

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Forty-third Session

Comments from African Union

AGENDA ITEM 5: FINAL ADOPTION OF CODEX TEXTS

PART 1 – STANDARDS AND RELATED TEXTS SUBMITTED FOR ADOPTION

FAO/WHO Coordinating Committee for Africa (CCAFRICA)

Issue 1: Draft Standard for Fermented Cooked Cassava-Based Products (REP20/AFRICA Para. 76, Appendix III) (N07-2015) (Step 8)

Background:

At CCAFRICA23, the draft Regional Standard for Fermented Cooked Cassava-Based Products was introduced by Cameroon as the Chair of the Electronic Working Group (EWG) on the preparation of the draft standard. CCAFRICA23 agreed to discuss the draft standard section by section, considering comments submitted, made appropriate editorial corrections and took decisions as outlined as following:

General Quality Factors: CCAFRICA23 noted that moisture was an important factor in terms of the organoleptic characteristics of fermented cooked cassava-based products and that the moisture content varied according to the specific type of fermented cooked cassava-based product. Therefore, this quality parameter would need to be defined for each specific product. CCAFRICA23 therefore agreed to introduce the following descriptive statement to address this aspect: “The moisture content should be characteristic of a given product.”

Specific Quality Factors: CCAFRICA23 noted that there were different preparation and presentation methods for fermented cooked cassava-based products, and that moisture content differed from product to product. As it would therefore be difficult to establish common numerical values for this parameter, it was agreed to delete “moisture content %m/m, max.” The Committee also agreed to remove the square brackets from the provision for total acidity as the proposed values were based on the available data.

Contaminants: The Committee recalled the ongoing discussions in the Codex Committee on Contaminants in Foods (CCCF) concerning the establishment of maximum levels (MLs) for hydrocyanic acid in fermented cooked cassava-based products, and agreed to insert the following footnote “*The values of total hydrocyanic acid will be determined subject to the completion of the ongoing work in CCCF.*”

Methods of Analysis: The Codex Secretariat explained that the competence to determine the suitable methods of analysis for quality and safety evaluation of fermented cooked cassava products fell within the purview of CCAFRICA and that once such methods had been determined, they would be forwarded to Codex Committee on Methods of Analysis and Sampling (CCMAS) for endorsement and subsequent inclusion in the Standard for the Recommended Methods of Analysis (CXS 234-1999). It was agreed that methods would be identified at a future date.

Following discussion of this proposed revision at CCAFRICA23, the committee agreed to:

- Forward the proposed draft revision for final adoption at Step 8, and
- Forward the draft provisions for labelling to the Codex Committee on Food Labeling (CCFL) for endorsement; and

- Publish the examples of specific fermented cooked cassava-based products as an information document on the Codex website for future reference.

Position: African Union supports final adoption of the Draft Standard for Fermented Cooked Cassava-Based Products at step 8.

Rationale: Final adoption of this standard will contribute to promoting food safety, quality and trade, especially in the context of Africa Continental Free Trade Area (AfCFTA)

Issue 2: Draft Standard for Fresh Leaves of *Gnetum spp.* (REP20/AFRICA Para. 84, Appendix IV) (N09-2015) (Step 8)

Background:

At CCAFRICA23 the draft regional Standard for Fresh Leaves of *Gnetum spp* was introduced by Cameroon, as the Chair of the EWG. Cameroon also informed the Committee that the EWG had made the following updates to the draft regional standard: alignment of the draft standard with the standardized format of fresh fruits and vegetables standards; clarification in the title and scope and that the standards applies to fresh leaves

CCAFRICA23 agreed to the following:

- Title;
- Scope (Section 1);
- Description (Section 2);
- Provisions concerning tolerances (Section 4);
- Packaging (Section 5.1);
- Contaminants (Section 7); and
- Food Hygiene (Section 8) sections of the draft standard.
- Minimum Requirements: CCAFRICA23 agreed to further clarify the requirement for fresh appearance by specifying a minimum water content of 60%. Consequently, Section 3.3 on “leaves freshness” was deleted as it was considered a repetition of what was already specified in the scope that the standard applies to fresh whole and sliced leaves and that the parameter on “leaves freshness” was subjective and difficult to implement in both regulatory and commercial environments.
- Name of produce: CCAFRICA23 agreed that examples of local names for *Gnetum spp.* leaves be included in a footnote for ease of reference; consequentially Annex II (local names of *Gnetum spp.*) was deleted from the draft standard.
- Non-retail containers: CCAFRICA23 agreed to further align the section on non-retail containers with similar provisions in the standards for fresh fruits and vegetables; and in particular the following subsections: 6.2.1 Identification; 6.2.2 Nature of produce; 6.2.3 Origin of produce; and 6.2.4 Commercial identification. With this alignment, Section 9 was considered a duplication and was consequently deleted.

Following discussion, the committee agreed to:

- forward the proposed draft revision for final adoption at Step 8, and
- forward the draft provisions for labelling to CCFL for endorsement.

Position: African Union supports final adoption of the Draft Standard for Fresh Leaves of *Gnetum spp* at step 8

Rationale: Final adoption of this standard will contribute to promoting food safety, quality and trade, especially in the context of Africa Continental Free Trade Area (AfCFTA). This will open up market for Micro, Small and Medium Enterprises (MSMEs) which dominate the market in Africa.

Codex Committee on Fresh Fruits and Vegetables (CCFFV)

Issue 1: Draft Standard for Kiwifruit (REP20/FFV Para. 23, Appendix II) (N11-2014) (Step 8)

Background:

The Draft Standard for Kiwifruit was introduced at CCFFV21 by New Zealand, Chair of the EWG. The Draft Standard had been under consideration by CCFFV since CCFFV18. The Draft Standard had been held up at Step 7 at CCFFV20 as there had not been an agreement on the provisions for quality tolerances for decay in “Extra Class” and “Class 1”. The Committee proceeded to discuss the draft quality tolerances for decay for Kiwifruit. Three quality tolerances for “Extra Class” were proposed 0%, 0.5% and 1%. Delegations in favor of each of the proposed tolerance levels, gave reasons why the quality tolerance for decay should be set at their preferred level. There were divergent views on the quality tolerances however there was a need to reach a consensus. Eventually the Committee took the decision to allow a 0.5% tolerance for decay, soft rot and/or internal breakdown in “Extra Class” which would only apply beyond the export control point. Some Delegations expressed reservations to the inclusion of a tolerance for decay in “Extra Class” but did not oppose advancing the Draft Standard for Kiwifruit. All outstanding issues were addressed by the Committee, which then agreed to forward the Draft Standard for Kiwifruit to CAC43 for adoption at Step 8.

Position: African Union supports the final adoption of the Draft Standard for Kiwifruit at Step 8

Rationale: African Union has supported the inclusion of a minimum tolerance for decay in fresh fruits and vegetables during handling and shipping. The inclusion of a 0.5% tolerance for decay, soft rot and/or internal breakdown in “Extra Class” for Kiwifruit, applied beyond the export control point ensures the quality of Kiwifruit at the export control point and makes provision for some physiological changes in kiwifruit that may take place during handling and shipping after the fruit has cleared the export control point.

Issue 2: Draft Standard for Garlic (REP20/FFV Para. 38, Appendix III) (N09-2014) (Step 8)

Background:

New work on a Draft Standard for Garlic was proposed at CCFFV18. An EWG with Mexico as Chair was setup and tasked to prepare a Draft Standard for consideration at CCFFV19. The Draft Standard was considered at CCFFV19, CCFFV20 and was introduced by Mexico at CCFFV21. The EWG had considered the question whether smoked garlic should be classified under fresh produce as smoking could affect the colour, flavour and taste of produce. The EWG had concluded that smoked garlic was not a fresh product and should be excluded from the scope of fresh garlic, however it could be considered under the Codex Committee for Processed Fruits and Vegetables (CCPFV). The Committee then discussed provisions concerning sizing and whether smoked garlic should be included in the standard. Delegations supported the exclusion of smoked garlic from the Draft Standard. The Committee then considered each section of the Draft Standard and made relevant changes to the standard upon achieving consensus. When all outstanding issues had been addressed, the Committee agreed to forward the Draft Standard for Garlic to CAC43 for adoption at Step 8.

Position: African Union supports the final adoption of the Draft Standard for Garlic at Step 8.

Rationale: African Union supported the removal of smoked garlic from the Draft Standard as the AU did not consider smoked garlic to be fresh, since smoking affects the sensory properties of garlic. With the exclusion of smoked garlic from the Draft Standard, AU is in agreement with the remaining provisions in the Draft Standard and supports the adoption of the Draft Standard at Step 8.

Issue 3: Draft Standard for Ware Potatoes (REP20/FFV Para. 50, Appendix IV) (N08-2014) (Step 8)

Background:

New work on a Draft Standard for Ware Potatoes was discussed at CCFFV17 and approved at CCFFV18. An EWG was setup with India as Chair to prepare a proposed draft standard for consideration at CCFFV19. The Draft Standard was considered at CCFFV19 and CCFFV20 and introduced by India at CCFFV21. The Committee discussed each section of the Draft Standard and made relevant changes upon achieving a consensus. The Committee changed the sizing codes from numerical values (1,2,3,4) to alphabetical letters (A, B, C, D) with descriptors assigned to each code that indicated the physical characteristics (size/shape) for potatoes so as bring clarity to the codes i.e. A (large); B (Round); C (long); D (small). With regards to quality tolerances, the Committee assigned soil a value of 0.25% for all classes as soil poses phytosanitary risks. The quality tolerance for soil was separated from the tolerance for extraneous matter. Extraneous matter was assigned a quality tolerance of 0.25% for “Extra Class” and 0.5% for Class I and Class II. Some Delegations expressed reservations about the quality tolerances for “Extra Class” and the percentage tolerance for soil. A reservation was also expressed on the inclusion of a tolerance for decay. All outstanding issues were addressed during deliberations and the Committee agreed to forward the Draft Standard for Ware Potatoes to CAC43 for final adoption at Step 8.

Position: African Union supports the final adoption of the Draft Standard for Ware Potatoes at Step 8.

Rationale: Ware potatoes are grown in Africa and are important in trade across the continent. With the change in sizing codes to alphabets and the inclusion of descriptors, ambiguity in the sizing of ware potatoes has been eliminated. Also AU supports the inclusion of a tolerance for extraneous matter and a minimum amount of soil as it is difficult to achieve an absolute zero within Africa based on environmental conditions (for example during the Harmattan, Dust Storms and Sand Storms).

Issue 4: Draft Standard for Yam (REP20/FFV Para. 74, Appendix V) (N01-2018) (Step 5/8)

Background:

The proposal for new work on a Draft Yam standard was considered at CCFFV20. An EWG was setup with Costa Rica as Chair and Ghana as Co-Chair. Costa Rica (EWG Chair) introduced the Draft Yam Standard at CCFFV21. The Committee discussed each section of the Draft Standard, taking comments submitted by Delegations into account and making relevant changes after a consensus had been achieved. The Committee noted that there were many variations in the size and shape of yam and the provisions concerning sizing had been developed to be inclusive of all yam species. A tolerance for decay at 1% was allowed for "Extra Class" and 2% was allowed for Class I. Also 1% dirt was included in the quality tolerance for all yam classes, as yams are not normally cleaned (washed) as is done for other fresh fruits and vegetables. There were some reservations with regards to quality tolerances (the inclusion of 1% of dirt for all three classes and the allowance of a tolerance for decay in "Extra Class". When all outstanding issues had been addressed, the Delegations that raised reservations did not oppose the advancement of the Draft Standard. The Committee agreed to forward the Draft Standard for Yam to CAC43 for final adoption at Step 5/8.

Position: African Union supports the final adoption of the Draft Standard for Yam at Step 5/8.

Rationale: Africa contributes 97% of world production of yam. Yam is therefore a very important crop in Africa, with cultural and economic significance. The draft standard for yam is very inclusive and the provisions take account of the different sizes and shapes of yam found all over the world. The provisions for tolerance take into account the difficulties associated with the maintaining the quality of yam during postharvest storage and handling.

Codex Committee on Food Hygiene (CCFH)

Issue 1: Draft Code of Practice on Food Allergen Management for Food Business Operators (REP20/FH Para. 26, Appendix II) (N05-2018) (Step 8)

Background

The draft Code of Practice on Food Allergen Management for Food Business Operators had been adopted at Step 5 by CAC42 and advanced to Step 6 for comments. The main issues are related to thresholds for allergens, and the use of the term 'precautionary allergen labelling'. CCFH50 had agreed to request that FAO/WHO convenes an expert consultation to provide scientific advice on "the threshold levels for priority allergens, appropriate analytical methods for testing and guidance on how thresholds can be used by FBOs to determine the extent to which a cleaning procedure removes an allergen to a level that prevents or minimizes the risk to the majority of susceptible consumers from allergen cross-contact,".

In addition, the committee agreed to request advice from the Codex Committee on Food Labelling (CCFL) on the appropriateness of the use of precautionary allergen labelling. In view of the feedback from CCFL, the new work underway in that Committee, plus the fact that scientific advice was still needed to finalize the work in CCFL and the Code of Practice (COP), the draft COP could remain at Step 7 for some time. However, because the COP already contained a great deal of information on managing food allergens, the CCFH 51 agreed to forward the draft COP to CAC43 for adoption at Step 8 (Appendix II) after deletion of text related to precautionary allergen labelling throughout the COP including the definition of the term "precautionary allergen labelling". Further, the COP could be revised upon completion of the work on precautionary allergen labelling in CCFL and advice from FAO/WHO.

Position: African Union supports final adoption of the Draft Code of Practice on Food Allergen Management for Food Business Operators at step 8.

Rationale: Managing of allergens in food is increasingly becoming a major area of interest across the globe due to the public health implications of allergens. The Commission should consider adoption of the Code as presented, given that a lot of useful information has already been included. The committee may choose to use the information that will arise from FAO/WHO scientific advice and CCFL work on precautionary allergen labelling for revisions in future, instead of delaying the Code further.

Issue 2: Proposed draft revision of the General Principles of Food Hygiene (CXC 1- 1969) and its HACCP annex (REP20/FH Para. 88, Appendix IV) (N03-2016) (Step 5/8)

Background:

The General Principles of Food Hygiene (GPFH) is the foundational document of CCFH, launched at the first session of CCFH in 1964. The Physical working group (PWG), chaired by the UK and co-chaired by France, Ghana, India, Mexico and the United States of America, met prior to CCFH 51, and during the session there were several side meetings of working group chairs and other interested countries to resolve issues.

The CCFH51 agreed with most of the proposed revisions as contained in CRD 2 (Report of PWG on proposed *draft revision of the General Principles of Food Hygiene*) of CCFH51 documents. In addition to editorial corrections, amendments for flexibility, clarity, completeness and consistency, the Committee made the following comments and decisions:

- a) The committee agreed to replace:
- “disposing” and “disposal” with “disposition”
 - “loss of control” with “deviation”;
 - “the next person/FBO” with “the next FBO”.

b) Definition of Food Business Operator (FBO)

Noting some countries defined FBO as an individual person(s) while others expanded FBO to include an entity, the Committee agreed to the revised definition as follows: “*Food business operator (FBO): An entity responsible for operating a business at any step in the food chain.*”

c) Definition of Validation

The committee agreed to remove the definition of “validation,” keeping the definition of “validation of control measures.

d) Medical Screening of Employees

In response to a proposal to insert a requirement that “all food handlers should periodically undergo medical screening as appropriate to prevent contamination of food”, the PWG Chair emphasized that this type of screening was ineffective to detect foodborne disease and thus should not be included. This view was confirmed by the Representative of WHO. The Committee agreed not to include the proposed sentence in the paragraph.

e) Description of Products and Processes in the Good Hygiene Practices (GHP) Chapter

Several delegations expressed concern that the steps of describing the product and process, along with discussions in the sections on monitoring, verification, and records, were also in the HACCP chapter and they should be deleted in this chapter. Others pointed out that in some cases there are GHPs that require greater attention to ensure the safety of food. At the suggestion of an African country, the committee agreed to insert a new paragraph applying to the section on “Description of products and processes” as follows: “*After consideration of the conditions and activities of the food business, it may be necessary to pay greater attention to some GHPs that are particularly important for food safety. In this case the following provisions could be considered.*”

f) Validation/Verification

The issue of whether validation belonged in Principle 3 (“Establish validated critical limits”) or Principle 6 (“Verification”) was resolved by including validation information under both principles;

g) Diagram 3 – Example of Decision Tree to Identify CCPs

There were numerous suggestions for revision of the decision tree. The PWG Chair proposed to delete this diagram for the time being and in order to avoid delay of adoption of the document, to continue its revision for insertion to the document after its adoption. The committee agreed with the deletion of the diagram for the time being. Brazil, Honduras, Jamaica and Thailand volunteered to work together to prepare a proposal on the decision tree for consideration by CCFH52.

The Committee agreed to forward the proposed draft revision of the General Principles of Food Hygiene (CXC1-1969) to CAC43 for adoption at Step 5/8 (Appendix IV); and agreed to return the diagram to the decision tree to Step 2 for drafting by Brazil, Honduras, Jamaica, and Thailand, with comments at Step 3 for consideration by CCFH52.

Position: African Union can support the adoption of the draft revision of the General Principles of Food Hygiene (CXS 1- 1969) and its HACCP annex at step 5/8, provided that a requirement on “medical screening” is included in the document. The text should be introduced under Health Status Para. 85: and should read “**All food handlers should periodically undergo medical screening as appropriate to prevent contamination of food**” Personnel known or suspected to be ill or carrying a disease likely to be transmitted through food should not enter any food handling area if there is a likelihood of their contaminating food. Any person so affected should immediately report illness or symptoms of illness to the management.

Rationale: African Union has taken note of the decision of CCFH51 regarding the exclusion of a requirement on “Medical Screening” of employees which is intended to avoid food contamination by employees. AU notes several risk management options exist for preventing food contamination by foodborne pathogens and that medical screening is one of such risk management measures adopted by countries in combination with other measures to prevent the transmission of foodborne pathogens from food handlers to food. Noting that several countries’ food law requires food handlers to undergo periodic medical screening and drawing from lessons learnt from the ongoing COVID-19 Pandemic where food handlers are required to undergo medical screening in several jurisdictions, African Union is of the opinion that the subject of “medical screening” should be reconsidered and included in the CXS 1:1969. Inclusion of medical screening requirement will contribute to ensuring that food safety is not compromised through transmission of infectious pathogens from unhealthy food handlers to the food or food processing environment.

Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Issue: Inclusion of Xanthan Gum [(INS 415) and Pectins (INS 440) in CXS 72-1981] (REP20/NFSDU Para. 166).

Background:

The 41st Session of CCNFSDU concluded discussion on the technological need of these two additives and agreed that the two additives are to be used as thickening agent in products for infants and young children. This was in fulfillment of the request by CCFA49 to CCNFSDU to determine the technological need of Xanthan Gum and Pectin in products covered in *Infant Formula and Formulas for Special Medical Purposes Intended for Infants* (CXS 72-1981). In regard to safety of the additives and the fear that most food additives are not evaluated for use person less than 12 weeks, the committee made reference to JECFA 82 report which was adopted by the CCFA49. The JECFA report indicated that *‘the margins of exposure calculated for the use of pectin at 0.2% in infant formula indicate low risk for the health of infants and are not of concern’*. Based on this conclusion and having agreed of the technological justification for the use of the two food additives, CCNFSDU41 recommended the two additives to be adopted for use in CXS 72-1981 and that CCFA include the additives in food category 13.1.3 “Formulae for special medical purposes for infants” of the *General Standard for Food Additives*

Position: African Union supports inclusion of Xanthan Gum [(INS 415) and Pectins (INS 440) in CXS 72-1981

Rationale: The safety of the two additives in infant products has been fully determined by JECFA and that a technological justification has been provided by the relevant committee as required in the Codex Procedural Manual.

AGENDA ITEM 6: ADOPTION OF CODEX TEXTS AT STEP 5

FAO/WHO Coordinating Committee for Africa (CCAFRICA)

Issue: Proposed Draft Standard for Dried Meat (N07-2016 REP20/AFRICA Para. 102, Appendix V)

Background:

At CCAFRICA23, Botswana introduced the agenda item, as the Chair of the EWG and gave a summary of the EWG report as well as the key areas covered by the proposed draft standard. Botswana further informed CCAFRICA23 committee that an in-session working group had considered the proposed draft standard, resolved some of the outstanding issues, and made recommendations on a number of sections in the draft standard, taking into account the recommendations of the 71st Executive Committee of the Codex Alimentarius Commission (CCEXEC71) held in 2016.

The updated draft regional standard addressed all the concerns that some members and observers have previously expressed, including limiting the regional standard to those products which were predominantly in intra-regional African trade and excluding those products that were in international trade beyond the region.

Following discussion, the CCAFRICA23 Committee agreed to:

- forward the proposed draft revision for adoption at Step 5, and
- forward the provisions for labelling and methods of analysis to CCFL and CCMAS respectively for endorsement; and
- establish an EWG, chaired by Botswana and co-chaired by Kenya and Morocco, working in English and French, to consider the provisions in square brackets, the comments received at Step 5 and the discussions at the current session, and to prepare a revised draft standard for circulation for comments and consideration at the next session of the CCAFRICA.

Position: African Union supports adoption of the Draft Standard for Dried Meat at Step 5.

Rationale: Advancing this standard will promote food safety and quality and thus facilitate regional and international trade especially in the context of Africa Continental Free Trade Area (AfCFTA).

Codex Committee on Food Hygiene (CCFH)

Issue: Proposed Draft Guidance for the Management of Biological Foodborne Outbreaks (N06-2018 REP20/FH Para. 103, Appendix III)

Background:

A revised version of the proposed draft Guidance was provided at CCFH 51 by the EWG, chaired by Denmark and co-chaired by Chile and the European Union for consideration. The Committee agreed with most of the revisions. In addition, editorial corrections, additional amendments for purposes of clarity, completeness of comments and decisions were made. Following discussion, the Committee agreed to forward the proposed draft Guidance to CAC43 for adoption at Step 5; and establish a PWG, chaired by Denmark, co-chaired by Chile and the European Union, to meet prior to CCFH52 to consider all comments received as well as to prepare a revised proposal for consideration by plenary.

Position: African Union supports adoption of the Proposed Draft Guidance for the Management of Biological Foodborne Outbreaks at step 5.

Rationale: The AU supports amendments made to the Proposed Draft Guidance for the Management of Biological Foodborne Outbreaks document, and for inclusion of the three annexes, which provide more clarity and detail on:

- Annex 1: Structure of networks handling foodborne outbreak,
- Annex 2 Examples of requests for rapid risk assessments and
- Annex 3 Template for an outbreak analysis.

Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Issue 1: Review of the Standard for Follow-up Formula: Section B: Proposed Draft Scope, Definition and Labelling (N07-2013 REP20/NFSDU Para. 85)

Background

CCNFSDU41 discussion mainly revolved around the definition of the products to be covered in Section B of the follow-up formula standard and the labelling requirements that should apply as the outcome of the definition will determine the labelling requirements to be adopted. Follow-up formula are products manufactured for use from the age of 6 months onward with a differentiation at 12 months. Section B of this standard covers products starting at 12 months of age. Already provisions for Section A (6 – 12months) are already adopted at step 5. The main focus was whether to consider products under section B as breastmilk substitutes or not. Breastmilk substitutes are manufactured products that may be used as a replacement to breastmilk. During the session those in favour (all African countries except Morocco) for the products be considered as breastmilk, argued that: on the basis of function of the product rather than composition; the products are currently marketed as breastmilk substitutes; any product presented as liquid in this age displaces breastmilk; and WHO guidance on ending inappropriate Promotion of Foods for Infants and Young Children classifies these products as breast-milk substitutes. In addition, most African countries have either adopted/adapted the WHO code of marketing of breastmilk substitutes classifying products up to 24 months as breastmilk substitute. Those opposed argued that: classifying the products as such will mislead the consumers to belief that they are breastmilk substitutes; the products do not contain all nutrients as is the case of breastmilk substitute; will give these products the status of breastmilk substitutes; and they are used as alternative to cow's milk.

In discussing this issue the committee considered the option of including a footnote to the definition indicating that in some countries the products may be considered as breastmilk substitutes. However, this was opposed given that in other Codex texts use of such notes lead to complications in later use of the standard. As a compromise, the committee agreed to define the products generally without reference to breastmilk substitute to read as, '**Drink/product for young children with added nutrients or Drink for young children means a product manufactured for use as a liquid part of the diversified diet of young children [which may contribute to the nutritional needs of young children]**'. The meeting agreed to have the words indicating that the product is contributing to nutritional needs in square brackets as there was dividing opinion on the word given that WHO had already issued a statement indicating these products are 'Nutritionally NOT necessary'. This will be resolved in CCNFSDU42 but in the meantime the committee agreed to advance the draft definition to Step 5. The meeting also agreed to recommend scope and labelling provisions for adoption at step 5 and revise the date of adoption of the standard to CAC in 2022 to allow for further discussions.

Position: African Union supports adoption of scope, definition and labelling provision of section B of follow-up formula at step 5 and accepts the revised timelines.

Rationale: There is good progress towards realizing common grounds on the various contested clauses of this standard. The proposed definition which is the work of consensus is amicably resolving the stalemate from proponents of either side of discussion of breastmilk substitutes. The revised timelines will provide humble time to the committee to discuss and conclude on this subject.

Issue 2: Proposed Draft Guidelines for Ready-to-Use Therapeutic Foods (RUTF) (N05-2016 REP20/NFSDU Para. 122)

Background

The work of developing Guidelines for Ready-to-Use Therapeutic Foods (RUTF) is chaired by South Africa and co-chaired by Uganda and Senegal with full support of all African countries. These guidelines aim at providing a basis in which countries may use locally available foods in developing products for the management of malnutrition. The use of local food is expected to enable smooth transition from RUTF to normal diets'. In CCNFSDU41, the committee discussed and agreed on various nutrients and their composition. The committee further agreed to develop a table of commonly used food additives rather than developing a specific food category within General Standard for Food Additives (GSFA) for these products as this will enable the committee to complete the work within time and be able to revise the table with ease in future. The committee agreed to send the table of food additives together with the technological justification to CCFA for endorsement. And the labelling provision to CCFL for adoption. The committee agreed to advance the guidelines to step 5.

Position: African Union supports adoption of the guidelines at step 5.

Rationale: The guidelines are important for the sustainable management of malnutrition with focus on local food ingredients. The committee has achieved consensus on various requirements thus justifying adoption of the guidelines at Step 5.

Ad hoc Codex Intergovernmental Task Force on Antimicrobial Resistance (TFAMR)

Issue: Proposed Draft Revision of the Code of Practice to Minimize and Contain Foodborne Antimicrobial Resistance (CXC 61-2005) N28-2017 REP20/AMR Para. 126)

Background

The Proposed Draft Revision of the Code of Practice to Minimize and Contain Antimicrobial Resistance (CAC/RCP 61-2005) was developed by United States as chair of the electronic and physical working group co-chaired by Kenya, United Kingdom, China and Chile. The draft was presented to the 7th Session of the Codex *ad hoc* Intergovernmental Task Force on Antimicrobial Resistance (TFAMR7).

TFAMR7 after extensive deliberations had broad consensus on all the seven sections of the draft, which include the introduction, scope, definitions, general principles, roles and responsibilities of various actors across the food chain, practices along the food chain including consumer practices that would minimize foodborne antimicrobial resistance risk. The TFAMR7 discussed and agreed that the term, "medically important" should apply to medically important antimicrobials, specifically those important to human therapeutic use, rather than all antimicrobial agents. The bracketed texts in the document are definition for the term "therapeutic use," the accompanying principle specifying that such uses should be limited to those uses addressing disease, and reference to the term under paragraph 54.

TFAMR07 agreed to:

- Forward the proposed draft revision of the *Code of Practice to Contain and Minimize Foodborne Antimicrobial Resistance* (CXC 61-2005) to CAC43 for adoption at Step 5; and
- Establish an electronic working group, chaired by the United States of America and co-chaired by Chile, China, Kenya and the United Kingdom, working in English only, to address the outstanding issues

Position: African Union supports the adoption of *Code of Practice to Contain and Minimize Foodborne Antimicrobial Resistance* (CXC 61-2005) at step 5.

Rationale: The proposed draft code provides risk management guidance to address the risk to human health of the development and transmission of antimicrobial resistant microorganisms or resistance determinants through food. This will provide useful guidance to countries as they adopt national solutions to tackle the emergence and spread of antimicrobial resistant pathogens. Further clarity in the definition of the term “therapeutic use” will focus on the intended objective of addressing disease.

AGENDA ITEM 8: PROPOSALS FOR NEW WORK

FAO/WHO Coordinating Committee for Africa (CCAFRICA)

Issue 1: Proposal for New Work to Elaborate Guidelines for Supporting the Development of Harmonized Food Laws for the CCAFRICA Region (REP20/AFRICA, Para. 108)

Background

Kenya, as the author of the paper, introduced the proposal prepared with the agreement of CCAFRICA22, highlighting the long history of this topic within CCAFRICA, noted that the need for work in this area was never higher considering the recent ratification of the AfCFTA and requested CCAFRICA23 to take on new work in this area.

There was broad support for this proposal and recognition of its timeliness and value. Given the general support for the new work proposal, CCAFRICA23 reviewed the project document, and taking into account the discussions. CCAFRICA23 revised the title to read “*guidelines for supporting the development of harmonised food laws for the CCAFRICA region*” as this better reflected the intent of the work as being to develop guidelines that would support countries in drafting or revising national legislation in a manner that promoted harmonization rather than developing a single harmonized food law.

Following discussions, CCAFRICA23 agreed to:

- start new work on a set of guidelines that would support countries in drafting or revising their national legislation relating to food and food control;
- request Kenya to revise the project document in line with the discussion and to submit through the Codex Secretariat the revised project document to CAC43 for approval as new work; and
- establish an EWG, chaired by Kenya and co-chaired by Senegal and Morocco, working in English and French, to prepare, subject to the approval of the Commission, the proposed draft guidelines for circulation for comments at Step 3 and consideration at CCAFRICA24.

Position: African Union supports the proposal of this new work.

Rationale: African Union recognizes that differences exist in the food laws of its Member States. With the ratification of the African Continental Free Trade (AfCFTA), there is need to harmonize food laws on the continent to facilitate regulatory convergence. This is why the proposed regional Guidelines for supporting the development of harmonized food laws for the CCAFRICA region is so important. The Guidelines will contribute to removing non-tariff trade barriers associated with different food laws in Africa and thereby facilitate food trade in the AfCFTA.

Codex Committee on Food Hygiene (CCFH)

Issue 2: New Work on Guidelines for the Safe Use and Reuse of Water in Food Production (REP20/FH, Para. 116, Appendix V)

Background:

The CCFH 50 noted the need for a discussion paper on principles for the safe use of water in food processing and agreed to review the workplan and move the work on principles for the safe use of water in

food processing to the top of the table following its evaluation against the criteria for new work priorities. The Committee welcomed the offer of Honduras, with the support of Chile, EU, India and Denmark, to prepare a discussion paper on this subject for consideration by CCFH51. At CCFH 51, Honduras introduced the revised project document and highlighted changes in the title, scope and main aspects to be covered, and timeline.

The Committee agreed that the Guideline would only cover biological hazards, but acknowledged the importance of chemicals in the context of safe use and reuse of water in food production. In light of this, the Committee agreed to inform the Codex Committee on Contaminants in Foods (CCCF) of this new work.

The CCFH51 agreed to forward the project document to CAC43 for approval as new work and establish an EWG, chaired by Honduras and co-chaired by Chile, Denmark, EU and India, to prepare the proposed draft guidelines for circulation for comments at Step 3 and consideration at CCFH52. The EWG will take into account published and future JEMRA work on water.

Position: African Union supports new work proposal on Guidelines for the Safe Use and Reuse of Water in Food Production.

Rationale: Water is an essential ingredient in the production and processing of food. It can be used as an ingredient, for washing food and in many other applications. Unsafe water however could be a source of pathogens or other contaminants with consequential public health impact. Judicious use of safe, quality water is essential to protect public health and the sustainability of food production. Hence the need for a harmonized Codex document and the importance of guidelines for the safe use of water along the food chain.

AGENDA ITEM 9: DISCONTINUATION OF WORK

Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

Issue 1: Condition for a Claim for “Free of” TFAs (REP20/NFSDU Para. 131)

Background

CCNFSDU has been working to establish condition for claiming “Free of” Trans fatty acids in food products generally. However, one of the greatest challenges arose when the committee requested CCMAS to develop a method that would determine compliance to the claim. In response to CCNFSDU, CCMAS concluded that it was not possible to develop a specific method given that the request did not provide a specific matrix to which the method would apply and that different matrices may require different methods of tests.

CCNFSDU40 tasked an electronic working group to develop possible options based on the response of CCMAS. CCNFSDU41 discussed the various options by the working group on how to progress the work including the option of recommending to CCFO to establish limits to guide this aspect. Upon discussion by the committee on all proposed options and taking note of footnote 6 (*‘Countries where the level of intake of trans-fatty acids is a public health concern should consider the declaration of trans-fatty acids in nutrition labelling’*) in *Guidelines on Nutrition Labelling* (CXG 2-1985) the committee agreed that it is not possible to proceed with this work in CCNFSDU and thus recommended for its discontinuation.

Position: African Union supports discontinuation of work on claim on “Free of” TFAs.

AGENDA ITEM 10: AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS

FAO/WHO Coordinating Committee for Africa (CCAFRICA)

Issue: Proposed Amendments to Sections 3.2.2 And 3.4 of The Regional Standard for Shea Butter CXS 325R-2017

Background:

Following a request for clarification of two descriptors associated with Table 1 of Section 3.2.2 - Quality Criteria, CCAFRICA23 agreed to simplify the table to refer to the grades as Grade I and II and include the related descriptors as footnotes to the table.

With regard to Section 3.4 on Fatty acid composition, CCAFRICA23 clarified that the level of linolenic acid specified in the standard should read as <1% instead of 1-11% based on available data and agreed to amend the standard accordingly.

Position: African Union supports the amendments.