

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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Agenda Item 2

CX/FICS 00/2
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MATTERS REFERRED FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER CODEX COMMITTEES

DRAFT GUIDELINES FOR THE DEVELOPMENT OF EQUIVALENCE AGREEMENTS REGARDING FOOD IMPORT AND EXPORT INSPECTION AND CERTIFICATION SYSTEMS

1. The 23rd Session of the Codex Alimentarius Commission (CAC) adopted¹ the draft *Guidelines for the Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification Systems* on the basis of the text forwarded² by the 7th Session of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS).

Note: The *Codex Guidelines for the Development of Equivalence Agreements Regarding Food Import and Export Inspection and Certification Systems* will be published as CAC/GL 34-1999.

PROPOSED DRAFT GUIDELINES FOR THE UTILIZATION AND PROMOTION OF QUALITY ASSURANCE SYSTEMS

2. The 7th Session of the CCFICS requested the Commission to approve the elaboration of proposed draft *Guidelines for the Utilization and Promotion of Quality Assurance Systems* as new work.³ The 23rd Session of the CAC noted the general support for the elaboration of the Guidelines and agreed for a substantive working paper to be presented at the next session of CCFICS for further examination, while noting the comments of several delegations concerning the inadequacy of the paper and the implications of its implementation.⁴

Note: The *Proposed Draft Guidelines for the Utilization and Promotion of Quality Assurance Systems* (CX/FICS 00/5) is scheduled for discussion by the Committee under agenda item 5.

DISCUSSION PAPER ON THE JUDGEMENT OF EQUIVALENCE OF SANITARY MEASURES ASSOCIATED WITH FOOD INSPECTION AND CERTIFICATION SYSTEMS

3. The 7th Session of the CCFICS requested⁵ the Commission to approve the elaboration of *Guidelines for the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems* as new work.

¹ ALINORM 99/37, paras. 172-175 and Appendix VII, Part 1.

² ALINORM 99/30A, paras. 10-32 and Appendix II.

³ ALINORM 99/30A, paras. 85-93.

⁴ ALINORM 99/37, para. 205 and Appendix VIII.

⁵ ALINORM 99/30A, paras 69-84.

4. The 46th Session of the Executive Committee was of the opinion that priority should be given to the development of judgement of equivalence regarding matters of food safety, and proposed that a paper be prepared for the next Session of CCFICS on the matter of judgement of equivalence systems for controlling of safety and quality outlining the issues involved⁶.

Note: The *Discussion Paper on the Judgement of Equivalence of Sanitary Measures Associated with Food Inspection and Certification Systems (CX/FICS 00/6)* is scheduled for discussion by the Committee under agenda item 6.

JUDGEMENT OF EQUIVALENCE

5. The 7th CCFICS requested⁷ the advice of the Executive Committee and the Commission on the possible development of guidelines on the judgement of equivalence of technical regulations other than sanitary matters.

6. The 23rd Session of the Codex Alimentarius Commission agreed⁸ with the views of the 46th Session of the Executive Committee⁹ that CCFICS should proceed to develop guidance on the equivalence of systems for inspection and certification in relation to technical regulations other than sanitary measures in parallel with food safety issues.

Note: The *Discussion Paper on the Judgement of Equivalence of Technical Regulations Associated with Food Inspection and Certification Systems (CX/FICS 00/7)* is scheduled for discussion by the Committee under agenda item 7.

ESTABLISHMENT OF A DATA BASE ON IMPORTING COUNTRY LEGISLATION

7. The 7th Session of CCFICS agreed¹⁰ to request the advice of Legal Counsel as to whether or not the establishment of a data base on importing country legislation was included in the mandate of the Commission as expressed in its Statutes, and whether it was within the Terms of Reference of the Committee.

8. At the 23rd Session of the CAC¹¹ the delegation of India asked about the feasibility of the work currently undertaken by the Committee on Food Import and Export Inspection and Certification Systems on the establishment of a data base on importing country legislation. The opinion of Legal Counsel was that the proposed activity did not fall within the mandate of the Commission as expressed in its Statutes and, consequently, was excluded from the Terms of Reference of the said Committee. It was noted that such an activity would fall within the mandates of the parent organizations or WTO.

⁶ ALINORM 99/4, paras. 24-26.

⁷ ALINORM 99/30A, para. 84.

⁸ ALINORM 99/37, para. 217.

⁹ ALINORM 99/4, paras. 24-26.

¹⁰ ALINORM 99/30A, paras. 94-99.

¹¹ ALINORM 99/37, para. 201.

DIOXINS

9. At the 23rd Session of the CAC, the delegation of Belgium provided information concerning the incident that had resulted in widespread concern among consumers and disruption of international trade due to the contamination of poultry, cattle and pigs and derived products with dioxin and dioxin-like PCBs. Among other things, the Commission noted that the incident also drew attention to the lack of suitable Codex guidance on the nature of measures to be applied at import and export under such circumstances. It noted the *Codex Guidelines for the Exchange of Information in Food Control Emergency Situations* (CAC/GL 19-1995). The Secretariat suggested that the Committee on Food Import and Export Inspection and Certification Systems might consider what guidance could be developed to assist Member countries in the event of similar future unforeseen emergencies.¹²

Note: This matter is currently scheduled to be considered by the Committee under *Other Business and Future Work* (Agenda Item 8).

CRITERIA FOR THE ESTABLISHMENT OF WORK PRIORITIES AND CRITERIA FOR THE ESTABLISHMENT OF SUBSIDIARY BODIES OF THE CODEX ALIMENTARIUS COMMISSION

10. The 23rd Session of the CAC adopted¹³ the amendments separating the criteria for work priorities from the criteria for establishing subsidiary bodies, which included provisions for the establishment of *ad hoc* Intergovernmental Task Forces operating for a limited period of time under closely defined terms of reference, but functioning in the same manner as established Codex Committees.

REVISION OF THE CODEX CODE OF ETHICS FOR INTERNATIONAL TRADE IN FOODS

11. The 13th Session of the Committee on General Principles (CCGP) discussed¹⁴ the opportunity of revising the Code of Ethics in view of the need to update several references, especially as a result of the conclusion of the WTO Agreements and the work of the Committee on Food Import and Export Inspection and Certification Systems. The Committee considered the comments provided by governments in reply to CL 1998/2-GP and generally agreed that the Code was still needed to provide general guidance for the conduct of international trade, although several texts already covered the issues relating to export/import.

12. During the discussion it was also proposed to consider special and differential treatment of developing countries in the framework of the revision of the Code. The 14th Session of the CCGP recalled¹⁵ that the Code was the appropriate instrument for developing statements addressing this question and agreed that the revision of the Code should be treated as a matter of priority in this perspective. The 23rd Session of the Commission approved¹⁶ the revision of the Code as new work.

13. Subsequent to the 23rd Session of the CAC, governments and international organizations were invited to submit proposals for amendments to the text of the current Code of Ethics (CAC/RCP 20-1979), as included in Volume 1A of Codex Alimentarius, under CL 1999/19-CCGP. It is anticipated that a revised version of the Code will be prepared on the basis of the proposals received and circulated at Step 3 of the Procedure prior to the 15th Session of the Committee, which is currently scheduled to be held in Paris, France from 10-14 April 1999.

Note: The Committee might want to consider this matter further under Agenda Item 8 – Other Business and Future Work.

¹² ALINORM 99/37, para. 237.

¹³ ALINORM 99/37, para. 67 and Appendix IV(pages 98-99).

¹⁴ ALINORM 99/33, paras. 84-90.

¹⁵ ALINORM 99/33A, para. 6.

¹⁶ ALINORM 99/37, Appendix VIII.

GUIDELINES FOR THE VALIDATION OF FOOD HYGIENIC CONTROL MEASURES

14. At the 32nd Session of the Codex Committee on Food Hygiene (CCFH), the Delegation of the United States indicated that the need for validation had been raised in the discussion on milk and milk products but that it should be addressed from a general perspective, in order to ensure the effectiveness of measures in relation to a specified level of public health protection.¹⁷ Some delegations supported the development of such work. The Delegation of Germany recalled that work on issues related to equivalence was underway in the framework of the Committee on Food Import and Export Inspection and Certification Systems and that duplication should be avoided.

15. The 32nd Session of the CCFH agreed that the Delegation of the United States, with the assistance of Australia, Canada, France, IDF and interested countries, would prepare a discussion paper for consideration by the next session, including the rationale for validation of hygienic control measures and the type of measures that would be covered.

¹⁷ ALINORM 01/13, paras. 140-141.