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JOINT FAO/WHO FOOD STANDARDS PROGRAM
CODEX ALIMENTARIUS COMMISSION
Fifth Session, Rome, 20 February - 1 March 1968

EXECUTIVE COMMITTEE
Report of the Eleventh Session, 19 February 1968, FAO, Rome

1. Introduction

The Executive Committee held its Eleventh Session at FAO Headquarters in Rome on 19 February 1968. The Committee was presided over by the Chairman of the Codex Alimentarius Commission, Prof. Dr. M.J.L. Dols, and in the presence of the three Vice-Chairmen, Mr. J.H.V. Davies (United Kingdom), Mr. H.V. Dempsey (Canada) and Mr. G. Weill (France). The following observers from the geographic locations mentioned were in attendance: for Asia, Mr. J.S. Mongia from India; for Europe, Dr. T. Buczma from Poland; for Latin America, Dr. A. Parados Alvarez from Cuba; for North America, Mr. G.R. Grange from the U.S.A.; for South-West Pacific, Mr. I. Smith from Australia. Also in attendance was the Coordinator for Europe, Dr. R. Wildner (Austria).

2. Adoption of the Agenda

The Committee adopted the provisional agenda, with the addition of one item.

3. Progress Report by the Chairman of the Executive Committee

The Executive Committee agreed that there were no matters arising from the Report of the Tenth Session of the Executive Committee other than those put down on the provisional agenda for the present session which required attention at this session.

4. Nomination Procedure for the Election of Officers of the Commission and Members of the Executive Committee

The Executive Committee agreed to recommend to the Commission the following timetable for the nomination and election of the officers of the Commission and the members of the Executive Committee. The time for nominations for Chairman of the Commission would close at the end of the session of the Commission on Wednesday, 21 February, and should an election be necessary it would be held during the morning of Thursday, 22 February. The closing time for the nomination of Vice-Chairmen of the Commission would be

the end of the Commission session on Friday, 23 February, and an election, if necessary, would be held during the course of the afternoon of Saturday, 24 February. The closing time for nominations for members of the Executive Committee representing the geographic locations would be the end of the Commission session on Monday, 26 February, and an election, if necessary, would be held during the morning of Tuesday, 27 February. Nomination Forms would be available to Members of the Commission upon request to the Secretariat. In accordance with the Rules of Procedure, only participating Members of the Commission can nominate or vote during the session.

5. Recommendations of the Fourteenth Session of the FAO Conference on the Joint FAO/WHO Food Standards Program

The Executive Committee noted that the above recommendations mainly concerned the following points:

- a) The Directors-General of FAO and WHO should consider ways and means of apportioning the joint costs of the FAO/WHO Food Standards Program on a more equitable basis.
- b) No further Codex Committees should be set up or no new work undertaken until some of the work already in hand had been completed. However, the FAO Conference did agree that should the Commission decide to proceed with the establishment of Codex Committees for Edible Ices and Packaging Materials, they could do so during the current biennium.
- c) The FAO Conference had recommended that the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products should align its procedures with those of the Codex Alimentarius Commission.
- d) The FAO Conference had also recommended that the Commission should establish guidelines for determining its work priorities.

The Executive Committee asked to be kept informed of the outcome of the discussions between the two Directors-General regarding budgetary provisions of the two Organizations for the Program. The Executive Committee concurred that new work should not be commenced until some of the existing work had been completed. The Executive Committee considered that in the main the Committee on Milk and Milk Products was following the practices and procedures of the Commission, but considered that a clarification of paragraph 10 of the Report of the First Session of the Codex Alimentarius Commission should be made, so as to indicate precisely the role of the Committee on Milk and Milk Products within the overall procedural framework of the Commission. The Executive Committee agreed to propose the following text to replace paragraph 10 of the Report of the First Session of the Codex Alimentarius Commission.

Paragraph 10

Former text:

"The Commission decided to treat the present Joint FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products as a Committee of the whole of the Commission, under Rule IX.1(a) of its Rules of Procedure, having exclusive competence for all questions concerning milk and milk products. Decisions of this Committee, which is already open to all member countries of FAO and WHO, would therefore be decisions of the Commission in this specified field, subject to review in Plenary if requested. In this

way the recommendations of the Joint FAO/WHO Conference on Food Standards (see its Report, para. 39) were given full effect. The costs of the Committee were already met from the regular budget of FAO. At its Second Session, the Commission would take up the possible republication in the Codex of the Code of Principles and its associated standards."

New text proposed by the Executive Committee

"The Commission decided to treat the FAO/WHO Committee of Government Experts on the Code of Principles concerning Milk and Milk Products as a Committee under Rule IX.1(a) of the Rules of Procedure. The Committee would have the right to consider all standards relating to milk and milk products to pass them through the Steps of the Procedure for the Elaboration of Standards and to submit them to Governments for acceptance, except that all decisions of the Committee, whether on Standards or not, would be subject to review by the Commission at the request of any member of the Commission. Standards formulated by the Committee of Government Experts are subject to the procedure for endorsement of certain provisions by Codex General Committees as laid down in paragraph 13 of the Guidelines for Codex Committees, pp. 47 and 48 of the Report of the Fourth Session of the Codex Alimentarius Commission, with the exception of those for Sampling and Methods of Analysis."

The Secretariat was requested to prepare a paper containing draft guidelines for work priorities for the next session of the Executive Committee.

6. Invitations to Codex Sessions

The Executive Committee was informed of the recent decisions of the FAO Conference concerning the invitation of international non-governmental organizations not having formal status with either FAO or WHO to Codex Sessions. The Secretariat, as requested by the Conference, was preparing a list of those organizations which were considered to have a legitimate interest in the work of the Codex Alimentarius Commission and its subsidiary bodies and would be placing this before the FAO Council for approval. This list would be made available to the Chairmen of Codex Committees and Codex Contact Points.

7. Attendance of Members of the Public at Codex Sessions

The Secretariat drew to the attention of the Executive Committee the increasing number of requests that were being received from representatives of food and chemical manufacturers to attend sessions of the Codex Alimentarius Commission as members of the public. The Executive Committee reaffirmed the Commission's decision as contained in the Guidelines for Codex Committees that the subsidiary bodies of the Commission should work in closed sessions. Sessions of the Codex Alimentarius Commission would remain open to members of the public in accordance with the Rules of Procedure, unless the Commission decided otherwise.

8. Publication of the Codex Alimentarius

The Executive Committee requested the Secretariat to examine with the appropriate persons of both Organizations the question of how arrangements could be made for the sale of the Codex Alimentarius, on the understanding that Member Governments would continue to receive a number of free copies.

The Secretariat advised the Executive Committee that budgetary provision had been made for the publication of the procedural handbook which had been requested by the Commission at its second session. It was hoped to issue this simultaneously with the Report of the Fifth Session and it would be distributed free of charge.

9. Copyright in respect of Methods of Analysis

The Executive Committee concluded that any difficulties arising through the operation of copyright should be dealt with on a case by case basis. It was recommended that when questions of copyright might be involved the Secretariat should write to the holder of the copyright enquiring if it could be waived on behalf of the Commission.

10. Idea of a General Standard

The Executive Committee considered what action should be taken regarding a paper prepared by the UK delegation which had been requested by the Codex Committee on General Principles at its Second Session on the "Idea of a General Standard". The Executive Committee decided that the paper should be sent to Governments for comments. If it should be decided by the Codex Alimentarius Commission during its Fifth Session that it would be necessary to hold a meeting of the Codex Committee on General Principles in 1968, then the Government comments on the Idea of a General Standard should be sent to the Chairman of the Codex Committee on General Principles. In the event of there being no meeting of the Codex Committee on General Principles in 1968, the comments should be sent to the FAO Secretariat in Rome. In the light of Government comments the Commission could decide at its Sixth Session whether to set up a Subcommittee during the session to prepare a general standard.

11. Regional Standards

The Executive Committee examined a request by the Canadian delegation concerning the way in which a formal amendment to the Rules of Procedure regarding regional standards could be made during the Commission session. The Executive Committee advised that such an amendment would require to be in the hands of members of the Commission 24 hours prior to the discussion of the agenda item 17 "Amendments to the Rules of Procedure". If the Canadian delegation wished to propose a separate item concerning regional standards, then it would have to appear on a supplementary list of agenda items and be considered under "Any other business" by the Commission.

12. Operation of the Guidelines

The Executive Committee recommended in the light of the sessions of Codex Committees held during 1967 that the Chairmen of Codex Committees should avoid overloading their agendas with more draft standards than could be reasonably dealt with during the session of the committee concerned. On the other hand, some Codex Committees, especially those dealing with general subjects, may on certain circumstances wish to extend their meetings beyond one week. The Executive Committee further recommended that the FAO/WHO Secretariat should try to ensure that when comments from Governments were requested on draft standards Governments had at least a minimum of three months in which to consider the comments after receipt of the appropriate documents.

The Executive Committee noted that most Governments responsible for running Codex Committees were not providing full secretarial facilities as required under the Guidelines. Moreover, many of the host Governments were still continuing to call upon the FAO/WHO Secretariat to prepare the draft report of the committee sessions. The Executive Committee recommended that the Commission should bring to the attention of the Chairmen of Codex Committees that in accordance with the Guidelines the host Government was responsible for providing a secretary to the Committee and adequate secretarial facilities. The role of the FAO/WHO Secretariat was mainly to advise on procedural and other relevant matters decided by the Commission or other subsidiary bodies. They would be available to assist in drafting the report but should not be asked to carry the main responsibility for it at Codex Committees.

13. Chairmanship of ECE/Codex Groups of Experts

The Executive Committee recommended that the Groups of Experts on Fruit Juices and on Frozen Foods should consider adopting the Codex Alimentarius Commission procedures by electing at the end of each session its Chairman for the next meeting.

14. Provisional Agenda of the Codex Alimentarius Commission

The Executive Committee considered that, in future, subjects requiring a decision of the Commission (e.g. edible fungi, broths and soups) should be shown as separate items on the Provisional Agenda of the Commission. It was noted that on this occasion these two subjects would be considered in conjunction with the Report of the Coordinating Committee for Europe and that the Chairman should advise Members of the Commission of this at the opening of the session.