying food safety as a high priority public health issue and in this regard, recommended that the Commission should request its Members, and specifically Codex Contact Points, to bring the WHO Food Safety Resolution to the attention of their governments and to their food, agricultural, health and consumer sectors (para. 34);
- Recommended that the Commission should encourage FAO and WHO in their efforts to develop a stronger and closer working relationship with respect to the provision of technical assistance and the optimization of the Commission's work in facilitating food safety capacity building programmes within the region (paras. 34 and 51);
- Recommended, through specific proposals, that the Commission should foster the capability of developing countries to enhance food safety and quality and to better enable the implementation of Codex standards, guidelines and related texts (para. 36);
- Strongly supported recommendations of the Commission that programmes that contribute to risk analysis should have high priority and that risk communication is an important tool in facilitating transparency and consumer information (para. 42);
- Recommended that the Commission should request the WTO to consider holding workshops, in collaboration with the Codex Secretariat, to address the differences between the provisions and application of SPS and TBT measures and thereby enhance their understanding (para. 44);
- Forwarded its discussions concerning consumer participation in the work of Codex to the Commission, including the consideration of recommendations arising from the FAO Conference on International Food Trade Beyond 2000, as well as the need to clarify the concept of "national Codex Committees" (para. 61);
- Reaffirmed the primary role of Codex in relation to developing standards for the labelling and safety aspects of foods produced through biotechnology and in this regard, strongly supported the G8 statement "to encourage the FAO and WHO to organize periodic international meetings of food safety regulators to advance the process of science-based public consultations" (paras. 68–69), and;
- Nominated Canada for appointment as Regional Coordinator, with the understanding that Canada might consider the possibility of hosting the meeting in one of the South West Pacific island countries (para. 70).

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## **INTRODUCTION**

1. The 6th Session of the Codex Coordinating Committee for North America and the South-west Pacific was held from 5 to 8 December 2000 in Perth, Australia at the kind invitation of the Government of the Commonwealth of Australia. The session was chaired by Dr Gardner Murray, Executive Director, Agriculture, Fisheries and Forestry – Australia. The session was attended by 35 representatives from 7 member countries and 4 international governmental and non-governmental organizations. A full list of participants is attached as Appendix 1 to this report.

2. In opening the session, Dr Murray welcomed participants on behalf of the Commonwealth of Australia and, in particular, those from the developing countries of Papua New Guinea, Tonga and Vanuatu.

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

3. The Committee adopted the Provisional Agenda as its Agenda for the session. It agreed to discuss under Agenda Item 11 the Codex Medium-Term Plan and Strategic Vision, Trade Vulnerabilities Resulting from the Lengthy Codex MRL Process and the Codex Ad Hoc Intergovernmental Task Force on Animal Feeding as presented in the respective Conference Room Documents.

### **MATTERS REFERRED FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES (Agenda Item 2)<sup>2</sup>**

4. The Committee noted general matters of interest arising from the 23<sup>rd</sup> Session (July 1999) of the Codex Alimentarius Commission (CAC) and the 47<sup>th</sup> Session (June 2000) of the Executive Committee of the Codex Alimentarius Commission (CCEXEC). These matters included: the CAC Medium-Term Plan; Amendments to the Procedural Manual of the Codex Alimentarius Commission; Recommendations of the International Conference on Food Trade Beyond 2000: Science-Based Decisions, Harmonization, Equivalence and Mutual Recognition (the “Melbourne Conference”); meetings of the Codex Alimentarius Commission; and, Coordination Between Committees: Handling of Work in a Sequential Manner.

#### **Medium-Term Plan**

5. The Committee was informed that the 23<sup>rd</sup> Session of the CAC discussed the Medium-Term Plan 1998-2002 and adopted a revised version of the document<sup>3</sup>. The Commission agreed that the preparation of the subsequent Medium-Term Plan (2003-2007) should be initiated rapidly and a Circular Letter<sup>4</sup> to this effect was sent to governments with a view to considering this matter in the next Session of the CCEXEC.

6. The 47<sup>th</sup> Session of the CCEXEC discussed the preparation of the Medium-Term Plan and invited a small group consisting of the Chairperson and Vice-Chairpersons together with the Secretariat to prepare a draft of the Medium-Term plan 2003-2007 and to develop a strategic statement of the Commission’s vision for the future for consideration by the next session of the Commission. It also decided to request the opinions of the Regional Committees<sup>5</sup>.

7. In addition, the Committee noted that the 47<sup>th</sup> Session of the CCEXEC considered an Action Plan proposed by the Chairperson of the Commission which primarily responded to the challenges facing Codex. The CCEXEC recommended that elements of the Chairperson’s Action Plan be incorporated into the Medium-Term Plan 2003-2007 as appropriate. However, as the Action Plan contained other issues of a more immediate nature, the CCEXEC agreed that the Action Plan should be revised on the basis of its discussions and circulated to governments for comments as well as to the Coordinating Committees for their input<sup>6</sup>.

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<sup>1</sup> CX/NASWP 00/1

<sup>2</sup> CX/NASWP 00/2

<sup>3</sup> ALINORM 99/37, paras. 25-34 and Appendix II.

<sup>4</sup> CL 2000/3-GEN

<sup>5</sup> ALINORM 01/3, paras. 36-41

<sup>6</sup> ALINORM 01/3, paras. 4-5, 71 and CCEXEC/CRD 3

8. The Codex Secretariat clarified that the revision of the Chairperson's Action Plan had not been completed to date and therefore, in the interest of transparency and equitable treatment of the views of all interested parties, the Codex Secretariat was of the opinion that the CCNASWP should not discuss the Action Plan at the current meeting.

9. The delegation of the United States noted that it would be difficult for the Committee to respond to the CCEXEC request to comment on the Medium-Term Plan in the absence of the Action Plan. It was also clarified that the Action Plan being proposed for consideration by the CCNASWP was exactly the same as the document discussed at the 47<sup>th</sup> CCEXEC (i.e., CCEXEC/CRD 3). The Committee therefore agreed that the current draft of the Chairperson's Action Plan should be considered in conjunction with the Medium-Term Plan under Other Business and Future Work (see Agenda Item 11).

### **Recommendations of the "Melbourne Conference"**

10. The 47<sup>th</sup> Session of the CCEXEC noted<sup>7</sup> with satisfaction the Conference's appreciation of the work of the Commission and its fullest support to the current direction of its work. The CCEXEC further noted that the vast majority of the "General Recommendations" contained in Annex I were addressed to Member Governments and/or FAO and WHO. It noted that several of these recommendations would need to be considered in the development of the Medium-Term Plan. On recommendations 10 and 14, the CCEXEC recognised the importance of risk communication for Codex and the need to explore strategies to collect information from all regions of the world about consumer requirements, perceptions, beliefs, and motivations concerning food, nutrition and food safety. It agreed that the matter should be discussed at the Codex Regional Committees and that the Secretariat should explore ways of conducting a pilot study for generating such information. The CCEXEC noted that several countries and organizations have conducted studies in this field and suggested that a literature review be made on the subject by the Secretariat.

11. The CCNASWP agreed to discuss the request of the 47<sup>th</sup> CCEXEC related to risk communication under Agenda Item 5 (Report on Activities Related to Risk Analysis in Codex and Other Bodies).

### **Coordination Between Committees: Handling of Work in a Sequential Manner**

12. At the 47<sup>th</sup> Session of the CCEXEC, the Representative of North America raised the problem of the progression of work in one committee when consultation with another committee was required and the frequency of meetings of these committees was different. The work being undertaken on certain high priority items by the Committee on Food Labelling and the Committee on Nutrition and Foods for Special Dietary Uses was cited as an example. In this case, the former Committee met on an annual basis and the latter met at 18 month or longer intervals.

13. The CCEXEC recommended<sup>8</sup> that in this particular case, consideration should be given to annual meetings of both Committees, with reasonable intervals between meetings so as to allow consideration of the information that was being exchanged between the two Committees. This could be followed at least until such time as the common work was concluded. The Committees might give consideration, if required, to a special joint session to discuss specific issues.

14. The CCNASWP expressed its appreciation for recent efforts by the Codex Secretariat and the Host Governments for the Codex Committees on Nutrition and Foods for Special Dietary Uses (Germany) and the Codex Committee on Food Labelling (Canada) in arriving at a more reasonable time interval between the meetings (November 2001 and April 2002, respectively). The Committee strongly supported future efforts in the timing of Codex meetings so that issues of common work might be progressed more efficiently.

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<sup>7</sup> ALINORM 01/3, paras. 22-26

<sup>8</sup> ALINORM 01/3, paras. 60-61

## **REPORT ON FAO AND WHO FOOD SAFETY AND FOOD CONTROL ACTIVITIES IN THE REGION (Agenda Item 3)<sup>9</sup>**

### **FAO Activities**

15. The Codex Secretariat noted that the global activities of FAO included the holding of an FAO Expert Consultation on the Trade Impact of *Listeria* in Fish Products in Amherst, Massachusetts from 17-20 May 1999. The Consultation was convened in response to concerns regarding the impact in the fishery sector of a zero-tolerance policy for *Listeria monocytogenes* in foods. The Consultation recommended that for the purpose of setting standards it should be accepted that it is not possible to produce certain fisheries products consistently free of *L. monocytogenes*, and reviewed measures for the prevention and control of this microorganism in foods. The Consultation also recommended that food quality and safety assurance systems based on good hygienic practices and HACCP principles be developed and implemented to reduce the potential of colonization.

16. The representative of Codex also noted that FAO continued providing technical assistance on the implementation of the Codex General Principles of Food Hygiene and the Application of Hazard Analysis Critical Control Point System (HACCP) through the implementation of “train the trainers” courses and by facilitating the interchange of experience among developing countries.

17. In regard to the promotion of Codex activities in the Region, the Committee was informed that several Workshops were held concerning the administration of a national Codex committee in Tonga (November 1998), Fiji (June 1999), Cook Islands (August 1999), Samoa (June 2000) and Vanuatu (August 2000).

18. The representative of Codex noted that FAO continued assisting developing countries on agriculture trade issues and, in particular, in preparing for multilateral trade negotiations including in agriculture, fisheries and forestry inter alia through studies analysis and training. An initial series of 14 subregional workshops were being organized as part of the FAO Umbrella Programme for Training on Uruguay Round Follow-Up and Multilateral Trade Negotiations in Agriculture. An important part of the workshops is the discussion of the importance of Codex Alimentarius in the implementation of the WTO Agreement on Sanitary and Phytosanitary Measures (SPS). Other FAO activities included the holding of a Follow-up Meeting on the Implication of the Uruguay Round Agreements on Agriculture for the Pacific Region (Auckland, March 1999), the Third Round Table Meeting on the Implications of the WTO Agreements for the Pacific Region (Auckland, April 2000) and a National Seafood HACCP Workshop in Tonga (October 1998).

19. The Committee expressed its appreciation to the governments of New Zealand and Australia, as well as the FAO, for their efforts in conducting and providing resources for these initiatives.

### **WHO Activities**

20. Among the various issues presented in the information document, the representative of WHO indicated that the WHO Western Pacific Regional Office (WPRO) conducted a Regional Workshop on Operational Plans of Action for Food Safety from 13-17 November in Manila, Philippines. As a result of the Workshop, participants reviewed the food safety situation in the Region and established a framework for the development of multi-sectoral national operational plans of action for food safety. The participants also noted the need for greater interagency collaboration amongst international and other partner agencies in food safety and urged WHO to play a key role, in association with FAO, in conducting an international interagency meeting on food safety in the Region.

21. The representative of WHO noted that in response to the resolutions of the 53<sup>rd</sup> World Health Assembly and to the WHO mandate of protecting public health, the WHO/WPRO undertook a survey of its Member States to better understand the distribution of the foodborne illness burden in the Region and to identify the capacity of its Member States to control and prevent foodborne illnesses through effective national food safety programs. In summary, the survey identified that there are a number of countries with well developed programmes capable of detecting and controlling foodborne diseases. It was also noted that other countries in the Region that suffer

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<sup>9</sup> CX/NASWP 00/3

from an intermediate or heavy burden of disease and have national food safety programmes with a low level of development will be considered as high priorities in ongoing WHO activities.

### **Joint FAO/WHO Activities**

22. The Committee noted that risk assessment of microbiological hazards in foods had been identified as a priority area of work for the Codex Alimentarius Commission. In response, FAO and WHO launched a programme of work with the objective of providing expert advice on risk assessment of microbiological hazards in foods to their member countries and to the Codex Alimentarius Commission.

23. In March 2000, WHO convened an Expert Consultation on the Interaction between Assessors and Managers of Microbiological Hazards in Foods in collaboration with the Institute for Hygiene and Food Safety of the Federal Dairy Research Centre, Germany, and FAO. The Consultation provided guidance on the appropriate mode of interaction between assessors and managers in microbiological risk assessment. The Consultation addressed the issue of developing a clear and comprehensive description of the scope of work for risk assessment, translating risk assessment results into intervention strategies, and the appropriate use of terminology in communications between risk assessors and risk managers.

24. The Committee noted that a Joint FAO/WHO Hazard Characterization Workshop began a process for the development of practical guidelines on hazard characterization of microbiological hazards in food and water. The workshop reviewed and compared the approaches used in hazard characterizations for the following pathogens: *Salmonella* spp., *Listeria monocytogenes*, enterohaemorrhagic *Escherichia coli*, *Cryptosporidium parvum* and Norwalk-like viruses. The workshop formulated general principles and guidelines for hazard characterization. The first draft of these guidelines were reviewed by the Joint FAO/WHO Expert Consultation on Risk Assessment of Microbiological Hazards in Foods.

25. WHO and FAO held a Consultation on Risk Assessment of Microbiological Hazards in Foods in Rome from 17-22 July 2000. The objectives were: 1) to provide scientific advice to FAO/WHO Member countries and to Codex on the risk assessment of *Salmonella* spp. in broilers and eggs and *Listeria monocytogenes* in ready-to-eat foods; 2) to provide guidance to FAO and WHO Member Countries and Codex on practical guidelines and methodology for hazard characterization and exposure assessment; and 3) to identify the knowledge gaps and information requirements needed to complete the above-mentioned risk assessments. The report of this Expert Consultation was published and presented to the 33rd Session of the Codex Committee on Food Hygiene in October 2000. The reports on exposure assessment and hazard characterization that were prepared by expert drafting groups are available for comment on the FAO and WHO websites.

26. A joint FAO/WHO workshop was convened at WHO headquarters in July 2000 to facilitate discussion between risk assessors and risk managers on exposure assessment methodologies for contaminants and toxins in food. Major elements were agreed upon and recommendations were made relative to procedures, methodology and communication of exposure assessment issues.

27. In regard to biotechnology, a Joint FAO/WHO Consultation on Foods Derived from Biotechnology was held in Geneva in July 2000. It addressed the overall safety aspects of foods derived from genetically modified plants and reviewed the existing strategies for the safety and nutritional assessment of those foods. It also addressed the questions posed by the Codex Ad Hoc Intergovernmental Task Force on Foods Derived from Biotechnology. The Consultation identified specific areas on which further expert consultation was needed and recommended that FAO/WHO should convene an expert consultation on the assessment of allergenicity of genetically modified foods and the novel proteins contained therein as a matter of priority. The second Consultation on allergenicity is scheduled to be held from 22-25 January 2001 in Rome.

28. The Committee was also informed that WHO and FAO jointly established new procedures to improve transparency in the selection procedure for experts who participate in consultations. FAO and WHO established rosters of experts in microbiological risk assessment and safety assessment of genetically modified foods (biotechnology and microbiological risk assessment) from which individuals are selected to serve at expert consultations. FAO and WHO issued "Call for applications to the roster", which described the essential

qualifications of the applicants, the selection procedure for the roster, and other relevant information. The rosters are posted on the respective WHO and FAO websites.

29. The Committee noted that the Joint FAO/WHO Expert Committee on Food Additives (JECFA) provided scientific guidance to the Codex Committee on Food Additives and Contaminants and the Codex Committee on Residues of Veterinary Drugs in Food. The 51<sup>st</sup>, 53<sup>rd</sup> and 55<sup>th</sup> JECFA assessed over 600 food additives including approximately 560 flavouring agents and five contaminants. Regarding residues of some veterinary drugs in animals and food, two meetings were held. The 52<sup>nd</sup> and 54<sup>th</sup> JECFA evaluated thirty (30) veterinary drugs.

**The Importance of the WHO Recent Food Safety Resolution: The Increasing Global Public Health Focus on Food Safety<sup>10</sup>**

30. The Committee was informed of discussions held at the 47<sup>th</sup> CCEXEC<sup>11</sup> concerning the resolutions adopted by the 53<sup>rd</sup> WHO World Health Assembly (WHA). The WHA recognized that foodborne diseases were widespread and represented growing threats to health in both developing and developed countries and it emphasized the importance of a better estimation of the burden of foodborne diseases and the development of regional and/or national targets for reduction of the incidence of foodborne diseases (Food Safety Resolution WHA 53.15).

31. Regarding the review of the current working relationship between FAO and WHO, the WHO representative at the CCEXEC noted that the WHO role in Codex was in health, so that, for example, the financial contribution by WHO to the Codex Joint Budget should be focussed on the health related work of the Commission.

32. The CCEXEC also noted<sup>12</sup> the on-going discussions between FAO and WHO on their working relationship that were being undertaken with a view to increasing the involvement and support of WHO in the work of the Commission and its committees. The CCEXEC looked forward to the completion of this effort by FAO and WHO and to being informed of the outcome of the discussions between the two parent organizations. It renewed its call for close cooperation between FAO and WHO notably in the context of Codex Alimentarius.

33. The CCNASWP also looked forward to the outcome of the discussions between FAO and WHO and in this regard, the representative of WHO clarified that funding of Codex activities would result from efficiency savings in the WHO budget which would be redirected towards Codex. The representative of WHO further noted that although the Organization was primarily responsible for human health related matters, it welcomed the collaboration of FAO through a multi-sectorial approach.

34. On the basis of a submission made by the United States, the Committee congratulated WHO for identifying food safety as a high priority public health issue and stressed its support of the World Health Assembly's Food Safety Resolution (WHA 53.15). The CCNASWP recommended that the Codex Alimentarius Commission should:

- encourage FAO and WHO in their efforts to develop a stronger and closer working relationship with respect to optimizing the operations of the Codex Alimentarius Commission; and,
- request its members, and specifically Codex Contact Points, to bring the WHO Food Safety Resolution to the attention of their governments and to their food, agricultural (including agribusiness), health and consumer sectors.

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<sup>10</sup> Conference Room Document 1

<sup>11</sup> ALINORM 01/3, paras. 10-12

<sup>12</sup> ALINORM 01/3, para. 21



**Fostering the Capability of Developing Countries to Implement Codex Standards, Guidelines and Recommendations**<sup>13</sup>

35. On the basis of a submission made by the United States under Conference Room Document 2, the Committee noted that:

- the FAO Conference on International Food Trade Beyond 2000 (the “Melbourne Conference”) recognized the legitimate needs of developing countries for technical assistance in a number of significant Codex related areas as well as a need for reexamining and strengthening the collaborative roles of FAO and WHO in support of Codex; and,
- developing countries have, over the past several years, frequently expressed concern regarding their ability to implement certain Codex standards, guidelines and recommendations.

36. The Committee recommended that the Codex Alimentarius Commission should foster the capability of developing countries to enhance food safety and quality and better enable their implementation of Codex standards by:

- requesting WHO and FAO to convene a meeting of representatives of international organizations, development banks and/or potential partner agencies to develop a strategy to better coordinate food safety and food quality activities, including both infrastructure and technical training aspects;
- inviting WHO and FAO to consider mechanisms to strengthen and expand regional FAO Technical Centres of Excellence and WHO Collaborating Centres for the primary purpose of providing technical assistance and guidance in areas of need, e.g., good manufacturing and good agricultural practices, risk analysis, HACCP and equivalence; and,
- considering the development of a mentoring programme that would foster and extend partnerships between developing and developed countries for the purpose of training developing country representatives in the skills and knowledge needed to implement Codex standards and recommendations, including those in the areas of good agricultural and manufacturing practices, risk analysis, HACCP and equivalence.

**REPORT ON ACTIVITIES RELATED TO ECONOMIC INTEGRATION AND HARMONIZATION OF FOOD LEGISLATION IN THE REGION (Agenda Item 4)**<sup>14</sup>

37. In addition to those written reports provided by member countries, the delegation of Vanuatu noted that the Codex Contact Point had been confirmed in August 2000. He also noted that as a result of the FAO Workshop on the Administration of the National Codex Committee, preparations were underway to create a NCC to review, with relevant stakeholders, issues relating to food safety and quality including the current Food Act and to review Codex standards and make recommendations on their application within domestic regulations.

38. The delegation of New Zealand updated its written report by noting that a Joint Australia New Zealand Food Standards Code would shortly come into force and that under the Animal Products Act 1999 by the end of 2002 HACCP will be mandatory for all animal product processing businesses. In reviewing its report on this agenda item, the delegation from Canada noted that a Novel Food regulation was established and that it included a requirement for pre-market notification and safety assessment of these foods. Canada had also announced a proposal for mandatory nutrition labelling of pre-packaged foods and the adoption of a framework which established a consistent, systematic and documented approach to food safety decision making. While HACCP is mandatory in the Canadian fish sector, the Canadian meat and poultry industry has been a leader in the voluntary implementation of HACCP. The majority of federally registered meat and poultry processors have implemented HACCP or are in the process of doing so. The Canadian Food Inspection Agency has announced its intention to

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<sup>13</sup> Conference Room Document 2

<sup>14</sup> Comments submitted in response to CL 2000/34-NASWP from Australia, Canada, New Zealand (CX/NASWP 00/4), Fiji (CX/NASWP 00/4-Add. 1), USA (CX/NASWP 00/4-Add. 2) and Papua New Guinea (CRD 7).

mandate HACCP in the meat and poultry sector, and had initiated consultations with interested stakeholders with a forecasted implementation in January 2002.

39. The delegation of Australia noted, in addition to matters raised in its written report, that a Nutrition Labelling standard had recently been adopted which included additional requirements for the declaration of saturated fats and sugars. Australia had also recently adopted a HACCP based requirement for food safety plans, with voluntary implementation by Australia jurisdictions, as well as comprehensive requirements for labelling of foods produced by gene technology. The delegate from Papua New Guinea noted that over the last three years PNG had been undergoing major structural change that would result in the Codex Contact Point being located within the new Quarantine and Inspection Authority. This Contact Point would work with relevant Ministries covering consumer affairs, environment, health and nutrition, quarantine and food standards.

40. The delegate from Tonga referred to an FAO Workshop held in New Zealand in August 1998 that identified the need for training of officers in relevant ministries in drafting national food standards based on Codex standards. It was also noted that there was a need for consistent food standards measures between island countries within the South-west Pacific Region.

### **REPORT ON ACTIVITIES RELATED TO RISK ANALYSIS IN CODEX AND OTHER BODIES (Agenda Item 5)<sup>15</sup>**

41. The Committee noted that the 23<sup>rd</sup> Session of the CAC made a number of recommendations addressed to FAO, WHO and Codex member governments in relation to risk analysis<sup>16</sup> and, in this regard, the 47<sup>th</sup> Session of the CCEXEC made several decisions to implement the Commissions recommendations.<sup>17</sup> In addition, the CCEXEC reviewed<sup>18</sup> matters arising from the Codex Committee on Food Additives and Contaminants related to risk analysis principles and “other legitimate factors” as well as matters arising from the 33<sup>rd</sup> Session of the Codex Committee on Food Hygiene<sup>19</sup> on the proposed draft Principles and Guidelines for the Conduct of Microbiological Risk Management.

42. The Committee strongly supported the CCEXEC recommendation that “programmes that contribute to risk analysis should have high priority” and in this regard, reaffirmed the importance of “risk communication” in facilitating transparency and consumer information as stated at the Melbourne Conference. It was noted that risk analysis provided Codex member governments with a framework to help ensure that risk management decisions are appropriately based on the principles of sound scientific analysis and evidence.

43. However, several delegations were of the opinion that slow progress in the consideration of “other legitimate factors” under the Codex Committee on General Principles (CCGP) contributed to the delay in progressing principles in regard to risk analysis. In this regard, it was noted that at the 14<sup>th</sup> Session of the CCGP<sup>20</sup> the representative of the World Trade Organization indicated “that under the TBT Agreement member countries could take measures addressing environment, animal welfare or other legitimate objectives and that under the SPS Agreement they could take measures to protect animal and plant life and health on their territory”.

44. In this regard, the Committee recommended that the Commission should request the WTO to undertake the holding of a workshop, in collaboration with the Codex Secretariat, at the next session of the CCNASWP as well as prior to other Codex coordinating sessions, to address the differences between the provisions and application of SPS and TBT measures. Several delegations and the representative of the ITIC felt that such a Workshop might help clear up confusion concerning “legitimate objectives” under the TBT Agreement and the use of “other legitimate factors relevant for the health protection of consumers and for the promotion of fair practices in food trade” as referred to in the Statement of Principle Concerning the Role of Science in the Codex

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<sup>15</sup> CX/NASWP 00/5

<sup>16</sup> ALINORM 99/37, paras. 56-58

<sup>17</sup> ALINORM 01/3, para. 42 and Appendix II

<sup>18</sup> ALINORM 01/3, paras. 52-53 and 56

<sup>19</sup> ALINORM 01/13A, paras. 83-96

<sup>20</sup> ALINORM 99/33A, para. 75

Decision Making Process and the Extent to Which Other Factors are Taken Into Account which pertains to both the SPS and TBT Agreements.

**REVIEW AND PROMOTION OF ACCEPTANCES OF CODEX STANDARDS AND MAXIMUM RESIDUE LIMITS FOR PESTICIDES BY COUNTRIES IN THE REGION (Agenda Item 6)<sup>21</sup>**

45. The Committee noted that the promotion of acceptances of Codex standards and maximum limits for residues by member countries was a part of its terms of reference.

46. Canada noted that it had initiated a plan to examine, against particular criteria, all Codex standards, codes and guidelines with the aim of identifying consistency between its national regulations and Codex norms. The delegate from Tonga noted that while the adoption of Codex MRLs presented no difficulties, there was a need for island countries to have the capacity to determine compliance with MRLs prior to export of product. The Committee also agreed that at future meetings this item should be addressed in the written reports provided by member countries.

**ACTIVITIES OF CODEX CONTACT POINTS AND NATIONAL CODEX COMMITTEES, INCLUDING THE PROMOTION OF MEMBERSHIP, IN THE REGION (Agenda Item 7)<sup>22</sup>**

47. The Committee noted that since its establishment the CCNASWP had made significant progress in extending membership in the Region. It also noted that there was support for efforts to encourage membership from the four eligible remaining countries of the Region (Marshall Islands, Niue, Palau, and Tuvulu). In this regard, the Committee noted that Australia and New Zealand had invested heavily in developing Codex capacity in countries of the Region.

48. In addition to the written comments received, Australia drew the attention of the Committee to a risk-based framework it had developed for determining priorities in the work of Codex. New Zealand noted that its revised Strategic Policy Framework on Codex should be available early in 2001. In this regard, Canada also noted one of the important objectives for its Codex programme was to strengthen Canada's relationship with other Codex member countries and to promote consensual decision-making and problem solving within Codex.

49. The delegation of Tonga informed the Committee that their main activity had been to create a national Codex committee, chaired by its Prime Minister with Ministerial representation from other relevant government agencies, industry and other NGOs. This had been a key outcome of a Workshop on the Administration of the national Codex committee that was facilitated by the FAO in November 1998. Further technical assistance would enable Tonga to review its national food standards, to identify areas of training in the use of Codex standards, and to adapt Codex Guidelines for organic foods to the national situation.

50. The delegate from Vanuatu noted that the Codex Contact Point had identified as priorities the establishment of a high level national Codex committee, inspection of imported foods, development of an Memorandum of Understanding with all Ministers responsible for food safety, designing an education programme for schools on food safety, development of technical capacity for food safety and quality assurance, and identifying testing facilities and future testing needs.

51. The Committee strongly supported efforts of the FAO and the WHO to facilitate food safety capacity building programmes within the Region and emphasized the need for these organizations to strengthen their collaborative efforts in the provision of technical assistance to countries in the Region.

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<sup>21</sup> Comments submitted by Australia, Canada and New Zealand (CX/NASWP 00/6) and Papua New Guinea (CRD 7) in response to CL 2000/34-NASWP.

<sup>22</sup> Comments submitted by Australia, Canada, New Zealand (CX/NASWP 00/7) and USA (CX/NASWP 00/7-Add. 1) in response to CL 2000/34-NASWP.

## **CONSUMER PARTICIPATION IN THE WORK OF CODEX AND RELATED MATTERS (Agenda Item 8)<sup>23</sup>**

52. The 23<sup>rd</sup> Session of the Commission considered consumers' involvement in Codex work and agreed to consider the development of a checklist of measurable objectives to assess consumer participation in Codex work at the national and international levels and asked the Committee on General Principles to review the proposal.

53. The Commission also proposed that Regional Coordinating Committees should continue to take the opportunity to provide a forum for the exchange of experiences on the ways and means of developing consumer input into national Codex committees and Contact Points.<sup>24</sup>

54. The 15<sup>th</sup> Session of the Committee on General Principles considered the recommendations of the Commission concerning Measurable Objectives to Assess Consumer Participation in Codex. The CCGP welcomed the progress made in addressing the question of increasing consumer participation in Codex work, both in the Commission and at the national and regional levels, and agreed that the names be included of countries that have established a national Codex committee or Contact Point or held open consultations with consumers when developing national positions for Codex meetings. It was also agreed to include information on the action of governments to support the establishment and activities of consumer NGOs. On that basis the Draft Guidance was endorsed by the Committee as being appropriate for the development of a baseline set of data and for consideration by the Regional Coordinating Committees when discussing the standing item on consumer participation in the countries of the various regions. The Committee called upon the Secretariat to begin the development of a set of baseline data as soon as possible. It was recommended that a report should be made to the Commission every two years<sup>25</sup>.

55. Circular Letter (CL 2000/34 NASWP) invited member countries of the Region to provide information on the "measurable objectives" and generally about consumer participation in the work of Codex and related matters.

56. The representative of Consumers International (CI) welcomed the discussion on consumer participation in the work of Codex, and noted that the 16<sup>th</sup> World Congress of Consumers International met in November 2000 in Durban, South Africa. The theme of the Congress was "Consumers, Social Justice and the World Market." Three activities relating to Codex were conducted at the Congress:

- A session on consumer participation in Codex was held in which a representative of the Codex Secretariat as well as CI members from both developing and developed countries made presentations.
- A mid-term review of the CI programme to increase the participation of consumers in the setting of food standards was discussed and future directions for the programme considered. This was a global programme which particularly focused on consumers in developing countries and economies in transition. An independent mid-term evaluation of the programme had been carried out and the results were presented and discussed. CI was now considering proposals to continue this work and would welcome the input of FAO and WHO and governments in this effort.
- A series of resolutions were adopted by the CI membership, including resolutions directed to CI and its members, governments, the Codex Alimentarius Commission and FAO/WHO. It was resolved that CI and its members should increase their involvement in the Codex Alimentarius, and should seek to ensure that all standards bodies operated in a transparent manner and developed standards by a clearly understood consensus process involving consumers. It was also resolved that CI and its members encourage governments, FAO and WHO, the Codex Alimentarius Commission and other standards organizations as appropriate to:
  - set up and/or support national Codex committees with active consumer participation;

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<sup>23</sup> Comments submitted by Australia, Canada, New Zealand (CX/NASWP 00/8), the United States (CX/NASWP 00/8-Add. 1) and Papua New Guinea (CRD 7) in response to CL 2000/34-NASWP

<sup>24</sup> ALINORM 99/37 para 43

<sup>25</sup> ALINORM 01/33, paras 109-112.

- increase public awareness and understanding of the Codex standard setting process;
- ensure democratic and transparent processes in standards making and the full participation of all countries; and,
- ensure adequate representation of consumer interests and provide funds to enable consumer organizations to participate in appropriate standards work including relevant national, sub-regional and regional workshops, seminars, and meetings

57. In addition, in preparation for the current Codex meeting, an informal survey was sent out to CI members in the CCNASWP region involved in Codex work which related to measurable objectives on consumer participation in Codex. Responses were obtained from CI members in Australia, New Zealand, Canada, US, Samoa, and Fiji. For the most part the responses from CI members in developed countries indicated a positive picture regarding consumer participation in Codex. In the developing countries in the region, the responses were more problematic, indicating that national Codex committees, if they existed at all, were not meeting and/or were not active. CI members from developing countries in the region reported that public consultations were not being held, and that they had never participated in developing national positions for Codex meetings. In this regard, the CCNASWP noted responses to the measurable objectives contained in CX/NASWP 00/8, CX/008-Add 1 and CRD 7 indicated that of the seven member countries present at the meeting:

- all had an identified Codex Contact Point;
- all had a national Codex committee or comparable structure or were in the process of establishing an NCC, with the exception of Papua New Guinea;
- public consultations were held in each of the four developed countries with the Region;
- independent NGOs were involved to some extent in national Codex processes, with the exception of Papua New Guinea; and
- the number of consumer NGOs participating in Codex processes at national level varied between countries.

58. The representative of CI requested Codex member governments and national Codex committees (NCC) to include one consumers' representative in the national Codex committee and to cover all expenses related to that participation. Even in developed countries the lack of funding to fully participate in NCC's was the main impediment to consumer participation. Another survey respondent noted that one of the biggest problems was a lack of detailed knowledge to make an effective contribution. To address this issue the representative of CI requested that FAO, WHO and member governments assist in training of consumer leaders on Codex issues and in the application and monitoring of the use of Codex standards at the national level, particularly in the developing countries in this region.

59. The Committee welcomed this information and the future provision of additional information on the resolutions adopted by Consumers International at its 16<sup>th</sup> World Congress. The Committee noted that one of the difficulties in obtaining funding for consumer participation in Codex activities was the difficulty in identifying criteria for the selection of truly representative consumer bodies from a wide variety of public interest organizations. The representative of Consumers International indicated that criteria that Consumers International used to determine membership eligibility might be helpful in this regard. The Committee also noted that consumers had a high level of confidence in the Codex process and that transparency and communication was necessary for all participants in Codex activities. In view of the fact that the term "national Codex committees" was not one that was currently defined in the Codex Alimentarius Procedural Manual, the Committee noted a need for further clarification of the "national Codex committee" concept.

60. In response to information from the representative of Consumers International that few invitations had been received by consumer organizations, the Committee agreed to inform the Commission of its view regarding the importance of the Commission's recommendation at its 23<sup>rd</sup> Session that "FAO, WHO and national

governments invite consumer organizations to participate in national, sub-regional or regional workshops and seminars relevant to Codex matters”.<sup>26</sup>

61. The Committee agreed to forward the above discussion for information to the 24<sup>th</sup> Session of the Codex Alimentarius Commission.

### **REPORT ON CODEX AND OTHER INTERNATIONAL ORGANIZATION ACTIVITIES RELATED TO BIOTECHNOLOGY (Agenda Item 9)<sup>27</sup>**

62. The Committee noted matters arising from Codex and other international organizations related to biotechnology, including issues discussed at the 1<sup>st</sup> Session of the Codex Ad Hoc Intergovernmental Task Force on Biotechnology, the Convention of Biological Diversity: Cartagena Protocol on Biosafety and the Organization for Economic Cooperation and Development (OECD).

63. The Committee strongly supported the efforts of the Codex Task Force, and noted that its Working Groups had produced excellent quality work in a highly efficient and effective manner. The Committee noted the work of the OECD on biotechnology, and reaffirmed the primary role of Codex in relation to developing standards for the labelling and safety aspects of foods produced through biotechnology.

64. The delegation of Canada also informed the Committee of efforts by the Codex Committee on Food Labelling to address the labelling of foods produced through biotechnology. It was noted that the labelling options encompassed two main points of view, i.e., mandatory labelling for all products produced through biotechnology or containing ingredients produced through biotechnology or; mandatory labelling for all products produced by biotechnology that differ from their traditional counterparts in composition, nutrition or safety (e.g. allergies).

65. The delegation of the United States stressed that the labelling of foods derived from biotechnology should be practical and equitable for all parties in that the information provided should not be misleading, i.e., the labelling of products produced through biotechnology should not imply the product is unsafe and conversely, traditional product labelling should not imply that the product is safer or superior to products produced through biotechnology. It was also noted that a major issue of debate was the threshold level that triggered the need for the labelling of foods produced through biotechnology. The delegation of Australia noted that other practical issues requiring consideration were the implications for the cost of labelling and claims relating to the use of the biotechnology process. The delegation of the United States recalled that a drafting group of the Codex Committee on Food Labelling was considering a document detailing the practicality of mandatory labelling in its development of related guidelines. The delegation of the United States urged the Committee to support the inclusion of that document as an annex to the guidelines. The Committee generally supported this approach.

66. The Committee was of the opinion that additional issues to be considered included the expansion of current initiatives to all foods derived from biotechnology in addition to those produced from plants; antibiotic resistance issues; and, coordination with other international organizations. The Committee noted that the Task Force was currently considering if “traceability” should be part of its work programme. However, the Committee also noted that “traceability” was important in terms of food safety in general and may need to be considered more broadly by the Commission and its subsidiary bodies.

67. The representative of Consumers International, noting the attention of the CCEXEC to the need for the Commission to fulfill its mandate in relation to fair trade practices and product quality, stressed that consumer perspectives should be considered in fulfilling this mandate, including with regard to the labelling of products of biotechnology. It was further noted by the representative of Consumers International that mandatory labelling should be part of ensuring “fair trade practices” so that consumers could exercise their right to information and their right to choose; and that consumer perceptions of product quality, including the fact that many consumers consider production through biotechnology relevant to product quality, should be considered.

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<sup>26</sup> ALINORM 99/37, para. 43

<sup>27</sup> CX/NASWP 00/9

68. In noting the Statements by the OECD Ministers and G8 Heads of Governments concerning OECD work on food safety, the Committee strongly supported the G8 statement to “encourage the FAO and WHO to organize periodic international meetings of food safety regulators to advance the process of science-based public consultations”, and stressed the importance of action being initiated on this matter well in advance of the next G8 meeting in July 2001.

69. The Committee agreed to bring the above discussions to the attention of the Codex Alimentarius Commission.

#### **NOMINATION OF COORDINATOR (Agenda Item 10)**

70. On the basis of a proposal by the United States, the Committee recommended that the Commission appoint the government of Canada as the next Coordinator for North America and the South West Pacific.

#### **OTHER BUSINESS AND FUTURE WORK (Agenda Item 11)**

##### **Trade Vulnerabilities Resulting from the Lengthy Codex Maximum Residue Limit (MRL) Process**<sup>28</sup>

71. The US introduced this issue by outlining some key concerns by Codex member countries in regard to the intervals from the time chemicals are nominated for assessment until Codex adopts an MRL and the vulnerability of some products moving in international trade during these periods. The United States also pointed out that growers might delay use of new safer compounds approved for national use because of the absence of a Codex MRL. Several countries and the representatives from Consumers International and ITIC noted that this was of public health concern. The Committee agreed that its priority in relation to this issue was in terms of establishing if there was a significant issue to bring before the attention of the CAC and relevant subsidiary bodies, including the Codex Committee on Pesticide Residues (CCPR) and the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF).

72. In this regard, it was noted that the Chairman’s Action Plan contained proposals that were relevant to any efforts to speed the MRL setting process. These included the proposal for annual meetings of the Codex Alimentarius Commission and reforming the expert advisory committees. It was considered that emphasis should be focussed on improving the pace in which Codex responds to such issues while having the utmost regard for public health and safety and that priority should be given to the assessment of new safer versions of agricultural chemicals.

73. Notwithstanding the efforts of the Commission to accelerate the elaboration procedures for Codex standards, the Committee recommended that the Commission might address the elaboration of standards for pesticide and veterinary drug residues within the development of the Medium-Term Plan for 2003-2007. In addition, the Committee agreed that this issue should be brought to the attention of the CCPR, CCRVDF and other relevant subsidiary bodies of the Commission.

##### **Codex Ad-Hoc Intergovernmental Task Force on Animal Feeding**<sup>29</sup>

74. The Committee noted the status of work of the Ad Hoc Task Intergovernmental Task Force on Animal Feeding. Although its work was at an early stage in the Step Procedure, it was evident that the Task Force process was facilitating an efficient Codex response to this issue. The Committee encouraged all stakeholders, including leaders of animal producing organizations in member countries, to be engaged in advising members on the lists, traceability of feed ingredients, implementation costs and compliance aspects of the proposed draft Revised Code of Practice on Good Animal Feeding.

75. The Committee noted the significance of the work of the Task Force on Animal Feeding in addressing important food safety related issues and that Members of the Region should actively participate in this important work.

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<sup>28</sup> Conference Room Document 3

<sup>29</sup> CRD 4.

### **Codex Strategic Vision and Medium-Term Plan 2003-2007<sup>30</sup>**

76. Further to the consideration of this matter under Agenda Item 2, the Committee recognized that the development of a strategic vision and Medium-Term Plan for the Codex Alimentarius Commission would not be an easy task. It also recognized that all Codex member countries would need to address this task to enable the Commission to respond to their future needs.

77. It was noted that some countries of the region were presently identifying key themes for enabling the Medium-Term Plan to give effect to the Strategic Statement. It was suggested that these themes could be grouped under the following categories:

- overarching responsibilities, functions and modus operandi of the Commission;
- programme areas relevant to the actual standards setting responsibilities of the Commission; and,
- issues relating to the management and administration of the Commission's work that is facilitated by the parent organizations, including the modus operandi of Expert bodies.

78. The representative of Consumers International noted its overall support for the Chairman's Action Plan and for integrating those proposals into the Medium-Term Plan. It was also noted that the Chairman's Action Plan would continue to evolve and that ensuring effective linkages with both the Codex parent and other organizations was envisaged. Consumers International also supported strengthening participation and transparency, and improved timeliness and responsiveness, under the Medium-Term Plan for 2003-2007.

79. The Committee agreed that although the Chairman's Action Plan was a good initiative it envisaged that future versions of the Plan would refine the detail of some of the proposals, such as the agenda of annual meetings of the Commission, roles and responsibilities for Vice-Chairs of Codex Committees, etc.

80. The CCNASWP reinforced the importance of Codex development and implementing strategies to ensure it retains its position as the pre-eminent global body for the setting of food standards and that it refines its modus operandi to ensure it remains responsive to emerging needs while retaining the confidence of member countries, industry and consumers. In this regard, CCNASWP welcomed the initiatives of the Chairman and the work of the CCEXEC drafting group. The Committee urged member countries of the Region to participate actively in the further development of the Strategic Statement and the Medium-Term Plan as a vehicle for delivering the mandate of the Commission.

81. In concluding the discussion on this matter, the Committee noted that the Chairman's Action Plan was a good initiative and agreed to extend its congratulations to the Chairman of the CAC for the Action Plan.

### **Future work**

82. In considering its future work, the Committee noted that at its future meetings the procedural and reporting items could be condensed into one or two items and that greater focus should be given to work with developing countries within the Region. Australia, as Regional Representative for the South-west Pacific Region, informed the Committee that it would be prepared to take action toward assisting the developing countries to identify key areas of work for the Agenda of the 7<sup>th</sup> session of CCNASWP.

83. The Committee also noted that CCNASWP provided a good opportunity to develop further partnerships between developed and developing countries as had been encouraged by the Commission.

84. In terms of future work, the Committee agreed that work priorities should include the following on-going and new areas of work:

- changes to food regulatory systems and food laws;

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<sup>30</sup> CRD 5 and 6



- policy-related issues including the areas of biotechnology, anti-microbial resistance, animal feeding and improving the effectiveness of Codex responses in meeting the needs of its members;
- issues facing small and less developed businesses;
- ongoing capacity building and monitoring compliance within developing countries; and
- the responses by relevant Codex Committees to the public health and trade vulnerability issues resulting from the lengthy Codex MRL setting process.

**DATE AND PLACE OF NEXT SESSION (Agenda Item 12)**

85. The Committee was advised that the 7<sup>th</sup> Session of the Codex Coordinating Committee for North America and the South-west Pacific was tentatively scheduled to be held in Canada from 3-6 December 2002 subject to discussions between the Codex and Canadian Secretariats. The delegation of Canada offered to consider the possibility of hosting the meeting in one of the South West Pacific island countries.

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