



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**  
**CODEX ALIMENTARIUS COMMISSION**  
**Forty-third Session**

*Comments from the United States of America*

**INTERMEDIATE REPORT OF THE SUB-COMMITTEE OF THE EXECUTIVE COMMITTEE  
OF THE CODEX ALIMENTARIUS COMMISSION  
- "CODEX AND THE PANDEMIC - STRATEGIC CHALLENGES AND OPPORTUNITIES"**

The United States wishes to thank the Sub-Committee for the Intermediate Report "Codex and the Pandemic – Strategic Challenges and Opportunities." The work of the Sub-Committee is very important, and the Intermediate Report and ongoing discussions are key steps as we seek to ensure progress of Codex work into 2021 and beyond.

Overall, the United States agrees with the issues as they are noted in Section 3.2.1 of the Intermediate Report as being important and necessary to take into consideration. In principle, we believe that virtual meetings should be an option for Codex in the current situation, with the understanding that scheduling decisions will continue to be made based on consultations between the Secretariat and host countries, as they are for physical meetings. We also agree that the Codex core values of inclusiveness, collaboration, consensus building, and transparency should inform all of our actions.

We would like to highlight the following additional points from the Sub-Committee report:

- The critical importance of Circular Letters (CLs) and Electronic Working Groups (EWGs) as reliable and time-tested tools for progressing issues within Codex committees between sessions and preparing for discussion in virtual sessions. Given increased reliance on CLs and EWGs, we would particularly like to emphasize the need for full and active participation in these mechanisms. We would also suggest that the Secretariat consider making responses in the online commenting system visible to members to encourage greater transparency.
- Our significant concerns regarding the Codex value of inclusiveness when considering hybrid meetings, and the unequal challenges faced by different delegations and/or regions to attend in person.
- The key role of planning and preparation in facilitating progress during non-physical meetings, along with strict attention to time management.

In addition, we would like to offer the following observations:

**Approach:** The United States recognizes that we share the common goal that Codex return to physical meetings as soon as practical, and that these measures for non-physical meetings are only intended to facilitate progress within Codex in the current extreme circumstances, when we cannot meet physically.

**Legal and procedural considerations:** A clear analysis of any legal constraints and determinations required to convene virtual (or hybrid) sessions should be prepared for use in reaching decisions to employ these alternative ways of working. We do not believe there is a need for any further procedural guidance beyond that prepared by the Secretariat for this CAC session.

**Logistical and practical considerations for non-physical meetings:** All virtual or hybrid meetings, formal or informal, should be preceded by training sessions to enhance participation, ensure awareness of how delegations may seek to intervene, etc. A survey of members' technical capabilities, including equipment needs, could help inform use of resources, including possible expansion of the activities that may be

supported by the Codex Trust Fund. Based on our experience at this virtual CAC, we also note that it will be important to ensure balance in reports of virtual sessions, particularly in light of time constraints and guidance from the chairperson requesting that countries not intervene if they agree with the proposed conclusions. We would also suggest a review of the Zoom chat function, to avoid potential distraction from the issues that are before the meeting for decision and focus primarily on technical issues (e.g., interpretation difficulties, inability of members to intervene due to technical problems).

Finally, it is important to remain open to what we learn based on experience. Except for the current session, the Codex Alimentarius experience with virtual or hybrid meetings to date has been limited to relatively small groups. In the case of hybrid meetings, we have the experiences of a Physical Working Group (PWG) of the Codex Committee on Food Import and Export Certification Systems (CCFICS). In the case of virtual meetings, we have the recent experience of the relatively small Codex Executive Committee (CCEXEC) and the much larger current CAC43 session (with over 500 participants so far in plenary sessions). Codex will likely need to adjust approaches as we gain experience with larger meetings such as the Codex Alimentarius Commission (CAC) or committees, since issues that are not apparent now may emerge in the future.

Thank you for the opportunity to submit this Conference Room Document and we look forward to a fruitful and productive discussion of the Intermediate Report at the upcoming plenary session of the Commission.