

DRAFT REPORT OF THE TWENTIETH SESSION OF THE
EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Rome, 28 June 1974

"Introduction

1. The Executive Committee held its Twentieth Session at FAO Headquarters, Rome, on 28 June 1974. The Committee was presided over by the Chairman of the Codex Alimentarius Commission, Mr. A. Miklovicz (Hungary) and in the presence of the three Vice-Chairmen, Dr. D.G. Chapman (Canada), Dr. E. Matthey (Switzerland), and Dr. E. Méndez (Mexico). The following representatives from the geographic locations mentioned were present: for Africa, Ing. A. Amraoui from Tunisia; for Asia, Professor Y. Bunnag from Thailand; for Europe, Dr. D. Eckert from the Federal Republic of Germany; for Latin America, Mr. G.F.C. Bandeira de Mello from Brazil; for North America, Dr. V. Wodicka. from the United States of America; for South-West Pacific, Mr. W.C.K. Hammer from Australia.

Adoption of Agenda

2. The Committee adopted the provisional agenda and noted that under Other Business the representative of South-West Pacific intended to raise matters concerning an FAO/WHO questionnaire on the post-mortem judgement of meat for purposes of clarification.

Progress Report on Acceptances of Recommended Codex Standards

3. The Executive Committee noted with great satisfaction the considerable progress which had been made by Members of the Commission in either accepting Codex recommended standards or initiating action on the standards with a view to giving acceptance in accordance with one of the forms of acceptance under the General Principles of the Codex Alimentarius. Full details of the acceptances and action notes submitted by governments were contained in documents ALINORM 74/6 - Parts I-XI plus certain addenda.

4. After reviewing these acceptances and noting that they were additional to those which had been reported in Appendix III to the Report of the Ninth Session of the Codex Alimentarius Commission, the Executive Committee emphasized that priority should be given by the Secretariat to following up with Member Governments the question of acceptance of Codex recommended standards and assisting governments as much as possible in indicating the nature of the acceptances and to the classification and publication of government acceptances.

5. The Executive Committee considered that the amendments proposed to the Acceptance Procedures by the Codex Committee on General Principles would in all probability accelerate the receipt of acceptances from governments by the Secretariat. The Executive Committee expressed concern that the evaluation and publication of these acceptances would represent a very considerable increase in the workload of the Secretariat and that FAO/WHO should recognize the importance which member governments attached to this aspect of the Commission's activities and the great importance and significance of this work in the interests of international trade. The Executive Committee recommended that action should be taken to strengthen the professional staffing of the Secretariat in 1975 and in the biennium 1976/77. (See paragraphs 7 and 8)

6. The Executive Committee went further into the question of the financial difficulties of the Programme, possible future work and staffing needs in more detail when considering the item of the agenda concerned with finance.

Programme of work and budget of the Commission - 1974/75

7. The Executive Committee after reviewing document ALINORM 74/7 considered that the effects of the cut-back of 10% in the staffing of the Commission's Secretariat had created real problems for the Secretariat in carrying out its important role in seeking acceptances of Codex standards by governments. The Executive Committee further noting the difficulties which had faced FAO and WHO as a result of currency fluctuations and inflationary trends, emphasized that efforts should be made to give greater priority to the current activities of the Commission as well as to the need to ensure adequate and proper provision for the continued expansion of the work of the Commission through 1975, 1976 and 1977. The Executive Committee wished to recommend to the Commission that its views concerning the staffing of the Programme should be strongly endorsed by the Commission.

8. The Committee was of the opinion, in view of the reduction in professional staff of the Secretariat, that arrangements should be made by FAO/WHO to ensure that the position of the associate expert currently paid for by the Federal Republic of Germany should be continued under the Regular Programme of Work and Budget of FAO/WHO from mid 1975 and through the biennium 1976/77, to guarantee adequate continued servicing of Codex meetings and technical documentation. In addition, for the biennium 1976/77 the Executive Committee emphasized that a further professional post, with secretarial assistance should be established in the Codex Secretariat concerned primarily with the question of securing government acceptances from member governments, their evaluation, classification and prompt publication.

Provisional timetable of meetings - 1974-1976

9. The Executive Committee took note of the provisional timetable of Codex meetings for 1974 to 1976 contained in document ALINORM 74/38. It was noted that the dates for the Codex Committee on Cocoa Products and Chocolate would be 2-6 December 1974 and that the 10th Session of the Codex Committee on Food Labelling would be held in Ottawa from 26-30 May 1975. The Executive Committee recommended that, so far as the order of Codex sessions to be held in North America was concerned, they should be in the following sequence: Food Hygiene. Processed Fruits and Vegetables, Food Labelling.

Administrative and financial implications of establishing a Coordinating Committee for Latin America

10. The Executive Committee recalled that the Commission at its 9th Session had agreed in principle to the establishment of a Coordinating Committee for Latin America subject to consideration of a report on the administrative and financial implications involved. Document ALINORM 74/8 set out in detail these implications.

11. The representative of Latin America informed the Executive Committee that it was the opinion of the region that the Coordinating Committee could from a financial point of view be more conveniently held in conjunction with sessions of the Codex Alimentarius Commission at FAO or WHO Headquarters and that provision should be made in the Regular Budget of the Organizations to meet the costs involved. The representative of Latin America further stated that the modest financial provisions envisaged in the paper could, in the event of a member country of Latin America offering to host a session of the Coordinating Committee, be utilized to enable

the Secretariat of the Commission to attend the meeting and carry out its normal secretarial duties.

12. Dr. E. Méndez, Vice-Chairman of the Codex Alimentarius Commission, informed the Executive Committee that he was in complete agreement with the proposals of the representative of Latin America and was able to inform the Executive Committee that the Government of Mexico would be pleased to host at its own expense an FAO/WHO Food Standards Regional Conference for Latin America in either 1977 or 1978. The Executive Committee noted with appreciation the offer of the Government of Mexico and agreed with the views put forward by the representative of Latin America. The Executive Committee wished to recommend to the Commission its endorsement of the above proposal

Report on developments concerning the Proposed GATT Code of Conduct for Preventing Technical Barriers to Trade

13. The Executive Committee considered document CX/EXEC 74/20/2 which outlined the current position concerning the GATT Code. The Executive Committee noted that the objectives of the GATT Code were very similar to those of the Codex Alimentarius. There might, however, be difficulties concerning the obligations to be undertaken by signatories to the Code and countries accepting Codex standards. The representative of the South-West Pacific considered that particular difficulties might arise for countries adhering to the GATT Code and accepting Codex standards, in that a country endeavouring to export to them a product which was not in compliance with the Codex standard might resort to provisions under the GATT Code arguing that the Codex standard constituted a non tariff barrier within the context of the Code.

14. The Executive Committee also thought that some of the provisions of the Code might not be feasible for food products. The Committee concluded that a study of the Code was called for and recommended the following course of action to be taken by the Secretariat:

- i) the Secretariat should maintain close liaison with the GATT Secretariat;
- ii) the GATT Secretariat should be requested to make copies of the Code available to the Codex Secretariat for distribution to members of the Executive Committee for study and comment and the Code should be accompanied by a brief note by the Codex Secretariat drawing attention to the essential points of interest in the Code from the point of view of the Codex Alimentarius;
- iii) the members of the Executive Committee should arrange to have the Code examined against the Codex Acceptance Procedure to determine whether any conflict of obligations for governments might arise between the Code and the Codex Acceptance Procedure;
- iv) the subject would be reviewed again at the next session of the Executive Committee with a view to being able to report to the 11th Session of the Commission.

Code of Ethics

15. The Executive Committee recalled that the proposal that a Code of Ethics for international trade in food should be elaborated had been made by the Conference on Human Environment. This recommendation was one part of three contained in the official Recommendation No. 82 of the Conference. The other parts of the recommendation were concerned with the strengthening of the work of the Codex Alimentarius Commission for the

development of international standards for pollutants and the strengthening of food control activities of FAO and WHO to assist developing countries.

16. The Executive Committee noted the views of the very few governments which had responded to the circular letter of the Secretariat on the proposal concerning a Code of Ethics and noted that there did not appear to be a strong body of opinion in favour of a Code of Ethics as such. The Committee considered that a possible alternative approach to a Code of Ethics would be for the Commission to agree to a resumption of work on the "General Standard" for food. The Executive Committee agreed that the United Kingdom, who were the authors of the General Standard, should be requested to re-examine the General Standard with a view to incorporating, as far as practicable the objectives of the proposed Code of Ethics.

17. The Executive Committee also recommended that the General Standard, revised as appropriate, should be referred to the Codex Committee on General Principles for consideration at its next session. The Committee thought that this would be the most practical way of achieving the objectives sought to be attained in the proposed Code of Ethics.

Report on activities of FAO/WHO of interest to the Codex Alimentarius Commission

18. The Executive Committee had before it document ALINORM 74/34-Part III.. Representatives of FAO and WHO briefly outlined the activities of FAO and WHO which had been carried out since the 9th Session of the Commission. These covered the basic scientific work on food additives, contaminants, pesticide residues, the implementation of pre-programming steps for activities arising from recommendations of the Conference on Human Environment, developments in the field of food irradiation, food control, food hygiene and food consumption surveys, total diet studies and potential daily intakes studies.

19. The Executive Committee noted with appreciation the technical back stopping work which was being carried out by FAO and WHO for Member Governments and for the programme of work of the Codex Alimentarius Commission. The Executive Committee also wished to record its appreciation of the funds being provided by the UNEP to strengthen the activities of the Commission and also the financial assistance being supplied by a number of countries under the FAO Government Donor Programmes for the establishment of food control facilities in developing countries. The Executive Committee further noted that as requested by the Commission at its 9th Session discussions had taken place between the Swiss National Codex Committee and WHO concerning the outstanding matters in the Draft Standard for Natural Mineral Waters. The Committee noted that a full report of these discussions would be before the Commission in document: ALINORM 74/42.

20. The Executive Committee briefly considered a recommendation of the Third Joint FAO/WHO Conference on Food Additives and Contaminants to clarify within the Codex procedures which subsidiary body had responsibility for the assessment of technological need for the use of a food additive in a particular food. The Executive Committee noted that Codex Commodity Committees in proposing the inclusion of food additives in commodity standards were expected to consider a technological necessity, . What was not clear under the Codex Procedure was whether the Codex Committee on Food Additives had the responsibility to decide upon the acceptability or otherwise of the food additive from the point of view of technological necessity, as proposed by the Codex Commodity Committees. Member Governments appeared to hold differing views on this matter and the Executive Committee considered that it would be desirable for the Commission to consider this question with a view to clearly determining where responsibility should lie in this regard.

Status of draft standards for fruit juices.

21. The attention of the Executive Committee was drawn to the request of the Joint ECE/Codex Alimentarius Group of Experts on Standardization of Fruit Juices as set forth in paras 59 and 60 of the Report of the 10th Session of the Group of Experts (ALINORM 74/14).

22. The Executive Committee took note of the decisions taken by the Group of Experts at its 10th Session regarding standards for grape juices and agreed to endorse the request of the Group of Experts that

- i) the Draft Standard for Sweetened Labrusca type Concentrated Grape Juice be regarded as being at Step 6;
- ii) the Draft Standards for Vinifera type Grape Juice and Vinifera type Concentrated Grape Juice which the Commission had decided to hold at Step 8 at its 9th Session be nullified.

The Executive Committee noted that the Group of Experts would be submitting in due course revised standards to cover the above-mentioned products.

Styles, mandatory or optional

23. The attention of the Executive Committee was drawn to para 130 of the Report of the 8th Session of the Codex Committee on Fish and Fishery Products. The Government of Australia had requested that the Executive Committee give a clarification of the meaning of the Styles provisions of the standards since in some standards the list of styles appeared to be exclusive whilst in others the drafting was such as to leave room for doubt as to whether the list was exclusive.

24. The Executive Committee was of the opinion that it was the intention of the Commission that Codex standards should embrace as far as possible all the styles of products which were known to be of significance in international trade, and therefore the listing of styles in Codex standards should be interpreted as being exclusive. In the event of a new style being developed it would always be open to a government to propose an appropriate amendment to the standard.

25. The Executive Committee recommended that in future provisions relating to styles should be expressed in standards as follows:

"The product shall be presented in one of the following styles:

- (a), or
- (b), or
- (c), "

Report of the Fourth Session of the Codex Committee on General Principles (ALINORM 74/36)

26. The Executive Committee noted that the Codex Committee on General Principles had proposed the abolition of the concept of "Acceptance with Minor Deviations" and the substitution of a new form of acceptance to be known as "Acceptance with Specified Deviations". The Executive Committee further noted that a separate and complete procedure for the acceptance of Codex maximum limits and practical residue limits for pesticides had been elaborated. The Secretariat indicated that so far these two procedures appeared to have received a very favourable reception among member countries of the Commission and that, if endorsed by the

Commission, would in all probability accelerate the acceptance of Codex recommendations by Governments.

27. The Executive Committee noted that there was still a number of outstanding items for consideration by the Codex Committee on General Principles which had been listed by the Commission at its 9th Session.. In addition to these, the Codex Committee on General Principles would in all probability wish to reexamine the question of the General Standard for Food at its next session. The Executive Committee therefore recommended that the views of the delegation of France should be sought during the Commission session as to the possibility of holding a session of the Codex Committee on General Principles prior to the 11th session of the Commission. The Executive Committee noted that the recommendations of the Codex Committee on General Principles together with such other consequential amendments as seemed appropriate had been incorporated in document ALINORM 74/43.

Joint FAO/WHO Food Standards Regional Conference for Africa

28. The Executive Committee noted that the Joint FAO/WHO Food Standards Regional Conference for Africa had recommended as first priority for the work of the Coordinating Committee for Africa the elaboration of a basic food law for Africa. It was noted that among the commodities of interest to the countries of Africa high priority was attached to cereals intended for direct consumption.

29. The Executive Committee noted that a similar conference for Asia was scheduled to be held in 1975 and that the preliminary arrangements were already in hand by the Secretariat and a questionnaire had been sent to member countries of the Asian region.

Tenth Session of the Codex Alimentarius Commission

30. The Provisional Agenda and Timetable for the 10th Session of the Commission was approved by the Executive Committee..

Other business

Coordinators

31. The Executive Committee noted that both at the Food Standards Regional Conference for Africa and the First Session of the Coordinating Committee for Africa the role of the Coordinator had been the subject of considerable discussion. The Executive Committee considered that this was a matter which was not solely a question concerning the African region but would need to be considered in the context of other regions of the world. The Executive Committee recognized that the arrangements which had been followed regard-ing Europe might not necessarily be appropriate for Africa.

32. The Executive Committee recognized that in the absence of clearly defined functions for the Coordinator for Africa, it would be premature at this stage to arrive at any firm conclusions regarding the extent of the financial support which would be necessary. The Executive Committee thought that this aspect of the matter could be discussed more profitably at its next session in the light of a paper to be prepared by the Secretariat, which would deal with the role of Coordinators in general. The point was made that it would be useful if Coordinators were to maintain liaison with each other.

Questionnaire on post-mortem judgment of meat

33. The representative of the South West Pacific sought clarification from FAO and WHO as to what use was intended to be made of the information sought from governments by the questionnaire on the post-mortem judgment of meat. The covering letter to the questionnaire had made reference to the various draft codes of hygienic practice for meat being elaborated by the Codex Committee on Meat Hygiene, the EEC Directive concerning third countries and other texts related to this subject. The representatives of FAO and WHO explained that the purpose of the questionnaire was twofold: i) to obtain basic information to enable a small group of experts develop a draft code of practice on the post-mortem judgment of meat for further consideration by the Codex Committee on Meat Hygiene; ii) the preparation of a manual on animal health, meat hygiene and veterinary service standards in exporting countries, as a step towards reducing non-tariff trade barriers. The manual would be for use particularly in developing countries. The manual would contain reference to recommendations of the Codex Committee on Meat Hygiene, various approaches adopted by national authorities and other international texts such as EEC directives or recommendations of other international organizations as might be appropriate.

34. The Executive Committee felt that as the covering letter to the questionnaire did not set out in full the purposes to which the information to be gathered by the questionnaire would be put, a note should be prepared on this matter by the appropriate Technical Divisions of FAO and WHO and made available to Codex Contact Points and also be brought to the attention of the Codex Committee on Meat Hygiene at its next session.

Secretariat Note - Corrigendum to paragraph 21 of ALINORM 74/3

The Government of Japan has drawn the attention of the Secretariat to an error in the Report of the Nineteenth Session of the Executive Committee (ALINORM 74/3). The sixth sentence of paragraph 21 should be deleted and the following text substituted:

"Concerning the matter of a food control seminar in Asia, the Executive Committee was informed that this idea had been included in the FAO/Japanese Cooperative Programmes proposed by FAO" .