



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
EXECUTIVE COMMITTEE OF THE CODEx ALIMENTARIUS COMMISSION**

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**THE APPLICATION OF THE STATEMENTS OF PRINCIPLE CONCERNING THE ROLE OF
SCIENCE:
INTERIM REPORT OF THE CCEXEC SUB-COMMITTEE**

1. BACKGROUND

1.1. CAC42 endorsed the recommendation of CCEXEC77 to establish a sub-committee of the CCEXEC on the application of the *Statements of Principle Concerning the Role of Science* (referred to as SOP from here on) with the following terms of reference (TOR)¹:

“To develop practical guidance for Codex Subsidiary Bodies and their chairpersons on the operationalisation of the Statements of Principle Concerning the Role of Science to allow Codex to set standards that are needed by Members and are based on science, while acknowledging different situations in different areas of the world and to complement the guidance provided in the Measures to Facilitate Consensus.”

1.2. The TOR follow from the discussions in CCEXEC77 and CAC42 on the Secretariat paper on the *History and Implications of the Fourth Paragraph of the Statements of Principle*² and are based mainly on paragraph 6.5.6 of that paper with the addition of an element about consensus. The Commission also noted that the SOP should not be reopened.

1.3. To ensure transparency and inclusiveness in the process of developing any practical guidance, a Circular letter (CL)³ was issued in October 2019 in six languages. The CL contained questions to seek input from all Members on the scope of the work with a focus on the three main elements in the TOR namely: “practical guidance”; “operationalisation of the Statements of Principle”; and “a complement to the guidance on facilitating consensus”. The deadline for replies was on 30 November 2019. It was extended to 8 December 2019 in response to Member requests.

1.4. Twenty eight members⁴ and seven observers⁵ responded to the CL. All replies received were compiled and posted on the electronic forum established for the sub-committee (<https://forum.codex-alimentarius.net/>) for review and comments by members of the sub-committee. A summary of the replies received is provided below. The full replies are attached as Appendix 1 to this document in original language.

¹ REP19/EXEC2 Appendix IV

² CX/EXEC 19/77/10

³ CL 2019/99/OCS-CCEXEC

⁴ Argentina, Australia, Brazil, Canada, Chile, Cook Islands, Costa Rica, Cuba, Dominican Republic, Ecuador, Egypt, European Union, Guatemala, Indonesia, Iran, Japan, Kazakhstan, Malaysia, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Senegal, Thailand, Uruguay, United States of America

⁵ CCTA, FIVS, healthforanimals, ICBA, IDF/FIL, International Confectionary Association, IUFOST

2. SUMMARY OF THE INPUT FROM MEMBERS AND OBSERVERS TO THE DEVELOPMENT OF PRACTICAL GUIDANCE FOR CODEX SUBSIDIARY BODIES AND THEIR CHAIRPERSONS ON THE OPERATIONALISATION OF THE STATEMENTS OF PRINCIPLE CONCERNING THE ROLE OF SCIENCE

2.1 Format of practical guidance for maximum effectiveness (Question 1)

2.1.1 The replies indicated strong support for the current text within the Procedure Manual (PM).

2.1.2 Among those replies, some indicated that the text in the PM was already adequate and no further guidance was needed and could even be counterproductive.

2.1.3 Others acknowledged that some further guidance could ensure that the SOP and the considerations of legitimate factors were consistently implemented. Such guidance could be facilitated by ensuring all existing tools and guides were collated and easily available, especially for Chairpersons of Committees; inclusion of further guidance in the handbook for chairpersons; and through provision of additional training to chairpersons.

2.1.4 Other comments indicated that the primary focus should be the development of the necessary guidance and the form or location of that guidance could then be further considered with all options remaining open, including inclusion in the PM. Such comments highlighted the importance of having the guidance easily accessible and not located in a Commission report for example.

2.2 Operationalisation of the Statements of Principle (Question 2 - 5).

2.2.1 The feedback highlighted that there was a general sense, given the large number of successfully adopted Codex standards, guidelines and recommendations, the SOP must have been applied successfully, even if the SOP themselves may not have been explicitly invoked. Examples provided included the adoption of MRLs developed by CCPR and aspects of the Guidelines for the Control of Nontyphoidal *Salmonella* spp. in Beef and Pork Meat developed by CCFH.

2.2.2 Examples of the application of measures to build consensus were also noted, such as the recent re-write of 'note 161' by CCFA which acknowledges the different use of certain additives in different regions.

2.2.3 Examples where Members considered the SOP should have been applied included the discussions on the maximum level for cadmium in chocolate and cocoa products (30%), and trisodium citrate in UHT milk at CAC 42, and zilpaterol hydrochloride at CCRVDF among others.

2.2.4 The types of possible guidance proposed included:

- development of a decision tree or text on the application of the statements;
- guidance on the level of technical discussions at CAC and its appropriate restriction;
- guidance to improve transparency and accountability of Members bringing forward cases for consideration of Other factors;
- guidance on the use of other mechanisms such as the use of footnotes or other explanatory texts;
- clear categorization rather than a generalization of other factors; and
- guidance to Members on presenting their positions.

2.2.5 There was a general sense that the SOP can be usefully applied when scientific evidence and/or risk assessment was available. The SOP do not exist in isolation but are rather part of the PM of Codex which also includes criteria for the consideration of other factors.

2.3 Complement to the guidance on facilitating consensus (Question 6-9)

2.3.1 There was a general sense that the successful adoption of a large number of Codex standards, demonstrates that the Chairpersons and delegates are applying the existing guidance provided in the Codex PM.

2.3.2 There was mixed feedback on the adequacy of the current guidance on consensus with some Members noting that the Procedural Manual was adequate in this regard while others considered that this area could benefit from more expansive and transparent guidance.

2.3.3 It was also noted that achieving consensus was not just the Chairperson's responsibility and efforts in this area needed to address all delegates and the Secretariat. The importance of creating an enabling environment in which the chairpersons can actively work to promote consensus was highlighted but several Members also recalled that the search for consensus cannot outweigh the need

to base Codex standards on science.

2.3.4 In terms of linking the SOP with the guidance on consensus there were very mixed opinions – negative, possible, premature and positive – thus no clear direction of this came from the replies.

2.3.5 Members and Observers highlighted a number of areas for improvement or guidance that could facilitate the advancement of standards, particularly on complex issues. These included the following:

- Application of the Codex Procedural Manual as written:
 - reminding all Members and Observers as to the content of the PM;
 - requesting that chairpersons ensure that the SOP are adhered to;
 - reminding Members that they have the possibility to abstain from acceptance without preventing a decision by the Commission; and
 - making use of all the procedures available within the PM including the possibility to make a reservation and make use of voting.
- Having clear guidance on the steps to be taken if consensus or reasonable agreement cannot be reached within a specified period. This could include discontinuation or postponement of work.
- Enhanced communication on the scientific advice provided to Codex and the recognition given by Codex to the scientific advice of JECFA, JMPR, JEMRA and JEMNU in the PM. This could include informal meetings in the margins of committees on technical aspects of specific scientific advice/risk assessments, improved communication on the output of the expert committees, mentoring approaches to facilitate communication of the scientific advice outputs, etc.;
- Promotion of participation in all aspects of the standard-setting process and taking specific actions to facilitate this e.g. increased language use in EWGs; providing more time for Members; particularly from developing countries to contribute to such discussions; reiterating Members obligations to participate and continue to build publicity around Codex standards; enhancing the capacity of national Codex contact points; and considering a role for the Regional Coordinators in promoting participation.
- Encouraging the use of informal meetings, and other efforts to promote consultation and collaboration among countries, particularly when divergent views are apparent and on key issues of concern, noting that this may require investment by countries leading standards development work.
- As part of the critical review process, the review of new work proposals could be more thoroughly considered particularly with regard to amenability to standardization, to ensure that the scope of the work and areas where conflict may arise are identified and addressed as early as possible.
- Learning from the experiences of other standard setting bodies.

3. CONSIDERATION OF THE REPLIES RECEIVED AND NEXT STEPS

3.1 The replies confirm the strong support for the SOP as included in the PM and the importance of their implementation. While a number of replies indicate that the SOP simply need to be consistently applied, there is also a recognition that there is an opportunity to provide more clarity and guidance that could facilitate their use for standards advancement in general.

3.2 The importance of the role of science in Codex standard setting was reiterated, and examples were provided of where it was considered the SOP should have been applied.

3.3 In many of the examples, the recorded discussions of the issues indicated the lack of consensus/acceptance of the available science, although considerations of other factors also played a role in terms of the failure to advance the standards. The stage of the standard setting process in which Members engaged was also a factor, e.g. engagement at the point of final adoption (Step 8) compared to involvement in earlier Steps and discussions at the committee level.

3.4 The case of zilpaterol is somewhat unique in that the agreement on the available science was documented and so failure to advance solely related to other factors.

3.5 While in general the Codex system works well, failure to progress some standards and spending many hours of discussion without progress highlighted the need for a framework within which to address this.

3.6 Some of the factors that were identified as contributing to the lack of advancement of standards are broad in nature and are considered within the context of the Codex Strategic Plan. These include efforts to enhance participation in the standard setting process.

3.7 Acceptance of the scientific evidence was identified as fundamental to the application of the SOP. Noting that this is not always the case, as was highlighted by discussions at CAC42, it is considered that ensuring the availability of scientific advice, its appropriate communication and facilitating participation of Members at as early a stage as possible in the standard setting process could help address this aspect. Thus efforts to facilitate communication and understanding of the scientific advice are fundamental to ensuring a fertile environment for the application of the SOP.

4. AREAS THAT NEED TO BE ADDRESSED TO SUPPORT THE ADVANCEMENT OF STANDARDS

Figure 1 outlines the various areas that need to be addressed to support the advancement of standards

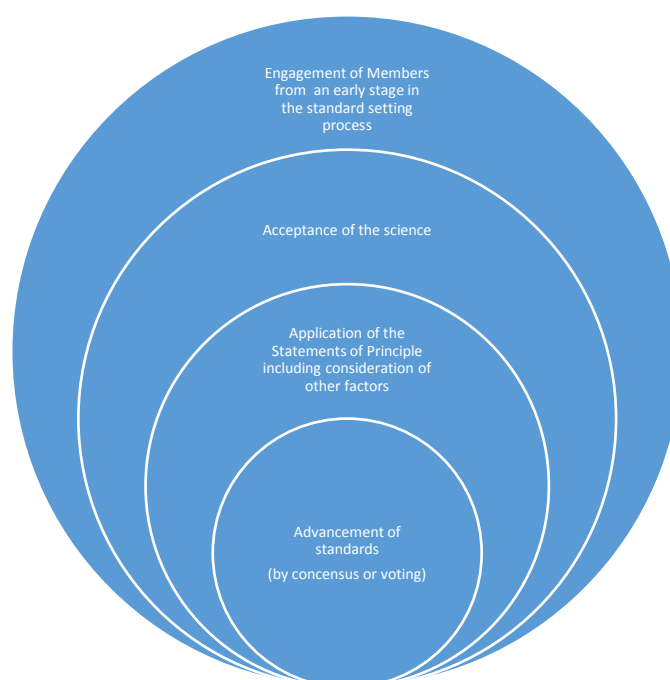


Figure 1. Elements contributing to the advancement of standards in Codex

4.1 Engagement of Members as early as possible in the standards setting process

4.1.1 The intent of the sub-committee is not to develop guidance in this area but rather to recognize its role in the overall solution. The issue of effective participation is covered within the Codex Strategic Plan 2020-2025 and several regions have identified activities to contribute to this in the coming years.

4.1.2 Work is already underway in terms of improving the working mechanisms of EWGs and discussions on working by correspondence are ongoing. Several suggestions put forward in response to the CL should also be highlighted here in terms of more efforts being made by the leads of standards development work to communicate informally with Members to build that sense of engagement from the beginning rather than solely rely on the formal working mechanisms. This has already proved to be effective in the past.

4.2 Acceptance of scientific advice

4.2.1 While the scientific advice provided by the FAO/WHO expert bodies is considered the basis of Codex Standards, in several of the examples where standards did not advance concerns were expressed about the science and/or the data underpinning it.

4.2.2 This gives rise to a number of questions:

- Are Members well informed of the scientific advice?
- Can it be communicated in other ways to facilitate better understanding?
- Are Members familiar with and acting upon the opportunities to provide data to be considered in the elaboration of scientific advice?
- When concerns are expressed regarding the scientific advice how can Members be requested to support these concerns with scientific evidence so that the expert bodies can consider the concerns?
- Can more guidance be provided to Chairpersons and Members regarding the conduct of discussions on scientific advice in the committees and commission?
- Are Members aware of the processes available in some committees to express concerns?
- Are Members aware of the Risk Analysis Guidelines established by all food safety committees included in the procedural Manual?

4.2.3 There has been much discussion in Codex in recent years on the importance of the advice of the FAO/WHO scientific bodies and great emphasis put on the need to support these bodies to undertake their work to the highest quality. It is important that these efforts are not undermined because Members are not informed of the work undertaken and its outcome.

4.3 Application of the Statements of Principle including consideration of other factors

4.3.1 A number of replies suggest that all necessary guidance is available in the PM and it simply needs to be applied. Chairpersons could be advised to ensure adherence to the SOP, to advise Members not in agreement to clearly indicate their non-acceptance and then a conclusion recorded with the relevant reservations.

4.3.2 However, even this seemingly straight-forward application of the SOP could benefit from some guidance to Members as well as chairpersons, particularly on how non-acceptance of proposed standards in accordance with the SOP by Members might be presented and reflected/recorded in the report and/or standard.

4.3.3 The issue of other factors and their consideration was raised in a number of replies. While there is guidance in this area in the PM, this does not prevent other factors from contributing to delays in advancement of standards. In this context guidance on how to present such factors to facilitate discussions may be helpful.

4.4 Consensus building

4.4.1 While there was no clear direction provided in the replies as to whether achieving consensus should be linked to the SOP, the replies highlight the importance of efforts being made throughout the standard setting process to achieve consensus.

4.4.2 Providing more guidance on consensus building, not just in relation to the application of the SOP, but to the progression of standards in general would be beneficial.

4.5 Preventative approach

4.5.1 The need to strengthen the critical review process to identify and address potential problems as early in the standard setting process as possible was highlighted.

4.5.2 This should be considered in the ongoing review of the Critical Review Process particularly with regard to proposals for new work and aspects such as the adequacy of the current structure of new work proposals to facilitate such evaluation be considered.

5. CONCLUSIONS AND RECOMMENDATIONS

5.1 The above suggests that there is not a unique guideline to be developed to facilitate the advancement of standards but rather each of the areas above needs to be further strengthened with

appropriate measures/actions and/or additional guidance. The location of guidance/recommendations could subsequently be determined.

5.2 In many of these areas there are ongoing initiatives that can contribute to the solution. These can be supplemented by specific guidance developed by sub-committee as outlined in 4.3 above.

5.3 In order to bring relevant existing and ongoing guidance together and illustrate the levels of efforts needed, the sub-committee could propose an overarching framework that would provide clarity and facilitate implementation of actions and guidance to support advancement of standards.

5.4 This approach will be considered by the sub-committee meeting to be convened immediately before CCEXEC78 and any recommendations from that meeting will be shared as a Chairpersons summary of the meeting.

5.5 CCEXEC78 is also invited to consider the timeline for the future work of the subcommittee

9 February 2020 2 - 5pm	Physical meeting of the sub-committee -	CCEXEC sub-committee Members (sub-committee open to all CCEXEC Members)
11-15 February 2020 ⁶	CCEXEC78	CCEXEC
16 February – 16 March 2020	Finalization of the first draft of the guidance	CCEXEC sub-committee Chair, co-chairs and Members
26 th March 2020	CCGP 32 side event to present the draft framework that will be circulated for comment	CCEXEC sub-committee Chair, co-chairs Codex Secretariat
17 -30 March 2020	Translation of Draft guidance and preparation of circular Letter	Codex Secretariat
1 - 30 April 2020	Comment period for Members	Member Countries
1-21 May 2020	Revision of guidance based on comments received	CCEXEC sub-committee Chair, co-chairs and Members
21-31 May 2020	Preparation of revised text in all languages	Codex Secretariat
1 June 2020	Posting of guidance online for CCEXEC79/CAC43	Codex Secretariat
29 June-3 July 2020	CCEXEC79	

⁶ If more progress is made at the sub-committee and the CCEXEC then the date for the distribution of the Circular letter could be anticipated. This might impact the nature of the discussions at CCGP.

Appendix I

CL 2019/99-EXEC - Replies to questions to Members and Observers on the operationalisation of the Statements of Principle Concerning the Role of Science" (Original language only)

General comments

Members

Mexico	México considera que, para garantizar resultados eficaces, la orientación debe ir en concordancia con el Manual de Procedimientos, deben estar fundamentadas en su totalidad en la base científica y los principios de análisis de riesgo considerando que, el Codex Alimentarius se basa en principios científicos y es referencia para el Acuerdo MSF de la OMC.
Paraguay	Paraguay agradece a la Secretaria y el Comité Ejecutivo por trabajar en este documento y brindarnos la oportunidad de ser participe del mismo
Uruguay	<p>La creación de la Organización Mundial del Comercio fue un punto de inflexión en la vigencia del CODEX. En particular, ha sido fundamental en ese cambio que el Acuerdo de Medidas Sanitarias y Fitosanitarias de la OMC estipulara que la armonización de las medidas sanitarias y fitosanitarias debería basarse en la medida de lo posible en las normas, directrices o recomendaciones internacionales, mencionándose expresamente la Comisión Mixta FAO/OMS del Codex Alimentarius como la organización de normalización competente en materia de inocuidad de los alimentos.</p> <p>Este cambio hizo que las normas emitidas por el Codex Alimentarius pasaran a ser, adicionalmente, un factor relevante en la regulación del comercio internacional de alimentos. Como consecuencia el interés y la atención que todos los países pasaron a prestar al Codex aumentó dramáticamente. La contrapartida de este hecho, positivo, es que los intereses comerciales de los distintos países y bloques pasó a ser un factor relevante en la definición de la posición que cada uno adoptara a lo largo del proceso de elaboración y aprobación de las normas del Codex. Esto lleva, inevitablemente, a situaciones en que los intereses comerciales y las consideraciones estrictamente científicas entran en conflicto.</p> <p>El Codex debe buscar pues la forma de resolver el problema de situaciones donde dicho conflicto se plantea. La resolución no pasa por cuestiones de reglamentación o la concepción de algún ingenioso truco administrativo. La solución exige inevitablemente la intervención decisiva del Presidente del Codex en aquellas situaciones en donde parece no darse el consenso requerido. Su cometido en esa situación específica pasa por determinar si las diversas posiciones sustentadas poseen un fundamento científico razonable que las respalda. Los votos que no estén sustentados en fundamentos científicos no pueden ser considerados y no deben ser susceptibles de impedir el consenso. En aquellos casos en que dos posiciones contradictorias parezcan tener dicho respaldo científico la responsabilidad del Presidente, con los asesoramientos técnicos pertinentes, será indicar cuáles son los estudios adicionales que se requieren para dirimir el conflicto.</p>

Observers

healthforanimals	Detailed practical guidance to Chairs on specific situations in some sort of guide. Guidance should focus on making the Statements work and on preventing/preempting misuse. It could list situations and the to-follow processes for each procedure.
ICBA	ICBA believes that the Procedural Manual already provides sufficient tools and clear guidance for managing subsidiary bodies to ensure science-based decision making. Specifically, ICBA supports the current Statements of Principle on the Role of Science in the Codex Decision-Making Process and the Extent to which other Factors are Taken into Account (in the following, "Statements of Principle"). The Statements of Principle were adopted after several years of debate since they provide clear guidance and criteria for decision making that should be followed by the Codex Committees. Therefore, we believe that the CCEXEC should develop practical guidance for Codex Subsidiary Bodies and their chairpersons on the operationalization of the Statements of Principle without

	<p>modifying them and ensure that they are applied consistently across the Codex decision making process.</p>
International Confectionery Association	<p>The ICA is grateful for this opportunity to provide comments on the issue of Codex Statements of Principle. To be pragmatic, we are providing overarching comments to encompass the breadth of questions posed.</p> <p>The Codex commitment to science and risk-based decision-making is protected by the Statements of Principle. We recognize the importance of following the Statements of Principle, and the importance of science-based Codex decision-making. The Procedural Manual provides sufficient tools for science-based decision-making, consistent with transparency and the consensus approach. We see no need for revision or reinterpretation of the Codex procedures in the Statements of Principle. However, we do support efforts to help consistent application of the tools already available to chairs, committees, and the Codex Secretariat, and we see the opportunity to provide increased training to new chairs on how to apply the Statements of Principle.</p> <p>Any practical guidance should help make the Statements of Principle work effectively and efficiently, enabling Codex to set standards based on science and risk assessment, and advancement of standards to proceed in a timely, structured manner. A specific possible tool to help in this direction of consistency would be a decision tree, noting that flexible thinking is important for the range of different types of issues that arise under Codex for consensus, but a common framing under a decision tree would help consistent and efficient progress.</p> <p>The intent of any practical guidance developed by CCEXEC must be to support application of the established Statements of Principle, not to modify them. Guidance should reinforce the long-standing Codex agreement that science forms the basis of Codex standards and that other factors can be considered only when they are accepted globally, as part of the Codex consensus approach. If non-science-based local and political preferences are brought into the decision-making, this would likely undermine the scientific credibility of Codex functioning.</p> <p>Application of the Statements of Principle works well when members respect the scientific evidence, risk assessments prepared by the FAO/WHO expert bodies that support Codex risk management activities, and when members do not seek to block advancement of standards based on non-scientific factors, or factors outside the Codex mandate. Importantly, Codex standards are voluntary, and members are not obligated to adopt Codex standards in cases where the Codex outcomes are inconsistent with national or regional public preferences.</p> <p>In short, the existing provisions in the Statements of Principle for science and risk-based decision-making are important, and key for Codex consensus-building on common standards. They provide appropriate direction to Codex member governments and chairs of Codex subsidiary bodies to facilitate effective and efficient standards advancement. Additional guidance and training to committee Chairs, staff, members and contributors, to help consistent application of the Statements of Principle, as supported above would be helpful.</p>
IUFOST	<p>IUFoST strongly supports the Codex policy that all Codex decisions must be based on the best scientific information and scientific consensus available. Since food is involved, FAO/WHO Expert Bodies and Expert consultations should be the main sources of scientific opinions and consensus. The existing Codex statements on this should not be amended or added to in any way, but adequate guidance for Codex Committee Chairs and participants may help in assuring uniform application to the existing principles found in the Codex Procedural Manual.</p>

Question 1: Is there any specific type or form of output that you expect? How might we best ensure outputs are effective, in terms of providing useful guidance for the operationalization of the Statements? Please elaborate.

Members

<p>Argentina</p>	<p>Las Guías que desarrollará el Subcomité del Comité Ejecutivo no deberían proponer la revisión o reinterpretación de los procedimientos del Codex contemplados en las Declaraciones de Principios.</p> <p>En cambio, sería útil que identificaran las herramientas que hoy están disponibles para los presidentes de los Comités y la Secretaría, para evaluar si es necesario reforzar la capacitación para utilizar de manera eficiente los procedimientos existentes.</p> <p>La intención de cualquier Guía debería ser la de facilitar que las Declaraciones de Principio funcionen de manera efectiva y eficiente, para que el Codex pueda seguir estableciendo estándares basados en la ciencia y en la evaluación de riesgos.</p> <p>Luego de la reunión 77 del Comité Ejecutivo y de la CAC 42, queda claro que hubo acuerdo en que las Declaraciones de Principios no deberían ser abiertas para su revisión. Hay consenso en que los acuerdos dentro del Codex se basan en el principio básico de que la ciencia es el pilar del Codex, y que otros factores podrían ser considerados solamente cuando sean aceptados a nivel mundial.</p> <p>Los procedimientos actuales del Codex brindan un proceso inclusivo y deliberativo para garantizar que los textos se basen en evidencia científica y análisis de riesgos, como se mencionó antes, sumado al mandato de proteger la salud de los consumidores y garantizar prácticas leales al comercio.</p> <p>Reforzando estos conceptos, sería útil que el Subcomité identifique e incluya en las guías todas las herramientas con que cuentan los presidentes de los Comités y Órganos auxiliares para desarrollar los estándares, logrando así que sean guías prácticas operacionales sobre cómo aplicar las declaraciones de principios.</p>
<p>Australia</p>	<p>Australia expects that the guidance will support the consistent application of the Statements of Principle Concerning the Role of Science across all Codex committees.</p> <p>To make guidance useful to Chairpersons, one option could be the inclusion of additional text to the Chairs Guide to Hosting Codex Committees. This guidance is accessible to Chairpersons and the committee secretariat who are likely to review the document prior to hosting their committee and between sessions. This guidance could provide steps to be taken to assist the Chair in ascertaining whether the matter under discussion is relevant to the application of the Statements.</p> <p>In particular, guidance on the relative priority of the 'other factors' (such as fair trade practices, regional support and development, achievability and so on) would also be helpful so as not to inadvertently enable trade barriers when decisions are not based on science. Additionally clarity on the role of other legitimate factors is central to the application of the Statement of Principles Concerning the Role of Science.</p> <p>Case studies on where the Statements have been invoked and how they have been utilised could also form a useful part of the guidance.</p>
<p>Brazil</p>	<p>The Statements are clear on their selves and shall be understood as so. Guidance for their operationalization may result on a tendentious interpretation that may corrupt them as principles.</p>
<p>Canada</p>	<p>Canada believes that sufficient guidance exists for Chairpersons in the Codex Procedural Manual and complemented in the Codex Chairpersons' Handbook.</p> <p>Any additional guidance for the operationalization of the Statements should be included in the existing Codex Chairpersons' Handbook. This would continue to consolidate practical advice into a single location for use by Chairs, as called for in the Codex Strategic Plan 2014-2019 (Objective 4.2 – Enhance capacity to arrive at consensus in the standard setting process) and the Codex Communications Strategy and Workplan. As such, Canada does not believe practical guidance should go into the Codex Procedural Manual.</p> <p>While the existing guidance provides a more general understanding of the concept of consensus and of the Statements of Principle, Canada does not believe that there is a need to be prescriptive in documenting detailed guidance or practical advice in the Codex Procedural Manual as this could restrict the flexibility for the Chairperson in considering the use of new and innovative ways to achieve consensus on a specific problem within the Codex committee.</p>

Chile	<p>Chile considera que el Manual de procedimientos es lo suficientemente claro como para ser aplicado, sin embargo, en el interés del compromiso y debido a dudas de otros estados miembros del Codex, se espera un documento complementario que facilite la implementación del Manual, para destrabar cuestiones complicadas de manera armonizada en los distintos Comités, entregando a los presidentes una guía clara sobre cómo proceder en base a las reglas establecidas y acordadas por los Miembros.</p> <p>La manera más eficaz, para que esta sea una orientación útil, es que sea aprobada por la CAC, generando un mandato claro, que de la suficiente claridad a los Presidentes de Comité cual es el procedimiento a seguir en situaciones complejas, como a los Miembros un respaldo para cuando esto no ocurra.</p> <p>Respecto a los resultados eficaces, se verá posteriormente, cuando los presidentes de comités puedan entregar comentarios acerca de situaciones difíciles que hayan podido destrabar usando las orientaciones disponibles. Ayudará a responder esto, el contar con un registro disponible a todos los miembros, que permita ver todas aquellas ocasiones en los que el Manual de Procedimientos no fue implementado para destrabar temas complicados. En caso de considerarse esta propuesta, se deberá definir al responsable de desarrollar este registro.</p> <p>Como Comentario general en los pocos casos en que no se ha llegado a consenso, no ha sido por desconocimiento del manual sino por razones de otra índole ajena al proceso normativo del Codex, de parte de Miembros que se han opuesto a determinada norma aun cuando la misma ha tenido evidencia científica suficiente, contando con evaluación de los órganos científicos de evaluación de riesgos generados por el Codex inclusive en la declaración de principios se otorga la oportunidad que señalen los "otros factores legítimos" dentro del Codex, lo cual no ha sucedido,</p> <p>Se debe tener en cuenta que las normas del Codex son recomendaciones y según el acuerdo MSF de la OMC es posible diferir de ellas con evidencia científica que justifique su nivel adecuado de protección a nivel nacional.</p> <p>Adicionalmente el numeral 4 de la declaración es suficientemente claro en relación a que en el proceso normativo del Codex un Miembro puede abstenerse de adoptar una norma sin tener que impedir el avance.</p> <p>Por último, Chile desea advertir también sobre el riesgo de sentar el precedente de que cada sección del Manual de Procedimientos que sea objetada por algún miembro, tendría que ser explicada mediante una guía práctica de aplicación, lo que ciertamente resta valor al Manual de Procedimientos, a la labor del CCGP y la CAC y establece un mecanismo alternativo y paralelo para resolver este tipo de cuestiones.</p>
Costa Rica	<p>Costa Rica espera que esta acción que se plantea abordar arroje resultados positivos para todos, y sobre todo le permita a los presidentes tomar las acciones necesarias que favorezcan la toma de decisiones. Un aspecto a tomar en consideración es que, en la medida en que se brinde claridad a todos los actores en cuanto a la nota al pie incluida en el Plan Estratégico "La consideración de otros factores en el proceso de establecimiento de normas del Codex se rige por las Declaraciones de principios referentes a la función que desempeña la ciencia en el proceso decisorio del Codex y la medida en que se tienen en cuenta otros factores". La operacionalización de dichas declaraciones debería ser efectiva.</p>
Cuba	<p>Cuba considera que si la mayoría de los países miembros realizan comentarios al tema y se llega a un consenso, sería un paso de avance para que se puedan dar orientaciones útiles para la puesta en práctica de las Declaraciones de principios referentes a la función que desempeña la ciencia, por lo que sería un resultado importante y positivo. Una forma que se produzca un resultado una vez que haya consenso requiere que el tema se lleve al denominado "Subcomité del Comité Ejecutivo sobre la aplicación de las Declaraciones de principios referentes a la función que desempeña la Ciencia"</p>
Dominican Republic	<p>Consideramos que es necesario que las presidencias de los órganos auxiliares del Codex sean debidamente capacitadas sobre la importancia de que todas las disposiciones de los comités deben estar basadas en el avance científico disponible y aceptado por las respectivas juntas de expertos.</p> <p>Además, que la presidencia del órgano auxiliar no permita que otros factores ajenos a la seguridad de la salud y de la equidad al comercio, sean factores que afecten la aprobación de las normativas del Codex, ya que estas siempre estarán basadas en el fundamento científico del análisis de riesgos.</p>

<p>Ecuador</p>	<p>RESPUESTA: Ecuador considera que el principal problema de la aplicación de las Declaraciones, es que no se brinda un proceso detallado de cómo actuar en varios escenarios; en especial, cuando se tienen casos en donde se tiene suficiente sustento científico y consenso por parte de los Comités técnicos del Codex, pero al ser revisadas en la Comisión del Codex Alimentarius las normas no se aprueban, esto debido a la influencia de otros factores e intereses ajenos a los principios generales del Codex Alimentarius, que son el respeto a la base científica y la evaluación del riesgo, a fin de salvaguardar la salud de los consumidores y el asegurar de las prácticas equitativas en el comercio de alimentos. Es por esto que Ecuador considera, se deben elaborar procedimientos y lineamientos detallados con base a la Declaración de Principios, dirigidas principalmente a la Comisión del Codex Alimentarius, haciendo hincapié en el respeto a los principios generales, y, a su vez, respetando el trabajo de los órganos auxiliares, los GTe, los Comités Técnicos, el CCEXEC y en general el procedimiento del Codex.</p> <p>Al no tener dichos procedimientos, se corre el riesgo de hacer caso omiso a la promoción de la aplicación de la evaluación de riesgos realizada por los organismos auxiliares del Codex Alimentarius:</p> <ul style="list-style-type: none"> • Comité Mixto FAO/OMS de Expertos en Aditivos Alimentarios (JECFA). • Reunión Conjunta FAO/OMS sobre residuos de plaguicidas (JMPR). • Consultas Mixtas FAO/OMS DE Expertos sobre Evaluación de Riesgos Microbiológicos (JEMRA). <p>Organismos para los cuales, FAO y la OMS canalizan fondos para su mantenimiento. Ecuador considera que la mejor manera de garantizar resultados es detallar procedimientos y lineamientos claros que no dejen espacio abierto a la interpretación. El principal problema dentro de los Comités Técnicos y la Comisión del Codex Alimentarius, es que se aplaza la aprobación de los trabajos de JECFA, JEMRA, JMPR, así como la gestión de riesgo (Trámite 1, 2, 3, 4 5, 6, 7 y 8; y Trámites acelerados 5/8).</p>
<p>Egypt</p>	<p>Egypt supports developing practical guidance for Codex Subsidiary Bodies and their chairpersons on the operationalization of the Statements of Principle Concerning the Role of Science to ensure its application consistently across the Codex decision-making process. The guidance has to define clearly for the Chairperson and members/observers the best use of the statement especially in case of dispute or objection from members. This will definitely supports in advancing the standards without delays due to factors outside Codex mandate or not following the science-based decision-making process. The guidance could be added to the existing guidance of Codex in managing Codex meetings.</p>
<p>European Union</p>	<p>At the start of this Sub-Committee (SC), we would prefer the work to focus on the content of the practical guidance rather than on the type or form of any output.</p> <p>However, in order to ensure effective outputs, it is of utmost importance that any guidance is not only clear in content but also easily accessible for all members and stakeholders.</p> <p>Since members are looking for guidance in the PM we would prefer clarifications in or additions to the PM rather than additions to “informal” guidance such as the handbook for Chairpersons or text in a CAC-report (this type of complementary guidance is not readily available to delegates and is more likely to be overlooked in particular for future delegates).</p> <p>It is also important to ensure transparent and inclusive processes in developing any guidance. This circular letter serves as a useful step into that direction.</p> <p>As suggested by CRD 9 of CCEURO31, the SC could explore how members and chairpersons can be guided better in using options already used and/or provided for in the PM (following the indications of where guidance may be helpful as provided in the conclusions of CC/EXEC 19/77/10).</p>
<p>Guatemala</p>	<p>Ciertamente, se espera que se produzca un resultado concreto que apoye las decisiones en el marco de Codex. No será fácil encontrar la mejor manera para hacerlo. Creemos que actualmente se tienen todas las herramientas necesarias en el manual de procedimiento para una orientación útil. El documento de historia e implicaciones del párrafo 4 de la Declaración de Principios da igualmente bastante orientación (CX/EXEC 19/77/10). Se</p>

	espera que se pueda producir un documento similar al terminar la ronda de consultas por parte del subcomité respectivo.
Indonesia	Practical guidance should include in Procedural Manual as basis for all Codex Subsidiary Bodies. It can be considered that once Codex Subsidiary Bodies are not able to reach consensus in specific matters and it might prevent the adoption of the Standards according to the proposed time line, Executive Committee take an action to resolve the problems based on this practical guidance.
Iran	Statistical evidence based out puts which should protect consumer health and promote fair practices in the food trade for everyone not for particular group, everywhere. Also, the consumer preference based on statistical data equally should be considered
Kazakhstan	<p>This Guidance should, in our opinion, represent a specific algorithm of actions of the subsidiary bodies in case of disputes regarding the interpretation of the results of scientific risk assessment and on the role of science in the development of Codex documents. In developing the Guidance it is necessary to consider all possible outcomes of the development of disputes with a limited, concrete and closed list of actions to achieve consensus. This work should take into account the significant experience of the Commission in the development of global standards for food products.</p> <p>In addition, there is a need for a clear definition of "consensus" as a basic concept, on the understanding of which further work on the development of this Guidance should be based. Moreover, we believe that it is better to adhere to the conclusions reached at the informal discussion on the interpretation of the Declaration of principles on the role of science that took place on the margins of CCEURO'31, namely that:</p> <ul style="list-style-type: none"> - Advice is required to Members, subsidiary bodies, and Chairpersons and the CCEXEC sub-committee should take into account each of the ways forward proposed in the conclusions of CXEXEC 19/77/10, namely adoption by vote, holding a standard at step 8, building differences of application into the text, not approving new work or discontinuation of work because of non-amenability to standardization, and reservations/SoP. This paper provides useful indications of where further guidance may be helpful. Each of these proposals for further guidance and criteria should be explored by the sub-committee.
Malaysia	Existing text in the current Procedural Manual is sufficient to provide clear guidance to Codex Subsidiary Bodies. Additional guidance in the Handbook for Chairs of Codex Committees maybe useful in assisting Chairs in facilitating the meeting.
Mexico	México considera que, para garantizar resultados eficaces, la orientación debe ir en concordancia con el Manual de Procedimientos, deben estar fundamentadas en su totalidad en la base científica y los principios de análisis de riesgo considerando que, el Codex Alimentarius se basa en principios científicos y es referencia para el Acuerdo MSF de la OMC.
New Zealand	<p>When members called for "operationalisation" of the Statements of Principle, there was an undeniable focus and concern in regard application of Statement 4 during different steps in the elaboration and adoption of draft standards.</p> <p>Systematic application of Statement 4 requires much greater clarity in intent, transparency and accountability. For the latter, both Chairs and delegates need to subscribe to new guidance that is very clear in intent and prevents duplication of discussions best held at specified steps in the standards step-wise development process.</p> <p>New Zealand recognises that there have been considerable previous efforts over the years to clarify the intent and "legitimacy" of "other factors"</p> <p>If we are to improve operationalisation of the Statements of Principle, we need to be properly guided by the following tenets:</p> <ul style="list-style-type: none"> • Technical issues are resolved at the committee level • Members fully participate at the committee level on technical issues and concerns • Opposition to adoption of standards on the basis of "other factors" is expressed at the CAC
Nicaragua	Nicaragua espera que los resultados a cumplir sean congruentes con lo acordado a nivel de Comité Ejecutivo y de la CAC42. Se considera que el Manual de Procedimiento establece una ruta clara para la gestión de los órganos auxiliares y proporciona suficientes herramientas para la adopción de decisiones basadas en la ciencia; sin embargo, es necesario establecer disposiciones complementarias que aporten a la aplicación de las

	<p>declaraciones antes mencionadas, por ejemplo, mecanismos que permitan evaluar objetivamente y de manera periódica, su aplicación en los diferentes órganos auxiliares.</p>
Norway	<ul style="list-style-type: none"> • Codex is a member driven organization. • The PM is the only source for rules and procedures to be used in Codex. Members are looking for guidance in the PM, which should be a complete and authoritative source of advice for all Codex members and stakeholders. • Based on difficulties in reaching consensus in extraordinary situations, a paper (CX/EXEC 19/77/10) with history and analysis of the fourth paragraph of the statement of principle was developed by the Codex secretariat, and this paper is a reference for further discussions. • At this point, we would like to focus on how, and not where, members better can be guided using options already used and/or provided for in the PM: <ul style="list-style-type: none"> o not approving new work or discontinuation of work because of non-amenability to standardization o building differences of application into the text o holding a standard at step 8 o abstaining from acceptance (SoP) o adoption by vote • The CCEXEC sub committee should take into account each of the ways forward (as mentioned in the previous paragraph), as the paper (19/77/10) provides useful indications of where further guidance may be helpful. We consider it crucial for a successful outcome to explore each of these proposals for further guidance and criteria, as the SoP does not exist in isolation. • After exploring each of these proposals and the guidance in the paper, further discussions should be held on where it could be best placed in order to be easy available to all members and to ensure that the output is in line with the core values of Codex (transparency, inclusiveness, collaboration and consensus building). • We would also refer to discussions held in the margins of CCEURO, presented in CRD9 from CCEURO, as they provide a summary of the views of the region.
Panama	<p>Panamá espera que la línea de trabajo que se viene realizando y utilizando por el momento siempre esté enfocado y justificado con la ciencia, pues se convierte en una herramienta base primordial para los países en desarrollo como el nuestro. Se torna nuestro mejor aliado a la hora de tomar decisiones, son la referencia en la que confiamos fielmente.</p>
Paraguay	<p>Es una preocupación para nuestro país que lo sucedido en varias reuniones ya sea de Comités de asuntos generales como la Comisión del Codex, marque o establezca un precedente en el que la transparencia y la integridad científica del Sistema Codex se vean desafiadas y el sesgo, más allá de la perspectiva científica, pueda introducirse en las directrices finales. Decisión que comprometería el rol de Codex Alimentarius ante la OMC, convirtiéndose en una desventaja para los países en desarrollo que dependen de dicha armonización para su respectiva legislación. Es imperativo reconocer, respaldar y fortalecer la base científica del Sistema Codex, que como sabemos están conformados y soportados por reconocidos científicos a quienes se encomienda la evaluación de riesgos, etapa fundamental en el proceso normativo del Codex</p> <p>Cada país dedica tiempo importante en discutir temas de relevancia para cada uno, además todos los países necesitan tener acceso a una evaluación de riesgo confiable, pero no todos cuentan con la experiencia necesaria y el presupuesto que esto implica, también invierten plata en participar de las reuniones presenciales de los Comités del Codex, por ello creemos importante que al invertir mucho tiempo y dinero en temas que finalmente no van a tener avance de trámites, es un despropósito y es desalentador para países en desarrollo.</p> <p>Creemos que el Manual de Procedimiento es bastante claro y contiene orientaciones prácticas, es importante que los delegados reciban capacitación sobre el uso de las Declaraciones de Principios y que los Presidentes hagan cumplir el Manual de Procedimiento.</p>

Senegal	<p>Nous pensons que lorsque les évaluations des comités conjoints d'experts FAO/OMS ont fourni des avis favorables et bien argumentés des difficultés ne devraient pas se poser, comme c'est le cas pour beaucoup de normes qui ont été adoptées par la CAC. Dans ces situations les déclarations de principe ont été appliquées avec succès pour l'adoption de la norme par consensus dans la grande majorité à la Commission du Codex Alimentarius (CAC) Dans la mesure où ce sont des normes du Codex relatives à la sécurité sanitaire des aliments qui reposent sur des avis scientifiques indépendants et indépendants émis par des groupes d'experts de l'OMS / FAO.</p> <p>Les difficultés se posent lorsque les délégations ne maîtrisent pas ce qui est applicable au niveau national et ce qui est dans le mandat du Codex et applicable au niveau mondial. Une application uniforme des déclarations de principe permet de s'assurer que les décisions sont fondées sur des données scientifiques et sur une évaluation des risques.</p>
Thailand	<p>In general, we agree with the development of practical guidance. We are of the view that the guidance shall provide clear criteria and possible procedures for Chairpersons. In addition, Codex should consider developing criteria, procedure and roles for members of Codex subsidiary bodies on decision-making based on sound scientific evidences relevant to safety and other legitimate factors, and facilitate fair trade practices. We believe that the guidance with description of a number of successful case studies of Codex showing the selected ways in different complicated issues will be beneficial to all. However, if Codex decides that the inclusion of the case studies is not appropriate, the inclusion as a information document maybe useful.</p>
Uruguay	<p>Entendemos que las declaraciones de principios son suficientes para que los presidentes resuman la voluntad de los miembros generando consensos coherentes con los objetivos y principios del CODEX. Cuando surgen conflictos, estos no responden a debilidades en la declaración de principios sino a un apego insuficiente a la misma al intentar adoptar las decisiones de consenso.</p> <p>En los casos en que haya sido necesario adoptar el consenso basándose en la aplicación de los principios, a pesar de la oposición de uno o más miembros, los informes deberían fundamentarlo claramente, de modo que el CCEXEC pueda cumplir su función de "supervisar los avances en la elaboración de las normas" (sic Art V. 2.) y la secretaría debería preparar un resumen de dichas situaciones para que el CCEXEC pudiera tenerlas en cuenta en sus deliberaciones.</p>
USA	<p>Practical guidance for chairpersons should be developed in CCEXEC for incorporation into the Chairperson's Handbook. We would suggest that it be included in the Chairperson's Handbook under Section 4, Chairing a Session. The guidance could take the form of text and/or a decision tree that would guide chairpersons in deliberations. It could be included in training sessions for chairpersons and communicated by them in the orientation training sessions provided to new delegates</p> <p>A reference or the complete text of the FAO Guide to Conduct of Plenary Sessions, which itself is an explanation of the FAO Basic Texts (which are to be applied, mutatis mutandi, in Codex) should also be included in Section 4 of the Codex Chairpersons Handbook as these govern Codex plenary sessions. The explanation contained in the FAO Guide to Plenary Sessions of GR XLI-3 from the FAO Basic Texts would be of benefit to chairpersons.</p> <p>Key to the success of any additional guidance or training is the consistency of the application of the guidance across the different meetings. While each body operates with a unique "personality," the interpretation of the principles must be consistent. The goal is for the guidance to support the chairpersons in applying the Statements of Principle effectively and efficiently to enable Codex to set standards consistent with its mandate based on science and risk assessment. The Secretariat must also have a clear understanding of the principles and provide consistent advice to support the chairpersons, as indicated in the response to Question 2 below.</p>

Observers

FIVS	<p>FIVS asks that the output in terms of development of practical guidance on the Operationalization of the Statements of Principle Concerning the Role of Science needs to acknowledge the importance of science-based Codex decision making. As CAC42 has</p>
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	<p>already recognized that the Procedural Manual sets a clear route and provides sufficient tools for science-based decision making, the practical guidance should not extend to alterations of Codex procedures but should focus on use of existing tools available within Codex, and outline training procedures (perhaps in a guideline workbook) to ensure Codex chairs and committees apply the Statements of Principle.</p>
healthforanimals	<p>Detailed practical guidance to Chairs on specific situations in some sort of guide. Guidance should focus on making the Statements work and on preventing/preempting misuse. It could list situations and the to-follow processes for each procedure</p>
ICBA	<p>The guidance developed should include advice on how chairpersons could determine whether to advance standards when concerns or objections have been raised by the members by following the Statements of Principle. This would ensure standards are advanced without delays due to factors outside the Codex mandate or not following the science-based decision-making process. We understand that there already is an internal guidance document for the chairpersons on how to manage Committee meetings. The guidance developed on how to ensure that the Statements of Principle are applied could be added to the existing document, e.g., by utilizing a decision tree process.</p>
IDF/FIL	<p>The intent of any practical guidance must be to make the Statements of Principle work effectively and efficiently so that Codex can set standards based on science and risk-assessment. CCEXEC subcommittee should therefore identify the tools available to chairs, committees, and the Secretariat to effectively use the existing procedures. CCEXEC subcommittee should not revise or reinterpret the Codex procedures and guidance embodied in the Statements of Principle.</p> <p>This would be aligned with CCEXEC Subcommittee charge from the 42 Codex Alimentarius Commission (CAC42), and the CCEXEC subcommittee's Terms of Reference, which was "practical guidance to Chairs and Committees for making decisions on standards that are needed by Members and are based in science." The charge recognizes both the importance of operationalizing the Statements of Principle and the importance of science-based decision making.</p> <p>Throughout the process, there has been clear agreement that the Statements of Principle should not be opened for amendment. IDF supports this, as it demonstrates Codex agreement on the essential principles that science forms the basis of Codex standards and that other factors can be considered only when they are accepted on a worldwide basis. IDF notes that the CAC42 report noted the view expressed by delegations that "the Procedural Manual sets a clear route for managing the subsidiary bodies and provides sufficient tools for science-based decision making consistent with transparency and consensus."</p> <p>While current Codex procedures already provide a deliberate, inclusive, and structured process to assure that draft standards and texts are progressed based on scientific evidence and risk-assessment in alignment with the Codex mandate, it might be advantageous to specifically identify and include in any documentation developed for chairs all of the existing tools available to help chairs work through challenges in the standards process. This would meet the charge in the TOR for "practical guidance" on "operationalizing" the Statements of Principle.</p>

Question 2: In your experience with Codex meetings, have you observed situations in which the Statements have been successfully applied? Please describe the situation and actions taken especially also the role of the Delegates, the Chairperson and the Secretariat. Please also mention if any additional new or existing procedures, guidance or techniques were used that were helpful.

Members

Argentina	<p>Las preguntas 2 y 3 podrían ser respondidas en conjunto, ya que sería mejor mirar hacia adelante en vez de tratar de dar ejemplos del pasado que podrían ser interpretados más como una crítica que como una propuesta de mejora.</p> <p>Insistimos en que el Subcomité debería tener en cuenta las reglas que ya están establecidas en el Manual de Procedimiento, que dan prioridad a la ciencia y a la</p>
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	<p>evaluación de riesgos como la base de las decisiones del Codex, y pensar cómo reforzar estos conceptos, más que determinar qué se debió haber hecho en el pasado.</p>
Australia	<p>Australia's experience is that in a number of Codex Committees the Statement of Principles play an implicit role. For example in the Codex Committee on Contaminants in Food, the science and risk assessments undertaken by JECFA are frequently referred to throughout the meeting and anchor the discussions. The science done by JECFA is generally considered authoritative, however, 'other factors' sometimes overlay the risk assessment.</p> <p>Australian experience of Codex Committee on Pesticide Residues (CCPR) is that there may be some observers expressing opinions stated as an alternative scientific opinion to that expressed by the expert scientific body - Joint FAO/WHO Meeting on Pesticide Residues (JMPR), but this has not necessarily driven the decisions of the committee. For example in our experience, in deciding on Maximum Residue Limits (MRLs) at CCPR, some members intervene with an alternative scientific opinion to that of the JMPR, but this does not necessarily stop the proposed MRLs from proceeding. When this happens those members, where appropriate and necessary, have exercised their right to expressing a reservation without stopping the text from progressing.</p>
Brazil	<p>The question is too broad and the answer may be influenced by how long you have been working with Codex. Brazil is sure that even if there is not an example it does not mean the principles should be reviewed or revoked. Our perception is that the already existence guidance are not used.</p>
Canada	<p>Canada believes that the large number of standards, guidelines and recommendations that are consistently adopted without contention at each session of the Commission demonstrates that the Chairpersons of Codex Committees are successful at applying the Statements of Principle, without overt reference to them, and facilitating the achievement of consensus.</p>
Chile	<p>Aquellas situaciones en las que los miembros no presentan reparos a la base científica de la norma en discusión, reconocen que la situación a nivel nacional podría ser distinta, y ponen una reserva en vez de oponerse a la aprobación, constituyen un ejemplo de la aplicación de las declaraciones de principios contenidas en el Manual de Procedimientos. La mayor parte de las normas del Codex siguen este procedimiento.</p>
Costa Rica	<p>Sí. Específicamente en el CCVDRF; en la gestión de este comité es justamente donde se ha presentado esta problemática (es decir, el principio científico). Hemos observado situaciones aplicadas con éxito sobre el principio de la ciencia, pero por parte de los delegados, que son los que se integran con el objeto de apoyar las evaluaciones del JECFA.</p>
Cuba	<p>Cuba considera que cuando no hay posiciones encontradas dadas por situaciones fundamentalmente, comerciales o de otros intereses de los países, las declaraciones de principios referentes a la función que desempeña la ciencia se han aplicado con éxito y ejemplos de ello, se mencionan de forma muy esclarecedora en el documento preparado por la Secretaría del Codex: HISTORIA Y REPERCUSIONES DEL PÁRRAFO 4 DE LAS DECLARACIONES DE PRINCIPIOS</p> <p>Por citar algunas de las orientaciones, se encuentran los ejemplos de votaciones secretas y públicas ante la aprobación de diferentes textos, retención en el trámite 8 de alguna norma como la aprobación de los LMR de la somatropina bovina retenida en este trámite desde el 1990 o la necesidad de realizar reuniones fuera de programa entre los países para llegar a consenso después de largas horas de debate en la Comisión donde los criterios de JECFA han sido desestimados.</p> <p>De acuerdo a la connotación del tema de los documentos con respecto al cumplimiento de los objetivos del Codex, ha sido útil alguno de estos procedimientos, sin lograrse el consenso, por supuesto con la reserva de muchos países que con la votación han tenido que aceptar el documento que a los efectos no va a ser utilizado por ellos en las disposiciones de la normalización de sus países.</p> <p>Lo que más afecta es que realmente la declaración del principio de la ciencia es más un comodín que un principio y este si es un asunto a resolver.</p>

Dominican Republic	En una ocasión, el comité CCFH dispuso la adopción de una determinada normativa y un país miembro mostró su oposición a la aprobación en un trámite 5/8, y la presidencia luego de un debate entre los miembros presentes y ante la disposición de aprobación en dicho trámite, solicitó al miembro opuesto a la adopción en dicho trámite 5/8, para solicitarle si estaría en disposición de expresar sus reservas a la aprobación y que además, tendría oportunidad de motivar su oposición en la próxima reunión de la CAC, con lo cual aquel país, dio por terminado el debate.
Ecuador	Ecuador se permite informar que no ha identificado una experiencia efectiva en la que las Declaraciones hayan sido aplicadas con éxito.
Egypt	Egypt has long experiences in Codex meetings; we generally observe that the Statements of Principle are applied by Chairpersons and Secretariat, delegates of Members are not always have the enough experiences on Codex principles, so the disputes and discussion may take long time without reaching consensus.
European Union	As indicated in section 5.2.1 of CX/EXEC 19/77/10, there is no evidence that Statement 4 has been explicitly invoked in Codex until now. To our knowledge, the same applies to the other Statements. Nonetheless, the other tools and means set out in section 5 of CX/EXEC 19/77/10 are an integral part of the current Codex practice and have proved their value in facilitating effective and consensus-based decision-making in Codex.
Guatemala	Nuestra experiencia no es muy voluminosa, pero en las reuniones que se ha tenido la oportunidad de asistir, se ha visto que un buen presidente es aquel que conoce a fondo el tema, que está familiarizado con el documento en discusión, conoce los antecedentes del documentos, tiene un manejo adecuado del manual de procedimiento y, que se apoya en momentos claves con los co-presidentes que deben ser igualmente conocedores del tema en discusión. No dejan duda que ellos manejan el tema apropiadamente y hacen una coordinación apropiada de las discusiones y esto se puede ver en los Comités exitosos.
Indonesia	A lot of cases that Delegates, the Chairperson and the Secretariat play the role to reach consensus. Sometimes the Chairperson needs to be stricter, not to allow members for reopening debate. Informal consultation during the break or facilitating meeting among countries in concerned sometimes effective to resolve specific matter.
Iran	We don't have any special experience for this item, but we think if the relevant policies, strategic and guidelines, consistent with fulfilling its unique mandates that above mentioned it would be operate.
Kazakhstan	To date, the meetings attended by Kazakhstan were held in strict accordance with the existing procedures and there is no experience of participation in the discussion of issues in which the Statements were successfully applied in order to resolve the irreconcilable disagreement of delegates from different countries.
Malaysia	<ul style="list-style-type: none"> • First Statement of Principle that the food standards, guidelines and other recommendations of Codex Alimentarius shall be based on the principle of sound scientific analysis and evidence. • Fourth Statement of Principle that if the members that hold different considerations i.e. agree to have their reservation/ non-acceptance noted in the Commission and/or a committee report, then they would not "need" to "prevent" a decision by Codex.
Mexico	México considera que, pudiera haber caso de éxito en el avance de algunas normas retenidas en el trámite 8, considerando los ordenamientos del manual: la integración de otros factores legítimos en la gestión de riesgos no debe crear trabas injustificadas al comercio; se debe prestar una atención especial a las repercusiones que podría tener en los países en desarrollo la incorporación de esos otros factores y que se pueden tomar en consideración los otros factores siempre y cuando puedan ser aceptados en el plano mundial
New Zealand	The Statements have often been referred to in discussions at CAC but have not resolved intractable positions brought forward from Committees; in fact they may have furthered a lack of consensus because of lack of clarity around other considerations.

Nicaragua	Las declaraciones de principios se han aplicado con éxito cuando se pone en práctica lo dispuesto en el párrafo 4, los países realizan reservas sin que ello impida al Codex adoptar su decisión.
Norway	As indicated in section 5.2.1 of CX/EXEC 19/77/10, there is no evidence that statement 4 has been explicitly invoked in Codex until now. The same probably applies to the other statements. The other tools mentioned in section 5 are tools and means used by Codex. Especially building differences into the standard have proven beneficial to build consensus on difficult issues, like for the recent “note 161” solution in CCFA, and for example for the previous adoption of “The Use of the Lactoperoxidase System (LPS) for Milk and Milk Products in International Trade”.
Panama	En base a la experiencia de los delegados podemos comentar que las declaraciones brindadas se han aplicado con éxito. Podemos mencionar los grandes avances de los trabajos normativos concretos y por ende en líneas de consenso.
Paraguay	Durante la reunión N° 51 del CCFA, se ha decidido recomendar la aceptación de uso del Citrato trisódico SIN 331(iii) en la categoría de alimentos 01.1.1 “Leche líquida (natural / simple)”. Luego de un amplio debate sobre “otros aspectos” se decidió recomendar la aprobación del uso de este aditivo basado en resultados de investigaciones científicas. Algunos delegados manifestaron sus puntos de vista a favor y otros en contra, solicitando postergar a un año más su aprobación. El Comité apoyó la recomendación relativa a la adopción en el trámite 8 de los proyectos de disposiciones para que dijera “para uso en la leche UHT de la especie bovina para compensar el contenido de citrato de calcio para prevenir la sedimentación como resultado de las condiciones climáticas” En este caso la medida adoptada por el Presidente y la Secretaría fue muy acertada y oportuna porque se basó en criterios que están contemplados en la Declaración N° 4.
Thailand	In CCFH, there were a number of scenarios that the Committee could successfully finish the work on controversial issues, such as the use of chlorine to reduce Salmonella in beef. In such case, CCFH did ask for scientific advice from JEMRA and within the discussion group CCFH had appointed a facilitator, who acted as a middleman, to accommodate the discussion and try to find compromise. Another example was from those techniques used during the consideration of GPFH standard which can be taken as lessons for other subsidiary bodies to learn from.
Uruguay	En primer lugar, debemos dejar sentado que en lo que respecta a la aplicación de los principios en situaciones conflictivas, la función de la secretaria puede ser como mucho de asesoramiento en cuestiones procedimentales. De ningún modo en las cuestiones de sustancia referentes a los principios. En segundo lugar, debemos señalar que la actuación de los presidentes al resumir posiciones y adoptarlas como consenso, basándose en los principios, conducen a resultados, que aun en la discrepancia, cuentan con un fundamento que facilita a la larga su aceptación e internacionalización.
USA	The Statements of Principle have been successfully applied in the vast majority of Codex work. Challenges arise when delegations confound the distinction between what may be applicable at the national level, versus what is within the Codex mandate and applicable on a worldwide basis. Uniform application of the Statements helps ensure that decisions are based on science and risk assessment. A good example of how the Statements work is in the Codex Committee on Pesticide Residues (CCPR); delegations record reservations on maximum residue limits (MRLs) they do not intend to accept without preventing MRL adoption. A good example of a useful tool to resolve issues without undue delays is the “Concern Form” used by CCPR to address scientific questions. While they may not be explicitly invoked, the Statements of Principle are routinely and successfully applied in Codex committees and at the Codex Alimentarius Commission (CAC). The vast majority of Codex food safety standards are based on independent, expert scientific advice from the WHO/FAO panels and are adopted by consensus.

	<ul style="list-style-type: none"> • Delegates are prime actors in achieving this result. Members who do not agree with the proposed standards generally do not attempt to prevent Codex from adopting standards; rather, they express their views and record their reservations, indicating that they do not intend to accept the standard but will not block adoption of standards that other members believe are needed to ensure consumer protection and fair trade practices. This is fully consistent with existing Codex procedures and with the plain language of the Statements: members who hold differing views do not accept the standard but do not prevent Codex from reaching a decision. • Chairpersons can and do remind delegations about the Statements if/when they sense drift into areas which are outside of the scope of Codex as prescribed in the Procedural Manual and not appropriate for consideration in Codex. Chairpersons are able to determine that consensus exists, even though there may be reservations (after attempting to resolve concerns that are within the scope of Codex, e.g., in some committees, through use of concern forms when members question the conclusions of FAO/WHO scientific advice, or by using some of the approaches suggested by the Procedural Manual to facilitate consensus), and to exclude matters outside of the scope of Codex and factors that do not meet the Procedural Manual criteria when reaching decisions. • The Secretariat has a role in advising Chairpersons and delegates as to which factors are within the scope of Codex (and therefore may be taken into account in Codex decision-making and determining consensus) and which fall outside the scope of Codex, while acknowledging that the latter may be important and legitimate at the national level and/or may be within the purview of other organizations (such as animal welfare, which is an important element of the work of the World Organization for Animal Health (OIE) but is not within the mandate or expertise of Codex). Taking decisions consistent with the Statements is the common practice both in committees, when considering recommendations to the Commission, and in Commission consideration of committee recommendations, as illustrated by final adoption of hundreds of standards each year, including maximum residue limits for pesticides and veterinary drugs, food additive provisions, maximum levels for contaminants, and many other texts.
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Observers

ICBA	ICBA believes that the Statements of Principle have been followed, in general, without referring to them specifically at Committee meetings. We also note that the current Codex procedure allows countries to make reservations without blocking the adoption of Codex texts. For example, this procedure has been used at the CCPR for many years and it has allowed adoption of several MRL standards for pesticide residues. It is obvious that some of the underlying issues that have caused delays in standards advancement are related to how Codex texts are considered under the WTO SPS and TBT agreements. The Commission could seek a clarification from WTO how reservations are understood under the WTO SPS and TBT Agreements since resolving this concern is outside the scope of Codex.
healthforanimals	The application of the Statements of Principle have worked when members who have political reasons to block standards but have not blocked advancement of a standard based on non-scientific factors.
FIVS	In general, FIVS has observed that the Statements of Principle are applied successfully in all CODEX meetings that FIVS has attended. Although not specifically mentioned, the Chairs of these committees seem to be aware of the Statements and how to apply them in their respective meetings. Delegates and attendees generally appear to respect appropriate scientific evidence and risk assessments in making recommendations in meetings.

Question 3: Have you observed situations, in which the Statements could, in your opinion, have been applied, but were not applied. What were the reasons? What new or existing guidance or procedure would have helped the Delegates, Chairperson and the Secretariat to do so.

Members

Australia	At CAC42 the issue of Cadmium in chocolate was discussed where the FAO/WHO Joint Expert Committee on Food Additives (JECFA) clearly indicated that the acceptable levels of Cadmium proposed were based on scientific evidence. The discussion, however, appeared to focus on 'other factors' such as the economic implications and health impacts in certain regions where the chocolate was produced and consumed. Guidance on the use of the Statements in such instances may have limited the debate and explicitly provided a way forward on where certain regions or governments have legitimate domestic concerns which may not be relevant globally.
Brazil	Recently there are few occasions to illustrate this. During CCVDRF meeting while discussing the advancement of zilpaterol LMR. And during CAC42 there are two other examples: In the discussion regarding Cadmium in Cocoa, scientific data was not dully considered as it should. And the same happened while adopting the provisions for trisodium citrate in UHT milk. Brazil is also sure that already existence guidance considering that "members may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex".
Chile	<p>CCRVDF: en relación a la discusión sobre zilpaterol en la que, pese a que no había oposición a los resultados provistos por JECFA por ninguno de los Miembros presentes en la reunión, , algunas delegaciones se opusieron por su avance, por razones diferentes a la evaluación científica realizada por JECFA y sólo "dos delegaciones manifestaron su preocupación por el hecho de que el zilpaterol suponga un riesgo sanitario para los seres humanos, pero no se aportaron datos ni se había preparado un formulario de preocupaciones" . Los argumentos usados por estas delegaciones fueron ambiguos y se opusieron a avanzar en la recomendación. El Presidente al no encontrar consenso a un par de propuestas para promover el avance de la norma y ver que la plenaria estaba polarizada y ya se había utilizado gran cantidad de tiempo en el debate, decidió cerrar el tema y no avanzar el proyecto. En esta ocasión el Presidente podría haber realizado un debate transparente sobre la oportunidad que existía de aplicar lo establecido en el párrafo 4 de la declaración de principios, tal como hizo ver la Secretaría en la misma plenaria (ver párrafo 48 del REP18/RVDF).</p> <p>El ejemplo más emblemático es el de la somatotrophina bovina, que la JECFA evaluó más de una vez, sin embargo, sin reiterar el tema por todos conocido ha permanecido como norma retenida, no por desconocimiento del manual y sus declaraciones y ya ni se trata el tema en la CAC siendo que objetivamente está basada en fundamentos científicos, en casos como este ni siquiera vale la pena intentar perfeccionar las declaraciones o fórmulas de consenso pues hay otros factores más allá de los factores legítimos ajenos al Codex que impedirán que se transforme en norma internacional.</p> <p>Una guía simple sobre cómo destrabar este tipo de situaciones mediante la aplicación del párrafo 4 de la declaración de principios del Manual de Procedimientos, podría ser incluido en el Chairperson´s Handbook para que esté fácilmente disponible para el Presidente. De manera adicional, se debiera generar un sólido acuerdo de parte de los países para respetar las herramientas que dispone el MDP para abordar este tipo de situaciones, estas herramientas son: la evaluación científica del comité de expertos JECFA, la declaración de principios, y el formulario para presentar preocupaciones específicas, el que se ha utilizado escasamente por los miembros que se oponen al avance de un proyecto de norma.</p>
Costa Rica	<p>Sí, recientemente, el tema de Zilpaterol. El JECFA tiene una evaluación válida, pero esta no fue aprobada, se sigue manteniendo aún para discusión en el CCRVDF. El Presidente y la Secretaría tenían una posición pasiva ante la oposición a los buenos procedimientos del Codex.</p> <p>Y por supuesto todos los temas que el mismo Secretariado menciona en el documento CCEXE 77_10 HISTORIA E IMPLICACIONES, como la ractopamina, la SBT, entre otras.</p>
Cuba	Cuba considera que en más de una ocasión se pudieron aplicar las declaraciones, ejemplos de ello es en la misma retención en el trámite 8 de los LMR de las Somatotropinas Bovinas, la suspensión de la norma de queso fundido, entre otras. Los motivos son diversos, intereses comerciales de los países, costumbres de regiones que pasan que pasan sobre el concepto de la ciencia persiguiendo un objetivo nacionalista, inadecuada conducción del tema por la secretaría y la presidencia del Codex sepultando asuntos que

	<p>deben ser tratados oportunamente y con la profundidad requerida, en aras de ganar tiempo para otros que no tienen esa connotación.</p> <p>No se puede desechar posiciones de bloques, que en vez de ayudar a aplicar el principio lo destiman por los mismos intereses antes expuestos, se debería volver a la práctica de la votación individual por países, esta no es la posición de un bloque político, ni económico es científico y si de ciencia se trata debe ser consecuente y respetuoso.</p>
Dominican Republic	<p>Durante la CAC42, un bloque de países no apoyó la disposición del CCCF y no aprobaron la normativa de niveles de cadmio en una determinada concentración de cacao, en oposición a los criterios científicos de la JECFA. Estos países aplicaron factores regionales que van en contra de los principios del Codex, sobre equidad en el comercio de alimentos.</p> <p>Se demostró que el Codex Alimentarius necesita establecer un mecanismo que asegure el respeto a la declaración de principios basado en la ciencia, para asegurar que se aprueben las normas basadas en ciencias por encima de otros factores ajenos al Codex.</p>
Ecuador	<p>Ecuador desea hacer hincapié en un caso particular manejado por el Comité del Codex sobre Contaminantes de los Alimentos – CCCF, Grupo de Trabajo por medios electrónicos sobre el Anteproyecto para el establecimiento de Niveles Máximos - NM para el cadmio en el chocolate y productos derivados del cacao.</p> <p>Para mayor aclaración nos permitimos hacer referencia al documento de sala CX/LAC 19/21/CRD13, presentado en la 21va. Reunión del Comité Coordinador FAO/OMS para América Latina y El Caribe, en donde Ecuador manifiesta su preocupación por lo ocurrido durante la 42da. Reunión de la Comisión del Codex Alimentarius – CAC42, en donde se debatió la aprobación en Trámite 5/8 de la propuesta de Niveles Máximos para chocolates que contienen o declaran <30 % del total de sólidos de cacao sobre la base de materia seca.</p> <p>En el documento de sala se realiza un análisis detallado de lo ocurrido durante la CAC42, así como se refuta con argumentos científicos los comentarios – sin base científica- realizados por diferentes delegaciones de una Región, para aplazar la aprobación de la propuesta a Trámite 5.</p> <p>Ecuador, como mencionó en la respuesta a la pregunta 1 considera que no existe un procedimiento detallado para la Presidencia de la Comisión del Codex Alimentarius, así como para la Secretaría, que ayude a la aplicación de la Declaración de Principios, en el caso de que un Comité Técnico (en este caso el CCCF), tras años de debate y trabajo buscando cumplir con los principios generales del Codex Alimentarius y el mandato recibido por parte de la CAC, presente una propuesta consensuada y, por razones ajenas a los procedimientos del Codex, se bloquee el avance de una norma.</p> <p>En relación al caso citado, consideramos que la Presidencia de la Comisión, no debió dar paso a argumentos sin fundamento científico dentro de la Comisión, que como resultado se tiene un bloqueo para continuar con el proceso de adopción de una norma que fue consensuada por el CCCF.</p> <p>Se considera imperativa la realización de procedimientos dentro de la Comisión, que velen por la gestión realizada por los Comités Técnicos y los órganos auxiliares, de lo contrario, se cuestiona la pertinencia de conservar los Comités Técnicos, si sus propuestas van a ser bloqueadas sin sustento científico por la Comisión.</p> <p>Ecuador ve con preocupación que se esté desviando la atención de las normas del Codex a beneficios regionales y no mundiales, tal como se ha venido trabajando a lo largo de más de 50 años desde su creación.</p>
Egypt	<p>As long experiences of Egypt in Codex meetings, We didn't observe a clear example of not applying Principal of Statements, also our position is always consider as appropriate science-base.</p>
European Union	<p>Appendix 1 of CX/EXEC 19/77/10 provides an overview of the situations that led to the elaboration of the Statements and where Statement 4 could have been applied. A review of the handling of these situations in relation to existing procedures and existing guidance for reaching consensus- based decisions in Codex could provide valuable input for the development of further guidance.</p>
Guatemala	<p>En este caso, solamente conocemos de primera mano el caso del zilpaterol en la reunión 24 del CCRVDF, el cual contaba con todos los elementos para avanzar al trámite 5. Sin</p>

	embargo, no prosperó por cuestiones ya conocidas. Quizás se tuvo que acudir al procedimiento de votación en esta situación.
Indonesia	When CAC considered maximum level for cadmium for chocolates at the last session of the Commission. In this case, Statements have been applied but too many reopened debate which not only related to dual mandate of codex. Other legitimate factors can be considered as long as relevant to the health protection of consumers and for the promotion of fair practice in food trade. Other factors such as due to the absence in the Committee meeting should not be considered in the Commission level.
Iran	No special experiences
Kazakhstan	Currently, the situation regarding the establishment of limits for zilpaterol hydrochloride within CCRVDF remains controversial. In this situation, it would be very useful to have a clearly defined algorithm for achieving consensus, which would allow us to find common ground in the discussion of this issue. Countries also disagreed on the interpretation of the Declaration of principles on the role of science in the Codex decision-making process and the extent to which other factors were taken into account.
Malaysia	It is very worrying to note that issue such as cadmium in cocoa which have been agreed by the Committee and based on scientific evidence data but not yet adopted by CAC42 due to other factors brought by Members. Other factors should not affect the scientific basis of risk analysis as provided for in the Procedural Manual.
New Zealand	New guidance and commitment is needed in the following areas: 1. Restriction by procedural guidance, enforced by Chairs, on technical discussion at the level of the CAC. This is generally unproductive, often not coherent because of the lack of technical representation at the CAC, duplicative of discussions held at Committee level, and can be used to confuse legitimate and transparent debate on Other Factors e.g. the case with cadmium in chocolate at the 42nd session of the CAC. 2. Transparency and accountability of Members in bringing forward cases for consideration of Other Factors; following clear guidance on eligibility of Other Factors (see below) 3. Other mechanisms, in particular use of footnotes or other explanatory texts. Recourse to footnotes, reservations and qualified acceptance etc. have all been widely used in the past e.g. the 32nd session of the CAC agreed to include a footnote in Appendix A of the Code of Hygienic Practice for Milk and Milk Products that allowed the use of Lactoperoxidase system for preservation of milk and enabling the product to be traded across borders on the basis of the following: any trade in milk treated by the lactoperoxidase system should only be on the basis of mutual agreement between countries concerned and without prejudice to trade with other countries. Thus Members were able to reach consensus on advancing a standard previously bogged down on the basis of other considerations. However, there has been inconsistent use of footnotes by committees in the past. This is an important area of work that needs to be tackled in conjunction with discussion on operationalising the Statements of Principle, to ensure there is not a separation of opportunities 4. Renewed consensus on Other Factors and their clear categorisation (rather than generalisations) for clarifying debate and seeking consensus at the CAC. When New Zealand disagreed with certain amendments to the Codex standard for olive oils some years ago it was because of concerns that the revision proposals were not based on global variations in olive oil composition and if adopted, the standard could have created a technical barrier to trade – a clear category for debate)
Nicaragua	Nicaragua considera que el documento CX/EXEC 19/77/10, elaborado por la Secretaría, aborda de manera detallada diferentes casos en los que se pudo haber aplicado la declaración de principios pero no se hizo. Desde nuestra experiencia, el caso más reciente fue el del anteproyecto de LMR para el clorhidrato de zilpaterol (Ver: REP18/RVDF).
Norway	Appendix 1 of CX/EXEC 19/77/10 provides an overview of the situations that led to the elaboration of the Statements. This is useful information for further discussions and for developing guidance for the application. Because such guidance do not exist and that the statements are not used, we are not so sure that the approach at this point, should be to focus on where it “could have been applied». We would rather focus on exploring ways to

	<p>reach consensus, and thereby global acceptance and harmonization, see also our response to A1.</p> <p>This would also serve to implement the Codex Strategic Plan (in particular SG 3 - "Increase impact through the recognition and use of Codex standards".</p>
Panama	<p>En ocasiones en base a las posiciones país hemos notado que la fuerza con la que es evaluada muchas veces no es considerada, sin embargo somos escuchados en todas las dimensiones, lamentablemente necesitamos de las referencias mundiales para justificar nuestras opiniones. Creemos que la preparación de los delegados a la hora de exponer sus posiciones debe ser la más precisa.</p>
Paraguay	<p>El CCRVDF en su reunión N°24 acordó no avanzar en el anteproyecto de LMR para el zilpaterol en el procedimiento de trámites el cuál permanecería en el trámite 4 (Apéndice III).</p> <p>La Presidencia, al observar que el CCRVDF estaba dividido, no por cuestiones de tipo científico sino debido a otros factores, declaró que no existía consenso en el seno del CCRVDF, y propuso cerrar el debate y no avanzar el anteproyecto de LMR para el zilpaterol. En esa ocasión el CCRVDF expresó su firme apoyo a la sólida evaluación científica realizada por el JECFA. El CCRVDF destacó asimismo que se habían abordado todas las cuestiones científicas relativas al anteproyecto de LMR y que también se habían tratado con suficiente amplitud las preocupaciones en materia de salud pública.</p> <p>La Secretaría del Codex observó que el CCRVDF no parecía capaz de lograr un consenso, por motivos que excedían el mandato del Comité y el del propio Codex. Señaló en esa ocasión que nadie se había manifestado a favor de rechazar el fundamento científico de este trabajo y que existía un acuerdo sobre la idoneidad del nivel de protección establecido por la evaluación del JECFA. Sin embargo, otras consideraciones expresadas por las delegaciones continuaban impidiendo el avance del anteproyecto de LMR.</p> <p>En referencia a "las declaraciones de principios referentes a la función que desempeña la ciencia en el proceso de decisiones del Codex y la medida en que se tienen en cuenta otros factores" en el Manual de Procedimiento (Apéndice: Decisiones Generales, 26ª edición), la Secretaría del Codex observó según lo establecido en el párrafo. 4 de las Declaraciones. Finalmente el documento no avanzó, por no llegar a un consenso.</p> <p>Podemos mencionar también lo ocurrido en la pasada 42 CAC donde se mantuvieron extensos debates sobre el anteproyecto de NM para el cadmio en chocolates que contienen o declaran < 30% del total de sólidos de cacao sobre la base de materia seca, y acerca de la disposición de la NGAA sobre el citrato trisódico en la leche líquida (Categoría de alimentos 01.1.1), donde a pesar de los comentarios realizados por representantes del JECFA, ambos documentos fueron devueltos a los comités técnicos competentes.</p>
Senegal	<p>Nous avons eu à trois reprises assisté à trois réunions de la CAC pour lesquelles les déclarations de principe auraient dû être respectées. Tous ces cas venaient du Comité du Codex sur les résidus de médicaments vétérinaires dans les aliments (CCRVDF). Pour le premier cas, il a fallu recourir aux élections (ractopamine), pour le second, une suspension de la norme à l'étape 8 (somatotropine bovine recombinée) et pour le troisième, un renvoi au comité (zilpaterol)</p> <p>Pour tous ces cas cités, l'adoption des normes a été très difficile ou retardée ou bloquée, alors qu'elle aurait pu être faite plus rapidement si les déclarations de principes qui existent dans le Manuel de Procédure avaient été appliquées.</p>
Thailand	<p>We are of the view that the difficulty to apply the statements may be due to the fact that countries have their own position and it could not be changed. We think that Informal Coordinating Committee meeting prior to the Codex Committees' meeting can help to find the solution for certain serious issues. Therefore, it might be useful if there is a guideline to emphasize the important role of Coordinating Committee. Another way that will provide the increase of participation in the informal meeting is to find the possibility to put into the schedule in the formal invitation and agenda of the Codex Committee meetings. It can provide more chance and reduce the problem of missing any electronic mail of appointment.</p>

Uruguay	<p>Son diversas las situaciones en las cuales aun aplicando los principios no ha sido posible avanzar.:</p> <ul style="list-style-type: none"> • cuando el disenso es demasiado extendido entre los miembros; • cuando el proceso de gestión de riesgos no se diferencia adecuadamente de la evaluación de riesgo; o • cuando los otros factores legítimos mencionados en el párrafo 4 de la declaración, son invocados sin una cuantificación rigurosa, de modo que en el proceso de gestión de riesgos puedan ser tomados en cuenta ponderándolos adecuadamente en relación a los factores principales o a los objetivos del Codex
USA	<p>There have been numerous occasions when standards have been delayed or held that could have been advanced more expeditiously if the Statements of Principle had been applied. These situations could have been avoided if the committee had been able successfully to apply the existing provisions from the Procedural Manual as written.</p> <p>A prime example occurred at the last session of the Codex Committee on Residues of Veterinary Drugs in Foods (CCRVDF) during consideration of MRLs for zilpaterol. There was no opposition to the risk assessment provided by the Joint Expert Committee on Food Additives (JECFA). No concern forms were submitted as allowed under the procedures for CCRVDF, no human health concerns were raised, and no new data were submitted. Members who objected to the advancement of the zilpaterol MRLs conceded that their objections were based on issues outside of the Codex mandate (such as the consumer concerns of one region, which are not globally applicable, and animal welfare, which is within the purview of OIE). Consistent with the Statements, the chairperson could have advanced the MRLs to Step 5. This would have been consistent with established Codex procedures and still allowed for written comments and further debate to take place at Steps 6,7 and 8 in the Committee as well as at the CAC.</p> <p>As indicated in response to Question 1, these situations may be avoidable if text or a decision tree were added to the Codex Chairperson's Handbook and chairpersons implemented the FAO Guide to Plenary Sessions.</p> <p>At the Codex Committee on Contaminants in Foods (CCCF), there have been a few instances when delegates have raised the Statements of Principle, although they were not successful in using the Statements to prevail in their position. In some cases, CCCF's decision on a maximum limit (ML) did not align with the advice of JECFA or the Codex working group recommendation. Countries who objected to the decision have cited the principles in the Procedural Manual as the core reason for their objections. It is important to note, however, that the difficulties illustrated by such debates do not lie with the strength or lack of clarity of guidance in the scientific principles. Rather, it appears to be more a matter of inconsistent application.</p>

Observers

CCTA	<p>... not applied? ... to do so?</p>
FIVS	<p>FIVS has not observed specific occasions in Codex committee meetings where the Statements of Principle were not applied.</p>
healthforanimals	<p>There have been situations in CAC and CCRVDF related to active substances not being progressed as they could and should have been. The last CCRVDF is an example where all the conditions were met for advancement.</p>
ICBA	<p>At the Committees in which ICBA regularly participates, we are not aware of any clear examples where the Statements of Principle have not been adequately applied.</p>

Question 4: What are in your view the situations when the statements can be usefully applied?

Members

Argentina	Argentina considera que las preguntas 4 y 5 también pueden ser respondidas en conjunto. Las Declaraciones de Principios dan una herramienta importante para asegurar que las decisiones del Codex estén basadas en la ciencia, el análisis de riesgos y que garanticen la protección de la salud de los consumidores y prácticas leales al comercio. Consideramos que siempre se puede aplicar el Manual de Procedimientos, tanto por parte de los presidentes de los Comités como de los órganos auxiliares, inclusive en los casos en que los miembros estén de acuerdo con el nivel de protección de la salud, pero tengan puntos de vista diferentes sobre otras consideraciones.
Australia	The Statements of Principle can be usefully applied where the scientific risk assessment has been completed and reviewed by the Committee, but member countries are unable to agree on the appropriate risk management options.
Brazil	The statements should be used in all issues when consensus is not achieved as mentioned in the Procedure Manual, in particular on those matters related to health and safety. Whenever a risk assessment is to be done, scientific data (and analysis) is necessary and valuable.
Canada	Canada is of the view that the Statements of Principle can be usefully applied to the development of Codex food standards, guidelines and other recommendations. They are useful in situations where Codex members agree on the necessary level of protection of public health but may hold differing views about other considerations or other relevant legitimate factors.
Chile	En todas aquellas ocasiones en las que existe consenso sobre la base científica de la norma que se está discutiendo, pero hay consideraciones nacionales o regionales que no están contempladas en el mandato del Codex, son ocasiones en las que las declaraciones debiesen ser contempladas en la discusión para ser aplicadas.
Costa Rica	Las Declaraciones siempre pueden aplicarse de manera provechosa. Lo importante es que haya claridad respecto al objetivo que se persigue y cumplimiento a los estatutos del Codex.
Cuba	Cuando se trate de cuestiones relacionadas con la salud y la inocuidad se deben tomar en cuenta las mismas, basado en el papel que desempeña la ciencia y la evaluación de riesgos. Lo anterior es lo primero que debe prevalecer en una norma y debe ser la base del debate. Las declaraciones se pueden aplicar de forma provechosa, siempre que se demuestre por los resultados de los Órganos evaluadores de riesgos del Codex aplicando el principio de la ciencia, que un determinado contaminante, límite de plaguicida, de medicamento veterinario u otro se puede usar con el criterio que establecieron para tal elemento
Dominican Republic	En las situaciones en que la evidencia científica disponible apoyada por las juntas de expertos FAO/OMS es aceptada por los comités técnicos correspondientes no debería ser revocada la disposición por la CAC, ya que normalmente los miembros asistentes a esta reunión de la Comisión no son los técnicos que dominan los temas específicos del órgano auxiliar.
Ecuador	Ecuador considera que las Declaraciones pueden ser provechosas en los siguientes ámbitos: <ul style="list-style-type: none"> • Cuando dentro de un Comité Técnico del Codex surgen propuestas que pueden tener repercusiones al comercio importantes para algunos países, regiones o bloques. • Cuando existe suficiente sustento científico para respaldar una norma y sin embargo existen objeciones instigadas por intereses comerciales regionales.
Egypt	In situations where Codex Members agree on the necessary level of protection of public health, and texts are proposed on risk assessment science-based, taking into consideration other considered factors, the statement can be used successfully for any disputes.
European Union	The objective of the current work is to identify situations where the statements could be usefully applied and whether guidance is needed for their application.

Guatemala	En cada situación, por muy pequeña que sea, debe buscarse la aplicación de las Declaraciones. Se espera que cuando un tema (que no sea nuevo trabajo) se pone a discusión habrá pasado por procesos de análisis de riesgo y que las conclusiones hayan sido tomadas bajo ciencia. Esta condición debería conducir naturalmente a una forma de consenso entre todos los miembros.
Indonesia	It has been clearly mentioned that when members hold differing views, they may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex. The Chairpersons of the Committee/Commission should play their role to ensure application of this situation
Iran	When the chair finds that a scientific and statistically proved issue is over shadow by emotional statements without any evidence of proof.
Kazakhstan	Statements can be successfully applied to resolve situations where there is no disagreement about the need to develop a particular food safety indicator and there is disagreement only about certain aspects of the indicator or its quantitative value
Malaysia	Second Statement of Principle should be usefully applied. Only those other factors which can be accepted on a worldwide basis, or on a regional basis in the case of regional standards and related texts, should be taken into account in the framework of Codex. However, consideration of other factors should not affect the scientific basis of risk analysis as provided for in the Procedural Manual.
Mexico	Cuando, de acuerdo al Manual de Procedimientos: "en el marco del Codex, solamente se pueden tomar en consideración los otros factores que puedan ser aceptados en el plano mundial, o en el plano regional cuando se trata de normas y textos afines regionales". Es decir, cuando los otros factores sean aceptados en el plano mundial cuando se habla de normas, o en el plano regional cuando sean textos regionales.
New Zealand	The situation is clear – to resolve objections to adoption that go beyond the scientific analysis and decision-making that is well established and accepted within the Codex system. Divergence in views on scientific evidence on food safety and suitability must be resolved at the Committee level.
Nicaragua	Las declaraciones de principios pueden aplicarse de manera provechosa en todas las situaciones, dado que la ciencia es la base fundamental que garantiza el reconocimiento del Codex; sin embargo, se considera que las declaraciones son una herramienta fundamental en aquellas situaciones donde existe disenso, que no está asociado al grado de protección de la salud pública.
Norway	Difficult to say, as we currently have no guidance. We are also not sure about the implications of the application of the statements, and therefore cautious to suggest situations.
Panama	Consideramos de forma importante que las declaraciones pueden aplicarse en todas las situaciones.
Paraguay	En situaciones donde se cuenta con la evaluación científicas sólida proporcionada por los comités mixtos de expertos (JECFA, JMPR, JEMRA y JEMNU) y está fundamentada y apoyada con investigaciones científicas.
Senegal	Les déclarations, le reste du Manuel de procédure, le Guide des sessions plénières de la FAO et les Textes fondamentaux de la FAO, devraient être appliqués comme tels sans inclusion de quelconque facteur qui est hors du mandat du Codex
Thailand	We think that the statements can be applied in the situation that scientific information and evidence can only be used whereas there is no any other legitimate factors concerned. We are of the view that even though the Codex standards are voluntary, but they are referred to by WTO. Moreover, the limitation of the achievement of scientific information on economic become trouble for countries especially developing countries.

Uruguay	<ul style="list-style-type: none"> • Cuando existen divergencias en cuanto a los fundamentos científicos; • cuando se considera necesario tener en cuenta “otros factores legítimos y por último; • cuando se trata de defender a los consumidores de prácticas engañosas. <p>En dichos casos, la declaración será una guía valiosa para los presidentes en el momento de resumir las posiciones de los miembros en soluciones de consenso.</p>
USA	<p>The Statements, along with the rest of the Procedural Manual, as well as the FAO Guide to Plenary Sessions and the FAO Basic Texts, should be applied at all Codex committee meetings.</p> <p>The Statements and the accompanying Criteria for consideration of factors other than science, were originally written to address the situation where members agreed on the necessary level of public health protection (as assessed by Codex’s designated scientific bodies), but progress was hampered by introduction of factors outside of the Codex mandate.</p>

Observers

FIVS	<p>The Statements of Principle ensure that Codex decisions are science and risk-based. These statements allow chairs of Codex committees to manage scenarios where members agree on the appropriate level protection of public health but differ in how this translates in terms of implementation of Codex standards/recommendations. If member objections are based on non-scientific reasons, paragraph 4 in the Statements of Principle outlines the process for that member to file a reservation without delaying the overall Codex process. This approach guarantees that Codex decision making remains science based. It should be noted that Codex standards are voluntary and a member is not obliged to adopt Codex standards that are inconsistent with national and regional criteria.</p>
healthforanimals	<p>In Committee meetings and situations where it is clear that some countries are deliberately obstructing progress for internal political reasons. On those occasions the Chair’s job is to delve into those reasons - in and outside meetings - to discover where and how the statements could be usefully applied. The Statements have a clear process to file a reservation without prevent a decision. Chairs should advise that reservation, not blocking, is the to follow route.</p>
ICBA	<p>In situations where Codex members agree on the necessary level of protection of public health but hold different views based on other non-scientific factors, ICBA believes that the paragraph 4 of the Statements of Principle provide a process for members to make a reservation as “members may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex.” Chairpersons should apply the criteria outlined in the paragraphs under the heading “Criteria for the Consideration of Other Factors Referred to in the Second Statement of Principle” when determining whether member concerns meet the criteria to be considered legitimate to cause delaying advancing a standard/Codex text. As Codex standards are voluntary, members should not prevent their adoption based on factors outside the Codex scope or based on national or regional policies as they may not necessarily translate to global standards due to complexities associated with the global supply chain.</p>
IDF/FIL	<p>The Statements of Principle provide an important tool to ensure that Codex decisions are science and risk-based when applied correctly and respected by Codex members. As a result, IDF supports that they always be applied consistently, uniformly and effectively.</p>

Question 5: What are situations where the Statements cannot be applied and what are the other options that could be applied in this case (this can be options mentioned in the Secretariat paper or other options).

Members

Australia	It would be inappropriate to apply the Statements until the debate on the science has been completed. In such instances members should be strongly encouraged to submit their data and evidence to the expert scientific bodies whose advice underpins the development of Codex texts, so that their evidence can be taken into account in a robust and transparent manner. Australia is also of the view that technical matters should be discussed at committee level rather than at the Commission.
Brazil	The Statements may not be applied in those issues not related to science. In those situations a qualitative discussion, based on policies and systems behavior may be more appropriate.
Canada	Building consensus is the ideal option to any decision-making by Codex Committees and the Commission.
Chile	En opinión de Chile, no existen excepciones en las que no pueda aplicar lo establecido en el Manual de procedimientos.
Costa Rica	Aspectos en los que se abordan preocupaciones de los consumidores que tienen que ver con gustos y preferencias que no están incluidas en el ámbito de aplicación del Codex, de acuerdo con lo establecido en el M.P..
Cuba	Cuando se tengan otros factores que no tenga su aplicación un alcance mundial o regional ó se trate de otros aspectos con incidencia plenamente contractual entre las partes que suscriban un contrato de compraventa internacional, sin incidencia en exigencias sanitarias o de inocuidad alimentaria. Las situaciones en las que no se puede aplicar, es cuando no hay resultados de la investigación sobre el asunto por los Órganos de Expertos FAO/OMS que son los evaluadores de riesgos del Codex y lo que se pretenda sea establecer intereses sobre todo comerciales por algunos países o bloques de países y entonces se han aplicado las que se mencionan en el texto del documento preparado por la Secretaría del Codex: HISTORIA Y REPERCUSIONES DEL PÁRRAFO 4 DE LAS DECLARACIONES DE PRINCIPIOS, que para nadie es un secreto que no satisfacen las expectativas de los países miembros del Codex. En ocasiones varios miembros ante el debate y falta de elementos científicos han bloqueado las aprobaciones de los diferentes documentos con base científica y aún cuando algunos países han solicitado a FAO y a OMS ampliar las investigaciones para tomar otras decisiones, estas han sido desestimadas por la presidencia del Codex restándole importancia ellos mismos al asunto.
Dominican Republic	Las Declaraciones de principios basadas en la ciencia deben ser aplicadas en todo el accionar del Codex Alimentarius.
Ecuador	Ecuador se permite indicar que: No pueden aplicarse cuando las Declaraciones no tienen el fundamento científico necesario para demostrar su aplicación o cambio.
Egypt	As the statements have been clearly used since several years with great success in progressing the standards , so we don't think of situations where the statements cannot be applied.
European Union	See our reply to question 4.
Guatemala	Las Declaraciones no podrían aplicarse en situaciones no basadas en ciencia, por ejemplo, el uso de pié de notas, de lo cual hay varios ejemplos en las normas del Codex. Las otras opciones deberán aplicarse de acuerdo al grado de avance en la discusión y, con base en la experiencia del presidente, seleccionar la más apropiada.
Indonesia	When delegates provide their comments out of the contexts of dual mandate of Codex. If Chairperson cannot handle this situation, Executive Committee should take any necessary actions, particularly in order to ensure that the time line that are stated in project document will be fulfilled

Iran	When the claim is beyond the core values of codex (to protect consumer health and promote fair practices in the food trade) however it is scenically and statistically are valid specially regarding consumer preferences
Kazakhstan	In our opinion, the implementation of the Statement becomes complicated when there are fundamental disagreements about the need to regulate any safety parameter, as well as in case when in forming their position the parties rely on other factors related to consumer health protection and promotion of fair practices in food trade
Malaysia	Second Statement of Principle shouldn't be applied if those other factors can't be accepted on a worldwide basis, or on a regional basis in the case of regional standards and related texts. Other factors which of concerns on a regional basis should not be enforced to worldwide basis and thus hinder the progress of any standard advancement.
Mexico	Se debe evaluar caso por caso y no debieran aplicarse cuando no son concordantes con alguno de los criterios del manual, incluyendo: <ul style="list-style-type: none"> • se debe admitir que algunas preocupaciones legítimas manifestadas por los gobiernos cuando establecen sus legislaciones nacionales no son en general aplicables o pertinentes en el plano internacional; • en el marco del Codex, solamente se pueden tomar en consideración los otros factores que puedan ser aceptados en el plano mundial, o en el plano regional cuando se trata de normas y textos afines regionales;
New Zealand	The Statements should be relevant and operable in all circumstances where Other Factors, clearly categorised as above, are in play.
Nicaragua	Tomando en cuenta la naturaleza de los textos del Codex, Nicaragua considera que las declaraciones de principios deben aplicarse siempre, sin excepciones.
Norway	See our reply to question 1 and 4.
Panama	No tenemos una respuesta concreta.
Paraguay	Cuando no tienen fundamentos científicos y los "otros factores" son de tipo comercial o no son aceptados a escala mundial o en el plano regional cuando se trata de normas y textos afines regionales.
Senegal	AUCUNE OPTION POSSIBLE
Thailand	It seems that other legitimate factors and national legislation are crucial factors leading to not advance the standard. In particular, it affects economics of countries. Therefore in certain case Codex may wish to discuss on the analysis of economic impacts. For example, the case of the consideration of maximum limit of aflatoxin in peanut, food loss information was also considered while the limit still was enough for protecting consumers' health. In addition, where the committee cannot reach consensus, it may be taken as one criteria, among others, to discontinue the work. The useful information can be put in information document.
Uruguay	Tanto en el caso de "otros factores legítimos, como en cuanto a los aspectos de prácticas comerciales desleales o engañosas, no se han desarrollado adecuadas metodologías para evaluarlos de una manera objetiva y cuantificarlos adecuadamente a efectos de su consideración en el proceso de gestión de riesgos. Es una carencia que sería conveniente subsanar.
USA	We do not believe that the use of the Statements should be restricted to only certain cases. The ability to consult the Statements to resolve issues should always be available. There are no situations in Codex where the Statements and criteria cannot be applied. Whenever it appears there is agreement on the science, but objections remain based on other factors that do not meet the Criteria in the Procedural Manual, it would be helpful to chairpersons to be directed to apply the Statements and advance the standard.

Observers

CCTA	(these can be options... ... or other options)?
FIVS	FIVS believes that the Statements of Principle should always apply. FIVS is of the understanding that the terms of reference for this work, as approved by CAC42, requires development of guidelines as to how to operationalize the Statements of Principle. Thus FIVS considers that this question seems to be outside the terms of scope of reference.
healthforanimals	The only situations the Statements cannot be applied is when there are legitimate proven scientific questions (but application of the statements would not be relevant), or when a significant procedural error has been made that significantly affects outcomes (very rare).
ICBA	While we understand that certain work may not be amenable to establishing Codex standards as identified in Section 5.6 of the Secretariat paper (CX/EXEC 19/77/10), we do not believe that there are any situations where the Statements cannot be applied.
IDF/FIL	IDF supports the application of the Statements of Principle at all times, as failing to apply them takes Codex away from science and risk-based decision making. However we do note that in cases where there is agreement on science but differences of opinions on other factors, the Statements of Principle provide a clear process for members to file a reservation without delaying or seeking to prevent a decision by Codex to advance the standard. This is vital to ensuring that Codex decision making remains science-based, but also respects the rights of Members to reflect their concerns founded on other factors outside of the Codex scope and mandate.

Question 6: Do Chairpersons have sufficient guidance on how to facilitate consensus? What are the lessons learned from the existing guidance? What further guidance, procedure or training could be useful?

Members

Argentina	El consenso es un principio rector del Codex y nuestro país considera que el Manual de Procedimientos provee una orientación sobre cómo lograrlo, pero requiere que los presidentes y miembros tengan la voluntad de esforzarse para lograrlo, sin dejar de lado la base científica.
Australia	The current guidance with the Procedural manual is useful but could be supplemented with practical training using recent examples to workshop the facilitation of consensus; and perhaps guidance to chairs on when to recognise whether or not consensus is possible. This could possibly be provided in the Chairs Guide to Hosting Codex Committees document.
Brazil	This discussion is not new and Brazil believes there is sufficient guidance on how to facilitate consensus. However, we believe that those guidance are not applied by different Chairpersons.
Canada	Canada believes that the large number of standards, guidelines and recommendations that are consistently adopted without contention at each session of the Commission demonstrates that the Chairpersons of Codex Committees are successful at facilitating the achievement of consensus. As such, Canada believes that sufficient guidance exists for Chairpersons on how to facilitate consensus. In particular, the Procedural Manual provides guidance, and the Codex Chairpersons' Handbook provides practical advice. For those areas where consensus could not be reached, the reason for the lack of consensus, whether it is within or outside the Codex mandate, must be identified so as to determine how to proceed in order to achieve consensus. Achieving consensus does not solely rely on the shoulders of the Chairperson, but includes Codex delegates and the Secretariat working together in a collaborative manner. Continuous training and support provided to Chairpersons through informal meetings or regular workshops would allow Chairpersons to discuss problem cases/situations and share experiences and may be useful to enhance consistent application of available

	<p>guidance, rules and approaches to build consensus. Further guidance to delegates on their role in the Codex consensus building process could be a useful way to support this. Workshops for delegates could also be useful to enhance delegates understanding of their role in contributing to the effective functioning of the Commission and its subsidiary bodies through willingness to negotiate and move positions towards the common goal of fulfilling the Codex mandate.</p>
Chile	<p>Se debe considerar que el consenso ha sido, a propósito, definido de manera liviana en Codex, esto tiene la ventaja de permitir al presidente navegar situaciones complicadas. Lamentablemente esto tiene también la desventaja de que deja mucho a interpretación del presidente en base a su criterio y sobre todo a su experiencia, cuestión que es variada en los distintos Comités del Codex.</p> <p>Los presidentes debiesen intercambiar experiencias entre ellos, la Secretaría de Codex debiese buscar instancias prácticas para desarrollar esta habilidad en los Presidentes, ya que más que un conocimiento, la habilidad para buscar consenso se desarrolla en la práctica, en esta instancia se podrían debatir entre otros, sobre las dificultades y aciertos obtenidos para lograr consenso, así como los mecanismos utilizados (facilitadores, reuniones paralelas etc.)</p> <p>Si se debiese dejar claro que la base científica no debiese ser menoscaba en la búsqueda de consenso.</p>
Costa Rica	<p>El Manual de procedimiento es muy claro pero requiere imparcialidad para su correcta aplicación. Las lecciones son: Sea constructivo y prepare estrategias fuertes regionales, traiga antes de la reunión estrategias de acuerdo a diferentes escenarios de posición.</p> <p>De no alcanzar el consenso, el país puede recurrir a la reserva debidamente sustentada. de ser necesario recurrir a la votación ya que el Manual de Procedimiento lo permite.</p>
Cuba	<p>LO MAS SIGNIFICATIVO es que nunca se ha podido aprobar el concepto esclarecido de CONSENSO en el Codex, y esto se llegó a plantear como un asunto en el CCPG y se abandonó siendo crucial. Sin embargo se trabaja en la práctica por concepto de bloques, porque al final la Unión Europea es un consenso, CCAFRICA es otro consenso, y así sucede de forma tal que se enfrentan los consensos unos a otros y en otros casos cuando el asunto no es de interés de todos los presentes, se limita a un debate entre unos cuantos países a lo que tampoco se le puede llamar consenso, este término está muy mal tratado y deteriorado en el Codex.</p> <p>Tal como aparece en el Punto 5 del documento CX/EXEC 19/77/10 de abril de 2019 "No existe una definición de consenso en el Manual de Procedimiento del Codex. El Consenso en el Codex no significa unanimidad. El Consenso en el Codex es lo que la Presidencia dictamina en su conclusión.</p> <p>Basado en anterior, es lógico que no tengan la orientación requerida para facilitar el mismo.</p> <p>En ciertos casos en el mandato de los presidentes se debe resaltar que algunos no han actuado con la transparencia que se requiere y no han sido capaces de facilitar el consenso, a veces presionados por los países mas desarrollados cuando la declaración plantea que se centre en los efectos que puedan perjudicar el comercio.</p> <p>Se considera que se debe actualizar a los presidentes del Codex sobre las orientaciones del consenso para una mejor aplicabilidad del mismo en las situaciones que resultan problemáticas, detalladas en el documento preparado por la Secretaria del Codex para este fin en las reuniones del mismo y volver a rescatar la necesidad de aprobar la declaración de consenso.</p>
Dominican Republic	<p>En muchas ocasiones los presidentes estiman un consenso, aún cuando está claro que no existe una clara disposición del comité y aún así, plantean adoptar una conclusión que realmente no cumple con la aprobación de los miembros asistentes.</p> <p>Los presidentes no disponen de suficiente orientación. Deben mejorar su conocimiento en el manejo de las reuniones de los órganos auxiliares y que la Secretaría apoye de forma más actividad la aplicación del Manual de Procedimiento del Codex Alimentarius.</p>

Ecuador	Se considera que los presidentes disponen de las herramientas para facilitar consenso, sin embargo, no saben cómo actuar cuando existen argumentos sin sustento científico, por lo que sería necesario generar capacitaciones prácticas para que los presidentes puedan tomar las acciones que se deban en los casos en los que no se logra consenso.
Egypt	We note that the Procedural Manual is the base guidance on steps to achieve consensus, and during different committees as per our experience we find that the Codex Secretariat has a role to play in providing the chairperson with guidance. While there is no specific definition established, the chairpersons are provided flexibility in determining when there is enough agreement to advance a standard and the Codex Secretariat can help the chairperson navigate guidance according to the Procedural Manual. We propose that the chairpersons should be referenced if they feel that sufficient guidance exists for them to facilitate consensus.
European Union	We would like to underline that it is not only chairpersons who need guidance but also members and stakeholders. Codex is a member driven organization and without the help of delegations, a chair will have problems no matter what guidance is given. Codex needs transparent guidance and knowledge of tools and ways forward in order to help the chair to find good ways of reaching consensus.
Guatemala	Cada vez que se elige un presidente para un grupo de trabajo, se espera que, se haya tomado en cuenta su capacidad de interrelaciones personales con los demás miembros y que sea hábil para manejar el consenso en un grupo. Las Coordinadoras Regionales deben tener un papel especial en este asunto, buscando el consenso entre los miembros de la región antes y durante las reuniones.
Indonesia	Yes. Measure to facilitate consensus as stated in Procedural Manual sufficient to be used by Chairpersons. It should also consider texts in Section II Elaboration of Codex Standards and related texts for every Step procedure
Iran	There is guidance for chairpersons, but they need more guidance
Japan	There is no sufficient practical guidance for Chairpersons on how to facilitate consensus in the procedural manual. Lack of the clear definition of consensus have caused arguments on proceeding steps in past committees.
Kazakhstan	In our view, the Procedural Manual reflects rich experience of the Codex Alimentarius Commission. In particular, it correctly reflects the guidelines for the Chairpersons of the Commission subsidiary bodies to facilitate consensus-building among concerned parties. However, practice shows that there is a need for further development of existing statements in terms of developing guidelines for discussion and promotion of standards in which it is difficult to reach consensus, including current discussions on complex issues related to MLs for growth-promoting substances. In addition, it is necessary to elaborate the aspect of taking into account other factors relevant to consumers health protection and promotion of fair practices in food trade when developing Codex standards.
Malaysia	Yes, clear guidance has been provided in the Procedural Manual and should be applied. Elaboration or examples may be provided in the Handbook for Chairs of Codex Committees to assist Chairs in facilitating the meeting.
New Zealand	Codex procedures/guidance for promoting consensus is an evolving process and guidance for Chairs remains limited and non-transparent to Members. If Members are to be held accountable for principled debate at the CAC, they must also accept that Chairs need to have a robust role in stewarding that debate according to the Procedural Manual. New Zealand believes that the CAC needs to be much more proactive in promoting and guiding the role of Chairs in consistently working to achieve consensus.
Nicaragua	Aunque el manual de procedimiento establece disposiciones sobre consenso y medidas para facilitar el consenso (adoptadas en 2003), se debe considerar que el tema puede ser complejo para la labor de los presidentes, dado que no existe una definición de consenso en el manual. Se propone establecer un mecanismo de seguimiento periódico con tiempo estipulado y responsables para determinar el grado de desviación que pueden incurrir las presidencias,

	a la luz de las medidas establecidas en el manual de procedimiento. Lo anterior pudiese ser útil para determinar acciones congruente con los hallazgos obtenidos de dicho mecanismo, para fortalecer la gestión de las presidencias.
Norway	We would like to underline that it is not only chairpersons who need guidance but also members and stakeholders. Codex is a member driven organization and without the help of delegations, a chair will have problems no matter what guidance is given. Codex need transparent guidance and knowledge of tools and ways forward in order to help the chair to find good ways of reaching consensus.
Panama	Creemos que la palabra consenso es muy puntual y es llegar a un acuerdo de todas las partes pero en ocasiones no todas las partes están realmente aceptando la opinión que se genere, sin embargo en miras a poder llegar a la solución de temas tratamos de adaptarlas a nuestras realidades de país. Los presidentes que han estado dirigiendo temas en los diferentes subcomité realmente buscan el consenso de todas las partes, pero hay que ser realista y ver que es muchas veces difícil debido a los intereses de cada nación
Paraguay	Si, tanto el presidente anterior como el actual a nuestro criterio disponen de suficiente orientación sobre la manera de alcanzar el consenso.
Senegal	La manière avec laquelle, un Président qui maîtrise les textes fondamentaux du Codex doit conduire à un consensus, relève de sa force de savoir diriger. On n'est pas Président pour rien, mais pour faire appliquer intelligemment les textes dont il a le devoir de les faire respecter.
Thailand	There is only one guideline for Chairperson that is the Guideline to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces. The guideline might be fit for the chairperson of physical working groups and electronic working groups as these working groups are the important key to help the Committees easily reach consensus. The specific guideline can address how to select a chairperson and how the chairperson can do because we believe that chairman shall have skills and knowledge on the subjects and nature of the Committee.
Uruguay	Los presidentes cuentan con lo necesario para conducirse en aras de facilitar el consenso. No solo la declaración de Principios que es la pieza clave sino también las orientaciones impartidas en cuanto a la interacción con los miembros en los casos de posiciones divergentes.
USA	This question, and the following question, go beyond the scope and terms of reference of this effort. The CCEXEC Sub-Committee was not charged with considering the adequacy of existing guidance or the development of additional guidance on consensus. In our view, chairpersons currently have enough guidance on how to facilitate consensus. For the most part, chairpersons already understand that consensus is not unanimity, that it is based on the delegations present in the room, and that the UN principle of equality of all countries applies. Consensus building is a core value of Codex, and is rightly emphasized in the Procedural Manual, but the search for consensus does not outweigh the fundamental obligation to base Codex decisions on science.

Observers

FIVS	FIVS recognizes that the Procedural Manual does provide guidance on steps for Chairpersons to attempt to achieve consensus on an issue. This guidance generally allows Chairpersons flexibility in applying the principle of consensus. Consensus is not precisely defined in Codex, but FIVS does believe that Chairpersons in general make every attempt to facilitate consensus. FIVS would like to stress that consensus approaches do not allow the Statements of Principle to be ignored.
healthforanimals	It is difficult to judge whether Chairs have sufficient guidance to facilitate consensus. They may require guidance on how to facilitate consensus more rapidly, so that the processes

	move forward more efficiently. Perhaps training by a consensus facilitation expert could be useful.
ICBA	The Procedural Manual provides guidance on steps to achieve consensus and the Codex Secretariat has a role to play in providing the chairperson with guidance on when consensus might have been achieved. While there is no specific definition established, the chairpersons are provided flexibility in determining when there is enough agreement to advance a standard and the Codex Secretariat can help the chairperson navigate guidance on the Procedural Manual. We believe that the chairpersons should be asked if they feel that sufficient guidance exists for them to facilitate consensus.

Question 7: Do Chairpersons have sufficient guidance on when consensus has been reached and when all efforts to reach consensus have failed?

Members

Argentina	Argentina entiende que sí existe suficiente orientación
Australia	In Australia's view, facilitating consensus within Codex Committees varies depending on factors such as the maturity of the committee in question, and the nature of the issues being considered (for example technical or more formulaic versus a policy focussed outcome). Therefore supplementing the current guidance with practical examples of what consensus looks like in differing committees may be useful. As indicated with additional guidance on the Statements, this additional material on consensus could also be included in the Chairs Guide to Hosting Codex Committees.
Brazil	As CAC32 and CCGP25 decided not to proceed with the work on defining consensus, it is expected that Chairpersons have enough experience on Codex issues and meetings in order to identify when consensus has been reached. As a support, it might be useful to discuss what may be a definitive deadlock, and how to avoid them.
Canada	Canada believes that Chairpersons have sufficient existing guidance to assist them to determine when consensus has been reached and when all efforts to reach consensus have failed. The Procedural Manual, the Codex Chairpersons' Handbook, the regular training workshops for Chairpersons, advice from the Codex Secretariat, peer learning from more experienced and/or previous Chairpersons, and prior experience as Codex delegates together provide enough guidance to Chairpersons on understanding what consensus looks like.
Chile	No se dispone actualmente de suficiente orientación para determinar cuándo se ha logrado consenso, sin embargo, esta pregunta sí bien atendiendo uno de los elementos del mandato del subcomité, luego de reflexionar en base a las preguntas enviadas en esta carta circular, Chile ve que no resulta útil mezclar temas. Este subcomité nace de la necesidad específica de ver la mejor aplicación del párrafo 4 de la declaración de principios del Manual de Procedimientos, y no parece ser acertado en este momento, discutir sobre el consenso, ya que éste ha permitido la adopción de gran cantidad de normas.
Costa Rica	El Manual de Procedimiento es claro, por lo tanto los presidentes pueden determinar claramente cuando cuentan con el consenso.
Cuba	Los presidentes pudieran disponer de orientaciones sobre el consenso sobre determinadas reglas de actuación que plantea el manual como medidas para el consenso, aunque no se ha podido aprobar en el Codex un documento más esclarecedor del mismo, lo cual sería muy beneficioso para un mejor trabajo de los mismos. Cuba es del criterio que aun los presidentes, a pesar de lo que aparece en el Manual de Procedimiento del Codex, no disponen de suficiente orientación para determinar cuándo se ha logrado el consenso y cuándo han fracasado los intentos para alcanzarlo. Por supuesto también depende lo anterior de la experiencia que tiene el experto que asume la

	presidencia de los comités del Codex, y de la Comisión lo cual en ocasiones complica este asunto en las reuniones pues no conocen ni superficialmente el manual de procedimientos, se debería exigir a los países que los representantes que proponen tengan una preparación adecuada lo que facilitaría este asunto en el futuro del Codex.
Dominican Republic	Consideramos que falta mayor orientación a los presidentes, para que reconozcan que ha fracasado el intento de consenso. Además, se requiere se establezcan procedimientos definidos que deberán ser cumplidos en esa situación.
Ecuador	Ecuador cree que es necesario fortalecer las capacidades de los presidentes, o mejorar los mecanismos de orientación con los que se cuentan actualmente.
Egypt	We didn't see any guidance on this issue except what issued by Codex with the other texts stated in the Procedural Manual, may Chairpersons can clarify if they have any other guidance or not.
European Union	See our reply to question 6.
Guatemala	Esta respuesta debe ser parecida a la anterior. Tal vez, agregando que en estos casos los co-presidentes deben tener la habilidad de detectar la falta de consenso, comunicarlo al presidente y luego buscar medidas para facilitar el consenso. Los Representantes de la Secretaría del Codex que participan en la mesa de coordinación, pueden igualmente, apoyar en estas situaciones.
Indonesia	Yes, Procedural Manual has sufficient guidance on that, and Secretariat may assist Chairperson in this situation
Iran	There is guidance for chairpersons, but they need more guidance
Japan	There is no sufficient practical guidance for Chairpersons on how to facilitate consensus in the procedural manual. Lack of the clear definition of consensus have caused arguments on proceeding steps in past committees.
Kazakhstan	Adoption of an issue by a majority of present Codex member-countries might signal or indicate a reached consensus. On the contrary, indicators of a failure to reach consensus are the absence of a prevailing majority of members supporting an issue or the cases when a reservation of a certain number of member-countries is accepted.
Malaysia	Existing Procedural Manual has provided sufficient guidance.
New Zealand	In a relative sense as above. During the discussions at the 42nd session of the CAC on the issue of cadmium in chocolates some members questioned whether the recommendations from the relevant committee were based on the views of all interested members. This is a difficult issue as attendance at meetings can and do vary widely. However, it is the responsibility of Members who have an interest in an issue to ensure that their views and concerns are properly conveyed to the Committee developing the standard, by the Chair or otherwise. Commitment to utilise all channels of communication will be important if committees are to make progress with work on hand.
Nicaragua	Nicaragua sugiere realizar la pregunta a las presidencias, para obtener una valoración objetiva.
Norway	See our reply to question 6.
Panama	Podemos considerar que en un 80% los presidentes realmente logran determinar si hay un consenso pues en la plenaria existen naciones que no representan el 100% y se mantienen en desacuerdo pero aun así se considera consenso en los temas abordados.
Paraguay	Si, disponen de suficientes orientaciones.

Senegal	<p>Nous répondons par OUI.</p> <p>En fait, pour éviter des situations « un poids deux mesures », l'application des textes qui sont déjà élaborés doit se faire sans équivoque. Les normes codex trouvent leur légitimité et leur force dans le fondement scientifique qui est à la base de la prise de la décision pour l'élaboration des normes.</p> <p>C'est pourquoi, nous pensons que tout ce qui se passe aujourd'hui était prévisible et trouve solution dans l'application des textes que le codex a lui-même créés pour gérer toutes les situations.</p> <p>Pourquoi lorsque dans plusieurs cas un pays ou groupe de pays ne sont pas en accord la procédure se poursuit en notant la réserve ; chose conforme à la déclaration de principe Et pourquoi dans d'autres cas, la procédure est bloquée ?</p> <p>C'est cette iniquité qu'il faut arrêter, quelles que soient les raisons.</p> <p>Nous suggérons d'élaborer un document qui doit être signé par le Président en attestant sur son honneur qu'il va respecter les termes des textes du codex dans l'élaboration des normes et que rien ne peut l'en détourner. Il y va de la crédibilité, voire de la survie du codex.</p>
Uruguay	<p>Los presidentes cuentan con criterios apropiados cuando en el disenso no se fundamenta adecuadamente, cuando se pretende la descalificación científica del análisis de riesgos o cuando se ponen a consideración otros factores legítimos en el proceso de gestión de riesgos.</p> <p>Cuando el disenso es amplio, a pesar de lo anterior, laudarse consenso tomando en cuenta exclusivamente los principios es indeseable pues da lugar a estándares con escaso sustento. El fracaso se ha producido en general debido al reparo de incurrir en dicha situación.</p>
USA	<p>Again, this goes beyond the charge given to the CCEXEC Sub-Committee and is in any event a question perhaps best addressed to the chairpersons. We believe there is already sufficient guidance on when consensus has been reached and when efforts to reach consensus have failed. Guidance is provided in the Codex Procedural Manual and the FAO Guide to Conduct of Plenary sessions. As suggested in our response to Question 1, it would be useful for the practical guidance on the operationalization of the Statements of Principle and the FAO Guide to Conduct of Plenary Sessions to be included in the section of the Chairperson's Handbook on Chairing a Session.</p>

Observers

FIVS	FIVS believes this question is best answered by Chairpersons.
healthforanimals	Chairs do not have sufficient guidance when to recognize that consensus has failed. This is attested to by the fact that there are standards that have been lingering for years without progress and without Chairs accepting that there will be no consensus, and that therefore, however undesirable, the next step is necessary - to move forward without consensus.
ICBA	ICBA believes that this question should be addressed by the chairpersons. Further, the Codex Secretariat can help the chairperson navigate guidance on the Procedural Manual.

Question 8: Is there a need to link the Statements with existing Codex guidance on consensus?

Members

Argentina	<p>El desarrollo de cualquier orientación del Codex sobre consenso está más allá del alcance y el mandato proporcionado al subcomité CCEXEC. El alcance del trabajo del Apéndice IV en REP19 / EXEC2 sólo establece que el subcomité CCEXEC tiene la tarea de "complementar" las Medidas para facilitar el consenso cuando desarrolle la guía práctica.</p> <p>No se considera necesario iniciar un trabajo para desarrollar una guía sobre consenso, ya hay suficientes orientaciones que sirven para el trabajo de los presidentes.</p> <p>Codex ya ha considerado en varias oportunidades la posibilidad de contar con orientaciones adicionales sobre consensos y no se logró. Lo que existe actualmente es suficiente, por lo que no es necesario encarar nuevos trabajos ni abrir un debate sobre la</p>
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	definición de consenso.
Australia	In Australia's view, at this stage, the linking of the Statements to the guidance on measures to facilitate consensus may be seen as limiting the guidance on consensus. Currently the guidance on measures to facilitate consensus is broader in its application than to just situations where consensus may not be achieved due to matters concerning the role of science in Codex decision making (which is the focus of the Statements).
Brazil	It is not clear what is the purpose of this link; both – Statements and Guidance – are in the Procedure Manual and shall always be considered. When the Statements describes "...agree on the necessary level of protection of public health but hold differing views about other considerations..." it is clear the connection with the lack of consensus.
Canada	Canada is of the view that the Statements of Principle and guidance on consensus are already fundamentally linked.
Chile	No se visualiza la necesidad de vincular las Declaraciones con las orientaciones sobre el consenso.
Costa Rica	El Manual de procedimiento actualmente, incluye los requisito que indica que, una propuesta contenga el fundamento científico. Por lo tanto el Manual de Procedimiento es claro y ya contempla dicha declaración en el apartado de medidas para facilitar el consenso.
Cuba	Sería muy conveniente vincular la declaraciones con la orientación actual del Codex sobre el consenso pero lamentablemente no se tiene en cuenta, ni tampoco se exige, para lo cual el propio concepto de consenso debe ser muy bien definido como se declara en el Manual de Procedimiento en las Decisiones generales de la Comisión, que contiene las declaraciones de principios referentes a la función que desempeña la ciencia en el proceso de decisiones del Codex y la medida en que se tienen en cuenta otros factores, las declaraciones de principios relativos a la función de la evaluación de riesgos respecto de la inocuidad de los alimentos y las medidas para facilitar el consenso.
Dominican Republic	Consideramos que las declaraciones basadas en ciencia deben ser vinculadas con la orientación actual del Codex sobre el consenso.
Ecuador	Ecuador opina que si es necesario crear la vinculación de las Declaraciones con la orientación actual del Codex, ya que como refiere la Secretaría en el documento presentado, la Declaración 4 permite la abstención en otros aspectos que no es la declaración de la salud pública, sin que ello impida necesariamente al Codex la adopción de la decisión. Es por ello que si es necesario realizar una revisión de los procedimientos y la creación de herramientas más operativas para que todo se vaya armonizando.
Egypt	We support referring to the statement in the existing Codex guidance on consensus as well as the proposed practical guidance on the operationalization of the Statements as it is without any needs to amend the statement.
European Union	It would be useful to develop considerations on the interface between the Statements and the guidance on consensus in the Procedural Manual.
Guatemala	Si deben estar vinculadas, pero este vínculo debe darse de forma natural al respetarse la base científica, el análisis de riesgo, y la transparencia en el proceso de elaboración de normas y textos del Codex. Es decir, la vinculación puede quedar como se tiene actualmente en el manual de procedimiento.
Indonesia	It might be necessary to link the Statements with Measure to facilitate Consensus and some text in Procedural Manual Section II Elaboration of Codex Standards and related texts
Iran	It could be an option but need more elaboration.

Japan	Linking the Statements with the existing Codex guidance on consensus might be useful for Chairpersons, but it depends on how two texts be linked. It should be first considered on whether there are some discrepancies between two texts.
Kazakhstan	Consensus building is one of the Codex core values. Moreover, only when consensus is reached can a solution be developed that reflects interests of all parties and takes into account the positions of all delegates. The application of the Codex guidance on consensus has a positive history and good experience. We believe that there is a necessity to link these Statements with existing Codex Guidance on consensus.
Malaysia	Not necessary.
Mexico	<p>Si, tomando en cuenta lo establecido en el Manual de Procedimientos donde establece en sus criterios que: "Cuando los otros factores sean aceptados en el plano mundial cuando se habla de normas."</p> <p>Se necesita consensuar la aceptación de los otros factores.</p> <p>Basados en la guía de la ISO/IEC 2004, se considera consenso: un acuerdo general, caracterizado por la ausencia de una oposición sustentada a temas sustanciales por cualquier parte con intereses y por el proceso que implica la buscar tomar en cuenta el punto de vista de todas las partes preocupadas y reconciliar cualquier argumento conflictivo. En este sentido, consenso no significa unanimidad.</p>
New Zealand	<p>There is definite merit in linking the Statements of Principle with existing guidance on Consensus.</p> <p>A number of statements in Measures to facilitate consensus are to do with actions that could be taken at a practical level to address differences and find a way forward. The Statements of Principle and the Measures to facilitate Consensus are complementary and call for systematic efforts to support their integrated application. Particular attention needs to be given to the following:</p> <ul style="list-style-type: none"> • Identifying in the initial stages potential scientific/technical issues that might impede development and progression of work • Thorough documentation of issues and points of difference in committee reports and working documents • Taking all practical steps to encourage committees to promote dialogue and find consensus including possible exploration of alternative approaches and collective commitment to support consensus building <p>New Zealand would also suggest that committees consider, as part of the critical review of new work proposals, the amenability of the work proposal to standardisation taking into account any prior information or indication from members about science or non-science factors and whether systematic application of the statements might be relevant to further progression of the work. It is noted that the secretariat paper has identified this as an issue (see 5.6 of document CX/EXEC 19/77/10). That said New Zealand would not be in favour of suggestions that Codex should refrain from commencing work on a specific standard because of members' differences on other considerations. Such an approach is not consistent with Codex's role as an international standards body and can be interpreted as pre judging the outcome of Committee deliberations. Additionally, there would be inevitable dissent over who made the decision and was it equitable. A more appropriate approach would be to explore what collective efforts might be made to bridge differences and move forward.</p>
Nicaragua	Nicaragua considera que la orientación actual del Codex sobre el consenso está vinculada a las declaraciones dado que retoma la importancia de la base científica, dentro de sus disposiciones.
Norway	Linking could be helpful; however this is not the only possible link. The statements (CX/EXC 19/77/10 para 6.5) needs also to be linked to the tools in 6.1 – 6.4 as the statements are not to be read in isolation, neither is the guidance to chairpersons in the PM.
Panama	Completamente de acuerdo, la vinculación sería interesante ya que arrojaría en la puesta en marcha elementos que servirían para la mejora continua.
Paraguay	Si, creemos que puede ser de mucha utilidad

Senegal	Nous ne saisissons pas le sens de cette question, mais insistons beaucoup sur le fait qu'il ne faut pas tenter de modifier les termes de la déclaration de principe tels qu'ils sont présentés dans le Manuel de procédure du Codex.
Uruguay	En efecto así es, además de los procedimientos que deben aplicar los presidentes para facilitar el consenso, en última instancia pueden desestimar posiciones divergentes siguiendo lo establecido por los principios.
USA	This question is somewhat premature until the practical guidance has been developed. If necessary, the linkage between the Statements and existing Codex guidance on consensus could be made in the Codex Chairperson's Handbook. However, we would caution that it would be detrimental and outside of the charge given to the Sub-Committee by the CAC to attempt to change the language of the Codex Procedural Manual with respect to consensus or the Statements of Principle.

Observers

FIVS	FIVS believes that linking of the Statements of Principle with existing Codex guidance on consensus is not within the scope of this subcommittee, as defined in the terms of reference.
healthforanimals	The Secretariat's paper gives enough guidance to Chairs on consensus.
ICBA	ICBA believes that undertaking development of new guidance on consensus is beyond the scope and mandate provided to CCEXEC by CAC42. We suggest that any further examination should be considered after progress has been made on the framework of practical guidance to chairpersons. We note that Codex has repeatedly considered whether to provide additional guidance on consensus and this work has not proceeded.
IDF/FIL	The work requested is to develop "practical guidance" to implement the existing Statements of Principle. Therefore IDF feels that any efforts to link back to existing Codex guidance on consensus should be undertaken only after the CCEXEC subcommittee has made further progress on the framework of its practical guidance.

Question 9: What are your ideas about efficient ways to facilitate advancement of standards particularly on complex issues?

Members

Argentina	Reiteramos que la Declaración de Principios y el Manual de Procedimientos ya proveen orientación para facilitar el avance de los estándares en cuestiones complejas. Si se aportara información adicional, debería indicar la importancia de que el Codex está comprometido con la ciencia y el análisis de riesgos. El Subcomité debería instruir a los presidentes para que refuercen las reglas existentes en las Declaraciones de Principios, y asegurar que los miembros del Codex no puedan frenar el avance de un estándar en base a factores que estén fuera del mandato del Codex y que no estén basados en la ciencia y/o análisis de riesgos.
Australia	Some suggestions for consideration include <ul style="list-style-type: none"> • Introducing management controls to prevent 'scope creep', such as adhering to agreed timeframes and limiting concessions for late work / positions to be provided. • Abandon or postpone consideration of work if consensus/reasonable agreement cannot be reached within a specified period of time; or carving out and working on parts of the text where consensus is achievable. • Re-iterate member obligations to fully participate in the process. • Encourage informal meetings of key member countries in the margins of committee meetings. One such meeting could involve the expert scientific bodies to elaborate on the science underpinning their recommendations
Brazil	Definitions and criteria on when reservations may not compromise consensus and the advancement of standards shall be clearly stated in each meeting, preferably at the

	<p>beginning of it. For instance, if we consider statement 4, it is important to clarify what may be those “other considerations” and how much they do impact in the level or protection and safety of consumers.</p> <p>Besides, the more complex an issue, the more scientific data shall be used in order to support decisions and consensus. Those members with specific restrictions or support to the advancement of standards shall be highly encouraged to provide data.</p>
Canada	<p>There are many methods and mechanisms that could facilitate efficient ways to advance standards, particularly on complex issues, such as consideration for an early identification of potential obstacles and problems related to proposals for new work to ensure that strategies could be identified to address the issues in order facilitate the development of the new work or better inform the Committee’s recommendation for new work or not.</p> <p>When new work is being discussed, care should be taken to fully articulate and define the scope of the work. If there is suspected evidence that consensus would be hard to reach on the topic, (based on past experience, and research/discussions with other member countries) careful consideration should be given to either redefining the scope to exclude the contentious issue or advancing the new work at all.</p> <p>During the critical review discussion at CCEXEC, the information, insights and comments from the Committee Chairpersons and the Codex Secretariat are useful in identifying issues that could be contentious and where consensus may be difficult to reach.</p> <p>In cases where consensus cannot be reached due to Members’ positions being based on considerations outside the mandate of Codex, such concerns should not carry the same weight with respect to concluding on consensus as those within the mandate of Codex.</p> <p>During complex discussions, Chairpersons should remind delegates of the fourth statement of principle, that they may abstain from acceptance of the relevant standard without necessarily preventing the decision by Codex.</p> <p>Participation in informal discussions between delegations with divergent views, in an open and transparent manner, could be promoted.</p>
Chile	<p>El método más eficiente, sigue siendo la aplicación del Manual de Procedimientos, ya que sienta las reglas que todos sus Miembros han acordado de manera transparente y consensuada.</p>

Costa Rica	<p>Un debate previo entre las diferentes regiones, podría facilitar el alcance del consenso. De no alcanzar el consenso, el país miembro puede dejar la reserva debidamente sustentada.</p> <p>En caso de no alcanzarse ningún acuerdo de esta manera ir a votación porque el Manual también lo contempla entre su prendimiento.</p>
Cuba	<p>Se considera que los criterios para facilitar el avance de las normas en el Codex, ya se encuentran de alguna forma en el apéndice de decisiones generales del Manual de Procedimiento: Declaraciones de principios referentes a la función que desempeña la ciencia en el proceso decisorio del Codex y la medida en que se tienen en cuenta otros factores.</p> <p>Donde se declara que: Las normas alimentarias, directrices y otras recomendaciones del Codex Alimentarius se basarán en el principio de un análisis y datos científicos sólidos, que comporte el examen exhaustivo de toda la información pertinente, a fin de que las normas aseguren la calidad e inocuidad de los suministros alimentarios y que el examen de otros factores no debe afectar al fundamento científico del análisis de riesgos; respetándose la separación entre la evaluación de riesgos y la gestión de riesgos con miras a garantizar la integridad científica de la evaluación de riesgos.</p> <p>Además, algunas preocupaciones legítimas manifestadas por los gobiernos cuando establecen sus legislaciones nacionales no son en general aplicables o pertinentes en el plano internacional, algo de lo que se tiene que tener presente para las posiciones de país en las aprobaciones de textos del Codex...</p> <p>Lo que sucede es que esto que está muy bien refrendado en el MANUAL no se tiene siempre en cuenta en las reuniones del Codex incluida la Comisión, nos olvidamos muchas veces de lo que dice el Manual de Procedimiento y nos permeamos de otros asuntos no procedentes o menos importantes, hay que rescatar en nuestra opinión el respeto a los documentos rectores del Codex por encima de todo, enfatizando en el principio de la ciencia como lo fundamental para la aprobación de las normas y textos afines para cumplir con los objetivos del Codex Alimentarius.</p>
Dominican Republic	<p>Deben mejorar la utilización de los medios informáticos electrónicos para incrementar la evaluación de los documentos normativos del Codex, a la vez que incrementar la apertura de los grupos de trabajo electrónicos en los principales idiomas del Codex, con mandatos específicos y tiempo pertinente suficiente que permita mayor participación de los países en desarrollo.</p>
Ecuador	<p>Ecuador considera necesario que la Comisión del Codex Alimentarius respete la labor realizada por los órganos auxiliares, los GTe, los Comités Técnicos y el CCEXEC, en cuanto a elaborar propuestas siguiendo los procedimientos establecidos por el Codex Alimentarius, especialmente respetando el rol de la ciencia.</p> <p>Al momento que la Comisión del Codex Alimentarius hace caso omiso a las propuestas de los Comités, esto deja por sentado un precedente negativo de nefastas repercusiones para el futuro del Codex.</p>
Egypt	<p>We believe that the most efficient way is to clearly apply the current existing Statements of Principle. The Procedural Manual provides guidance on facilitating the advancement of standards in complex situations. If any Codex Member has a reservation of progress of certain Standard for any accepted reason related to any legitimate objection, the Chairperson has to do his full efforts to solve the raised issues and reach consensus, if the objections are raised without any considered evidences or don't follow Codex Procedural Manual, Member has the right to record his reservation without hinder the progress of standards.</p>
European Union	<p>Prevention is better than cure. This means that in the critical review of new work proposals more attention should be paid to the criterion "amenability to standardisation". This in order to avoid situations where new work is launched on items for which it is known in advance that it will be difficult/impossible to achieve consensus.</p>

Guatemala	Publicitar con mayor cobertura y énfasis el trabajo científico realizado por los órganos conjuntos y consultas mixtas de científicos de FAO y OMS (JEMRA, JECFA, JMPR, JEMNU); y buscar mecanismos para asegurar que todos los miembros conocen dichos trabajos (talleres o coloquios).
Indonesia	Executive Committee with the assistance of Codex Secretariat should review regularly time line of the Proposed Draft Standards which have been mentioned in project document. When the proposed time line cannot be followed by the Committee both due to the complex issues or other reasons, Executive Committee should make specific recommendation on this matter to the Committee.
Iran	Codex should learn from successful experiences that other international standardization setting bodies achieved like diving one general technical sub committees which can be manage through correspondence only .
Japan	It is important that Chairpersons understand Measures to facilitate consensus, in particular the paragraph 3: Organizing informal meetings of the parties concerned where disagreements arise, provided that the objectives of any such meetings are clearly defined by the Committee concerned and that participation is open to all interested delegations and observers in order to preserve transparency. Informal meetings have been organized for facilitating consensus in past committees where complex issues arise in the Step procedures. Such cases should be shared with the current and/or new Chairpersons by the past Chairpersons through Chairs workshops held by the Codex Secretariat.
Kazakhstan	It is necessary to further develop existing mechanisms for promotion of the Codex standards, namely adoption by vote, holding a standard at step 8, building differences of application into the text, not approving new work or discontinuation of work because of non-amenability to standardization, and reservations/SoP. The Subcommittee's examination of each of these mechanisms and available relevant criteria will allow to develop a Guidance on overcoming differences and reaching consensus
Malaysia	Chair plays a major role in managing and facilitating advancement of standard. Chair must be firm and should uphold the mandate provided in the Procedural Manual in which Role of Science should be applied in decision making process.
Mexico	La difusión regional de toda la información referente a la norma incluyendo sustento técnico para el proceso decisorio a nivel regional.
New Zealand	New Zealand's recent experiences with advancement of specific items of work in Codex has reinforced the importance and value of consultation and collaboration, informal or formal, at every step of the way. Such an approach has been particularly beneficial during the conceptual development of new work proposals and during the initial drafting stages. In addition there is also value in holding technical workshops and consultations not merely to promote understanding of key ideas/concepts but also help identify potential technical and other issues that have a bearing on the further development of the work. Often these additional intersession efforts require greater investment by the lead country but they undoubtedly result in greater buy-in in the early stages and conducive to much faster progress.
Nicaragua	El método más eficiente para facilitar el avance de las normas es el cumplimiento de la declaración de principios, para la toma de decisiones que establece el manual de procedimiento. Se considera que el orden en el proceso de elaboración de los textos, la congruencia en su estructura y contenido deben alinearse a los objetivos previstos, planteados en sus etapas iniciales. Dado que se ha observado, que existen desviaciones que afectan la toma de decisiones y el avance de los textos del Codex.

Norway	For most codex work, the committees agree to submitting new work proposals to CAC and it undergoes critical review by EXEC. In our view the critical review of new work proposals should be given more attention, and attention should be paid to the criterion "amenability to standardization". This in order to avoid situations where new work is launched on items for which it is known in advance that it will be difficult/impossible to achieve consensus.
Panama	Las reuniones en los grupos paralelos y permitir que los países puedan discutir en sus idiomas los textos, es importante poder facilitar la información en la medida correcta, ya que esto ayudaría aún más en poder obtener respuestas rápidas y con los contenidos técnicos respaldados por la ciencia.
Paraguay	Los Presidentes tanto de los Comités técnicos como de la Comisión del Codex deben apoyar lo establecido en el Manual de Procedimiento del Codex, basándose en las orientaciones contenidas en el mismo, en la cual puede instar a los miembros en caso de no estar de acuerdo con un documento, abstenerse o registrar una reserva e instar a que la norma avance hacia la adopción como norma del Codex en la que podrían confiar en los países que mostraron su apoyo. Las disposiciones del Manual de Procedimiento son consistentes con la premisa fundamental de que las normas del Codex son de carácter voluntario para los gobiernos nacionales y se basan en ciencia. Tomar medidas decisivas para garantizar que no se socave el Codex y apoyar el establecimiento de normas internacionales basadas en la ciencia que protejan a los consumidores y garanticen las prácticas equitativas en el comercio de alimentos.
Senegal	Toujours respecter les termes de la déclaration de principe
Thailand	We are of the opinion that the ways could be as follows: 1. the establishment of physical working group during the usual schedule of the Committees to promote better understanding in the scientific issue. Mentor, who is experienced in the process of standard development, can help participants in the working group and facilitate the discussion. Certain good examples may be provided, such as how CCFH developed the micro-criteria document. 2. teleconference might be possible to be used in certain case. 3. Regional Coordinators can help and stimulate the participation of members but they need to have a clear role. 4. enhance the effectiveness of national codex contact points
Uruguay	El CCEXEC debería actuar dentro de las competencias que le asigna el Manual de Procedimiento en el art. V para 2 del, ofreciendo orientación a los foros subsidiarios en los que detecte situaciones conflictivas que entorpezcan el trabajo. Esto debería quedar reflejado en los informes del CCEXEC, de modo que eventualmente la CAC también los considere.
USA	The most efficient way to facilitate advancement of standards particularly on complex issues is to apply the existing texts in the Procedural Manual and the FAO Guide to Conduct of Plenary Sessions. When the complexities relate to scientific matters, the concern form process may be used to resolve scientific concerns raised by members in those committees that have adopted this mechanism (CCPR, CCRVDF). Once the scientific issues are resolved and factors within the scope of Codex are considered, there is no impediment to the advancement of standards.

Observers

CCTA	... on complex issues?
FIVS	The Statements of Principle and the Codex Procedural Manual provide clear guidance to allow advancement of standards on complex issues. Any further information should focus on application of the existing guidance. FIVS recommends that Chairpersons should enforce the provisions of the

	Statements of Principle and ensure that Codex decisions are science and risk based.
healthforanimals	The underlying assumption of every Chair should be that a standard should advance. The Chair should sort out, together with the secretariat, what the projected timing is, so that all are clear on the projected ideal time of completion of the standard. (Obviously there will be times when there is deviation from that timeline). In so doing the Chair will have a timeline, and he can ask the committees to share the responsibility to keep to that timeline. Sharing responsibility for efficient progress – instead of just leaving the Chair/secretariat with the task of moving things along, will make countries more cooperative, and hopefully more reticent to be unnecessarily obstructive. For such particularly complex issues, the Chair should ask those who are at the opposing sides of the complex issue how they would propose to overcome differences to move a standard forward. In so doing the onus is put on members to come up with solutions and to help the Chair and committee.
ICBA	ICBA considers that the most efficient way is to continue enforcing the existing Statements of Principle and Procedural Manual that provide guidance on facilitating the advancement of standards in complex situations. Codex members should not be allowed to block standards advancement based on factors outside the mandate of Codex which aren't science-based or based on regional or national regulations as they may not necessarily translate to global standards due to complexities associated with the global supply chain. When chairpersons have determined that concerns are inconsistent with provisions of the Procedural Manual, the standard/text must proceed to the next step. This important point should be made clear to the members to ensure common understanding of the process that will be followed. Specifically, it should be made clear that the members disagreement with the proposed standard based on other factors does not constitute lack of consensus. For example, if JECFA makes clear that a particular food additive and corresponding provisions has been demonstrated safe, and Codex members have provided necessary technological justification, the standard should progress even if some countries do not permit such standards in their regions. Consensus has been achieved despite objections raised that are not based on JECFA's evaluation.
IDF/FIL	IDF continues to highlight the importance for Codex to remain committed to science and risk-based mandate. We feel that that the existing Statements of Principle and Procedural Manual already provide adequate guidance to facilitate advancement of standards on complex issues.

Question 10: Any other comments or suggestions for consideration by the sub-committee in the development of practical guidance for operationalisation of the Statements.

Members

Argentina	Argentina desea reiterar su convencimiento de que las orientaciones existentes en las Declaraciones de Principios aportan suficientes elementos a los miembros del Codex y presidentes de los órganos subsidiarios para lograr un avance efectivo en el desarrollo de los estándares. Las Declaraciones de Principios actuales no necesitan ser modificadas, de hecho el mandato de la CAC al Comité Ejecutivo establece claramente que no deben ser reabiertos.
Australia	Australia reiterates its position of not reopening the Statements and supports the agreed process to develop practical guidance to assist in their operationalisation. Australia supports the scientific basis for the development of Codex standards.

	<p>This process facilitates global food trade and assists all countries, including developing countries, to participate in food trade. Australia requests the sub-committee consider implications for global food trade when developing guidance for operationalisation of the Statements.</p> <p>To ensure a thorough scientific basis for the development of Codex standards, Australia encourages all countries to ensure they provide all available and relevant information and data to an expert committee that is to provide advice to a Codex committee. If new material becomes available, this can be provided for consideration.</p> <p>Codex committees must continue using a risk based approach underpinned by science, rather than a hazard-based approach, which does not take into account exposure information in the risk assessment. Deviation from a risk based scientific assessment to hazard based assessments does not take into account global consumption patterns and thus may not facilitate the development of globally applicable Codex texts.</p>
Canada	<p>The responsibility of Codex work also lies on the shoulders' of Members and as such consideration should be given to development of a Delegates' Handbook, a practical guide along the lines of the Chairpersons' Handbook. The objectives for possible guidance to delegates could include:</p> <ul style="list-style-type: none"> • Delegations learning more about how to build consensus, move positions and work in a structured and collaborative way. • Delegations reminded of the purpose of Codex to create global guidance and standards for the betterment of all. • Delegations reminded of their role to help build consensus, and find solutions that they can see themselves and others fitting into, that also meet the objectives of Codex – safe food and fair trade practices. . • Underscoring the importance of fair trade practices. <p>We note that some practical guidance for delegates already exists in the Codex e-learning course. Expansion of this content, in a practical reference guide could be helpful. Possible topics could include:</p> <ul style="list-style-type: none"> • Responsibilities and conduct of delegates. • Emphasis on the core values of Codex and how delegates can contribute, in particular ways Members can help build consensus, the collaborative spirit of Codex, inclusiveness of all points of view, and transparency. • Fundamental objectives of Codex – e.g. Codex standards need to be outcome based and applicable for all countries. • Appropriate use of reservations and what they achieve. • Role of delegates to subsidiary committees and roles at CAC, and how to avoid technical discussions at CAC. • How to participate effectively, at plenary but also eWGs between sessions and informal meetings. <p>Codex Contact Points for all member countries should be encouraged to include discussions of the building of consensus in the training of their Codex delegates.</p>
Chile	<p>Chile desea reiterar el valor del Manual de Procedimientos como guía para el funcionamiento del Codex y como se ha mencionado, evitar sentar el precedente de que cada sección del Manual tendrá que ser explicada mediante una guía práctica de aplicación.</p>

Costa Rica	<p>Las declaraciones siempre se pueden aprovechar, lo importante es contar con reglas claras sobre el accionar del Codex.</p> <p>Es importante trabajar en un instructivo que facilite la toma de decisión de los presidentes y co-presidentes, es decir establecer reglas claras para la toma de decisiones, en consonancia con lo establecido en el manual de Procedimiento. Ejemplo: cuantas veces después de emitido un informe del Comité de expertos se le puede volver a consultar lo mismo, cuantos años se puede mantener un tema en la agenda de un Comité si tomar una decisión, entre otros ejemplos.</p>
Cuba	<p>Se debe capacitar sobre todo a los nuevos puntos de contacto y directivos del Codex porque es un asunto muy técnico, lograr una mejor comunicación entre los miembros, la secretaría y la presidencia, así como observar el principio de equidad entre todos los miembros. Otra práctica pudiera ser que los más experimentados puedan apadrinar o hermanarse con los menos preparados, de forma que faciliten la comprensión de términos, documentos, posiciones, prioridades y algún financiamiento se pudiera destinar a esto antes de las comisiones para determinados temas, que mejoraría el trabajo de la Comisión.</p>
Dominican Republic	No.
Ecuador	No hay otras observaciones
Egypt	<p>We propose to develop this guidance on understanding the application of the Principal of Statements, then to be circulated to all Codex Committees for comments and receiving experiences.</p>
European Union	<p>As stated in para. 3 of the CL, the focus of this round of consultations is on scoping around the three main elements in the TOR, namely: “practical guidance”; “operationalisation of the statements”; and “complement to the guidance on facilitating consensus”.</p> <p>With regard to scoping “operationalisation of the statements” we share the view of the Codex Secretariat that “the issue in question is closely related to how Codex takes decisions and how it can reconcile or acknowledge different opinions, considerations and positions of members on complex topics which may go beyond the mandate of Codex, while also being mindful of the need to set standards based on science in a timely manner...” (para 1.5 of CX7EXEC 19/77/10).</p> <p>In our view, this close relation to how Codex takes decisions makes it very clear that the SoP and the measures to facilitate consensus do not exist in isolation. Therefore, we would see great value in looking at what guidance could be useful to improve the effective operation of the Step Procedure.</p> <p>The conclusions set out in section 6 of CCEXEC 19/77/10 provide a very useful basis for the subcommittee's work. The subcommittee could, for each of the procedural means and tools set out in section 6 of that paper assess the views and suggestions put forward by the Codex Secretariat.</p> <p>An overview/stock-taking of what criteria, if any, already exist for the application of each of these tools could be a helpful starting point. The overview could also look at past efforts to build consensus (such as the “friends of the chair” and facilitated sessions).</p> <p>Following such a stock-taking, the sub-committee should consider working on how to allow Codex to set standards that are needed by members while acknowledging different situations in different areas of the world, by discussing</p>

	<ul style="list-style-type: none"> - criteria for declaring a subject matter as not amenable to standardization - criteria for not approving new work or when to discontinue an approved project - criteria for building differences of application into the text - criteria for standards held in the step process - criteria for the amount of time that is reasonable for developing a standard. <p>CCEXEC 19/77/10 also provides useful indications of where further guidance may be helpful. Other actions that contribute to consensus building, such as redefinition of the subject matter or the development of adequate compromises, are used on a regular basis in Codex work. Each of these elements could be considered by the sub-committee.</p>
Guatemala	Las Coordinaciones Regionales pueden apoyar realizando talleres en los cuales se practiquen formas de manejar el consenso, revisión de la base científica de las normas y hacer ejercicios prácticos sobre casos actualmente en discusión. Los expertos invitados a participar en estos talleres deben ser presidentes de Comités exitosos.
Indonesia	Codex should be consistent with the dual mandate. Other legitimate factors which not relevant to the health protection of consumers and the promotion of fair practice in food trade should not be considered.
Iran	Subcommittee should clarified other important issue such as consumer preference.
Kazakhstan	In our opinion, it is necessary to elaborate the aspect of taking into account other factors relevant to consumers health protection and promotion of fair practices in food trade when developing Codex standards
Malaysia	The Chairpersons and delegates should apply the Statements of Principle Concerning the Role of Science in the Codex Decision-Making Process and the Extent to Which Other Factors are Taken into Account accordingly to facilitate the progress of Codex work.
New Zealand	New Zealand reiterates its support for the development of practical guidance to operationalise the Statements of Principle concerning the role of science in codex decision -making. We would also emphasise that the proposed work is not about reopening the Statements but what practical steps can be taken to promote their systematic application in situations described under Statement 4
Norway	<p>We share the view of the Codex Secretariat that the issue is closely linked to how Codex takes decisions, and therefore the statements of principles and measures to facilitate consensus does not exist in isolation. We therefore suggests to consider working on how to allow Codex to set stds that are needed by members while acknowledging different situations in different areas of the world, by discussing</p> <ul style="list-style-type: none"> o criteria for standards held at step 8 o criteria for building differences of application into the text o criteria for declaring a general subject matter as not amenable to standardization o criteria for not approving new work or when to abandon an approved project o aligning procedures for residues of pesticides, vet drugs, food additives and contaminants with approval procedures for new work from other committees o criteria for what amount of time is reasonable for developing a std <p>These discussions/outcome might lead to</p> <ul style="list-style-type: none"> o amendments/additions to the “Critical Review”

	<ul style="list-style-type: none"> o amendments/additions to “Criteria for the establishment of work priorities” both for general committees and for commodity committees o additions to “Measures to facilitate consensus”
Panama	Consideramos de forma importante que las declaraciones pueden aplicarse en todas las situaciones.
Paraguay	<p>Considerar qué cantidad de tiempo y trabajo es razonable invertir para el establecimiento de una norma Codex.</p> <p>Insistir con la capacitación a los delegados de los países sobre la aplicación efectiva de las Declaraciones, podría ser útil contar con materiales audiovisuales o similares, que se proyecten o estén disponibles a modo de generar conciencia sobre la importancia de contar con las normas Codex ya que éstas están basadas en la ciencia.</p>
Senegal	<p>Il faut éviter d’introduire des considérations qui ne permettent pas l’élaboration des « NORMES CODEX ». Source de discordes et de blocage</p> <p>Nous devons faire appliquer les textes qui ont été élaborés pour les résoudre.</p>
Thailand	We are of the opinion that clear criteria for discontinuation of work should be developed to facilitate chairpersons' decision making, especially for electronic working group and working by correspondence.
Uruguay	No hay observaciones o propuestas adicionales
USA	<p>The inability of Codex to advance standards on some complex issues is not due to a lack of guidance in the Procedural Manual or other texts that govern Codex. Rather, it appears that existing guidance and procedures may not always be applied consistently.</p> <p>The Statements of Principle and the subsequent guidance on the Statements contained in the Criteria took many years to craft and offer clear guidance on how to proceed on complex issues. However, the work of Codex continues to be hampered on occasion using arguments that were rejected prior to the drafting and during the drafting and adoption of the Statements and Criteria.</p> <p>The scientific basis, impartiality, and transparency of Codex work are fundamental pillars of the organization. Codex standards are based on science that is applicable on a worldwide basis, grounded in the global context; this precludes using consumer preferences or national legislation of one country or region to draft or block standards. These attributes set Codex apart and are the reason why the World Trade Organization negotiators recognized Codex as the international standards setting organization for food safety in the Agreement on the Application of Sanitary and Phytosanitary Measures. Failure of Codex to adopt decisions based on its own rules, or the appearance that Codex yields to regional preferences not supported by science in establishing its international standards, could severely undermine its stature and the usefulness of its standards to Codex members who rely on them to protect consumer health and ensure fair trade practices.</p>

Observers

FIVS	<p>FIVS thanks the CAC for recommending this work on operationalization of the Statements of Principle concerning the role of science. FIVS wishes to reiterate that the Statements of Principle do not need to be changed as outlined in the CAC’s mandate to CCEXEC. Members already have a process to abstain from acceptance of a Codex standard if they do not agree with it, and to record an official observation if they choose. These principles</p>
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	allow Codex to proceed efficiently and effectively while respecting that members do not need to adopt standards that they disagree with.
healthforanimals	It may be useful to provide Chair with standardized responses to standardize situations. For example if a country in a meeting brings up a reason which is clearly not legitimate, which specific language should the Chair use.
ICBA	ICBA believes that it is important that Codex members, chairpersons, and the Codex Secretariat all have a common understanding adhering to the provisions and procedures already included in the Procedural Manual. For transparency, we suggest that any guidance developed to the chairpersons by CCEXEC or the Codex Secretariat should be available to the members and observers on the Codex website as it will ensure common understanding. Chairpersons and/or the Codex Secretariat also should be instructed to provide advice to members on the application of Statements of Principle in a consistent way when situations arise that would prevent standards advancement based on non-scientific factors beyond the Codex mandate.
IDF/FIL	As mentioned previously IDF feels that the existing provisions of the Statements of Principle provide adequate and appropriate direction to Codex member governments and chairs of Codex subsidiary bodies to facilitate effective and efficient standards advancement in a science and risk-based manner. We noted that CAC's mandate to CCEXEC specifically stated that the text of Statement of Principles "... should not be reopened."