1. Procedural background for the Critical Review

1.1 According to the Procedures for the Elaboration of Codex Standards and Related Texts Part 2, Critical Review in the Codex Procedural Manual, “An on-going critical review shall ensure that proposals for new work and draft standards submitted to the Commission for adoption continue to meet the strategic priorities of the Commission and can be developed within a reasonable period of time, taking into account the requirements and availability of scientific expert advice”. Furthermore, “The Commission decides, taking into account the outcome of the ongoing critical review conducted by the Executive Committee, that a standard should be elaborated and also which subsidiary body or other body should undertake the work”.

1.2 In line with this, CCEXEC is invited to critically review the work of the committees, taking into account the recommendations of the Secretariat and the comments of the chairpersons to:

- Review standards and related texts submitted to the Commission for adoption;
- Monitor the progress of standards development;
- Review proposals for new work or revision of standards.

2. Examining proposed standards before submission to the Commission for adoption

The critical review process shall ensure that draft standards submitted to the Commission for adoption have been fully considered at Committee level. The Executive Committee examines proposed standards from Codex committees before they are submitted to the Commission for adoption:

- for consistency with the mandate of Codex, the decisions of the Commission, and existing Codex texts;
- to ensure that the requirements of the endorsement procedure have been fulfilled, where appropriate;
- for format and presentation; and
- for linguistic consistency.

3. Monitoring progress of standards development

3.1 The Executive Committee reviews the status of development of draft standards against the timeframe agreed by the Commission and shall report its findings to the Commission. CCEXEC may propose an extension of the timeframe; cancellation of work; or propose that the work be undertaken by a Committee other than the one to which it was originally entrusted, including via the establishment of a limited number of subsidiary bodies, if appropriate.

3.2 Criteria to facilitate the conduct of monitoring progress of standards development

3.2.1 When progress on a standard is delayed due to the need for scientific advice, the Executive Committee could encourage FAO and WHO to schedule an expert consultation to provide such advice in a timely manner, and recommend suspension of work until such time as scientific advice became available;

3.2.2 When scientific advice has been provided and a standard has been under consideration for more than five years, the Executive Committee should urge the Committee concerned to take action within a specified timeframe;

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1 This document addresses CCFO27, CCNFSDU42 and CCFH52
2 CCEXEC58 (2006)
3.2.3 When an item has been considered for several sessions without any progress and there is no prospect of reaching consensus, the Executive Committee could propose suspension of work at a particular Step in the Elaboration Procedure for a specified period of time or discontinuation of work, or corrective action to be taken to achieve progress, fully taking into consideration the information provided by the subsidiary body concerned.

3.3 Discussion papers

Discussion papers contribute to the workload of a committee and are important discussion tools for committees before requesting new work. A list of discussion papers is included for information purposes only, in order to present a complete view of the workload of each Committee, but will not be discussed as such.

4. Proposals to undertake new work or to revise a standard

4.1 Prior to approval for development, each proposal for new work or revision of a standard shall be accompanied by a project document, prepared by the Committee or Member proposing new work or revision of a standard. The decision to undertake new work or to revise standards shall be taken by the Commission taking into account a critical review conducted by CCEXEC.

4.2 The critical review includes:
- Examination of proposals for development/revisions of standards, taking into account the “Criteria for the Establishment of Work Priorities”, the strategic plan of the Commission, and the required supporting work of independent risk assessment;
- Identifying the standard setting needs of developing countries;
- Advice on the need for coordination of work between relevant Codex subsidiary bodies;
- Advice on establishment and dissolution of committees and task forces, including ad hoc cross-committee task forces (in areas where work falls within several committees); and
- Preliminary assessment of the need for expert scientific advice and the availability of such advice from FAO, WHO or other relevant expert bodies, and the prioritisation of that advice.

4.3 The decision to undertake new work or revision of individual maximum residue limits for pesticides or veterinary drugs, or the maintenance of the General Standard on Food Additives (including methods of analysis and sampling), the General Standard on Contaminants and Toxins in Food and Feed (including methods of analysis and sampling), the Food Categorization System and the International Numbering System, shall follow the procedures established by the Committees concerned and endorsed by the Commission.

5. Further development of the critical review

5.1 CCEXEC72 welcomed a new structure for the Critical Review which consisted of one document instead of three documents and also agreed for the information to be delivered in instalments to ensure timely availability. CCEXEC72 also indicated that it would be useful to have more information and insights from the Chairpersons on committee work and that the Secretariat give more guidance to the Chairpersons as to the inputs needed to allow CCEXEC to be more effective in the Critical Review. The importance of maintaining a horizontal view of the work of committees and the interactions between committees was highlighted.

5.2 A slightly revised structure for the critical review of the work in Codex committees was piloted for the review undertaken by CCEXEC77. The revised structure aimed at improving readability and giving more prominence and emphasis on information and insights from the Chairpersons. As the feedback on the revised structure has been positive, this structure is being maintained.

5.3 The Codex Secretariat has also examined the Critical Review as part of the ongoing regular review of Codex work management. Further information on this can be found in documents CX/EXEC 19/77/5 and CX/EXEC 20/78/4.

6. Structure of appendices

The work of the different Committee is addressed in separate appendices.

The structure of the appendices for each Committee is as follows:

1. General information on the Committee and Session
2. Overall comments (Secretariat / Chairperson)
3. Status of work items (Overview)
4. Specific comments on individual work items (Secretariat/Chairperson)

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3 CCEXEC63 (2009)
4 CCEXEC72 (2016), REP17/EXEC1 paras. 7-14
7. **List of appendices**

Appendix 1: Codex Committee on Fats and Oils (CCFO27)

Appendix 2: Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU42)

Appendix 3: Codex Committee on Food Hygiene (CCFH52)
1. **General**

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<td>Session reported on CCFO27 18-22 and 26 October 2021</td>
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<td>Next Session CCFO28 19-23 February 2024</td>
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<tr>
<td>Host</td>
<td>Report EP22/FO</td>
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2. **Overall comments**

**Secretariat’s comments:**

Due to the COVID-19 pandemic, CCFO27 was postponed from February 2021 to October 2021. CCFO27 was successfully conducted as a virtual session and had high participation, both in number of delegations and number of participants. The session was constructive and productive as all items were discussed and consensually concluded. Despite the postponement of CCFO27 and the heavy workload of the committee, the work is on track and there is good progress. The Committee had effectively utilized the period (February to September 2021) to progress work in the EWGs, revised papers taking into account comments and circulation for additional rounds of comments. A webinar on the revision to the *Standard for Olive and Olive Pomace Oils* (CXS 33-1981): Sections 3 and 8, held on 7th July 2021, presented an overview of the progress made by the EWGs, highlighted areas where consensus was still pending, and provided an opportunity for participants to seek clarifications on revisions.

**Chairperson’s comments (App. 200 words):**

As CCFO27 was originally planned for February 2021, much of the preparation started in 2020 during which Codex was still discussing how it should pursue work. Thanks to the tremendous support from the Codex Secretariat, CCFO experienced its first virtual session taking into consideration the experiences and challenges from other Committees.

CCFO27 was a rather challenging session due to the heavy workload and further due to the virtual environment. Despite the challenges, CCFO managed to successfully conclude the session. By utilizing the additional period due to the meeting postponement and the electronic platform, the session managed to conclude on the long-standing discussion on Sunflowerseed Oils and also made progress on the draft standard for Avocado Oil. Some progress was also made on revision to the *Standard for Olive and Olive Pomace Oils* (CXS 33-1981): Sections 3 and 8. As the session was held virtually, no physical working group was held, however, the webinar held a few months prior to the session provided an additional platform and opportunity to the Members and Observer to exchange views on the updates, discuss and clarify issues related to the work.

During the session, CCFO applied for the first time its new work management mechanism to evaluate the proposals for new work. A total of six (6) proposals for new work were evaluated of which four (4) proposals were recommended by CCFO for approval by the Commission.

CCFO will continue to utilize the intersession period using all available mechanism and platform in order to ensure all the work under the Committee are progressing.
3. Status of work items

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<thead>
<tr>
<th>Topic</th>
<th>Job No</th>
<th>Target year</th>
<th>Recommendation of the Committee</th>
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<tr>
<td><strong>For decision by the Commission</strong></td>
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<tr>
<td>3. Editorial amendments/changes to the <em>Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk</em> (CXC 36-1987): Appendix 2</td>
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<td>Approval</td>
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<td>4. Amendment/revision to the <em>Standard for Named Vegetable Oils</em> (CXS 210-1999) to include - Camellia seed oil; - Sacha inchi oil; - High oleic acid soya bean oil</td>
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<td>Approval as new work</td>
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<td>5. Amendment/revision to the <em>Standard for Fish Oils</em> (CXS 329-2017) - Inclusion of Calanus oil</td>
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<td>Approval as new work</td>
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<td>6. Mechanisms for revising the <em>Standard for Milk Fat Products</em> (CXS 280-1973)</td>
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<td>CCEXC to advise</td>
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<td><strong>For information</strong></td>
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<td>8. Possible work that CCFO could undertake to reduce TFAs or eliminate PHOs</td>
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<tr>
<td>9. Proposals on new substances to be added to the List of Acceptable Previous Cargoes in the <em>Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk</em> (CXC 36-1987): Appendix 2</td>
<td>Ongoing</td>
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4. Specific comments


Secretariat's comments:
Following discussions, CCFO27 agreed to forward the following proposed draft revision to the Standard for Named Vegetable Oils (CXS 210-1999) – Sunflowerseed oil, for adoption at Step 5/8 by CAC45:

i. Revision to the composition: Section 3.1 - GLC ranges of fatty acid composition (ranges of oleic and linoleic acid) (Appendix III Part A); and

ii. Revision to the Appendix – Other quality and composition factors; Section 3 - Chemical and Physical Characteristics (Table 2 - Chemical and physical characteristics of crude vegetable oils - refractive index, saponification value, iodine values and relative density) (Appendix III Part B).

It is noted that two reservations were expressed regarding the increase of the refractive index maximum value, one reservation regarding lowering the minimum saponification value, and one reservation regarding decreasing the minimum value for relative density.

Chairperson's comments:
The target year for completion of the work was originally in 2019. However, the timelines were extended to CCFO27 (2021) to enable completion of outstanding issues through collection, analysis and review of data for refractive index, saponification value, iodine values and relative density and propose appropriate values for these parameters. Prior to this session, a series of discussions were initiated by the CCFO Chairperson as well as the EWG Chairperson to discuss the issues of concern related to this work. The Committee managed to complete the work and forward the proposed draft revision for final adoption and noted reservation by certain countries.

2. Proposed draft revision to the Standard for Named Vegetable Oils (CXS 210-1999) – inclusion of avocado oil, Paragraph 82 (i and iv), Appendix IV

Secretariat's comments:
CCFO27 noted that good progress had been made in the EWG, but some items remained in square brackets and more scientific data was needed regarding levels of tocopherols and tocotrienols in avocado oil.

Following discussions, CCFO27 agreed to forward the proposed draft revision to the Standard for Named Vegetable Oils (CXS 210-1999) – inclusion of avocado oil, for adoption at Step 5 by CAC45.

CCFO27 agreed to request CCEXEC/CAC to extend the timeline for completion of the work to CCFO28.

Chairperson's comments:
The fundamental concern pertaining to this new oil (Avocado oil) is on the source of the oil, which part of the fruit the oil is derived from, the mesocarp or the whole fruit, and the respective parameters. CCFO27 arrived at consensus on the definition of avocado oil, essential composition and quality parameters and was left with some parameters related to the identity characteristics which required data collection and analysis based on the agreed definition for consideration at next session.

3. Review of the list of acceptable previous cargos - editorial amendments/changes to the Code of Practice for the Storage and Transport of Edible Fats and Oils in Bulk (CXC 36-1987), Paragraph 144 (iii), Appendix IX

Secretariat’s comments:
Since CCFO25 (2017), no proposals for addition and/or removal of substances to Appendix 2 of CXC 36-1987 were put forward to CCFO for consideration. CCFO26 agreed to retain the Review of the List of Acceptable Previous Cargoes as a standing item on its agenda and established an EWG to consider proposals for both inclusion to and removal from the list of acceptable previous cargoes and to prioritize substances to be submitted to FAO and WHO for evaluation. A Circular Letter (CL 2019/51/OCS-FO) had been issued inviting interested members and observers to propose further amendments to Appendix 2: List of Acceptable Previous Cargoes of CXC 36-1987. The proposals submitted for consideration included: i) editorial amendments; ii) an addition of a sentence at the end of the list to indicate or reading “Restrictions in addition to the last cargo: Lead products will not be carried as the three previous cargoes”; iii) introduce a restriction beyond the immediate previous cargoes in the acceptable list in cases where ethylene dichloride and styrene monomer were transported in organic coated tanks.

CCFO27 adopted the proposed editorial amendments and further agreed that no further changes were needed to the Appendices to CXC 36-1987 in respect of leaded product as “Lede products will not be
carried as the three previous cargoes” was already included in the Codex list of banned immediate previous cargos. Regarding the proposal to restrict ethylene dichloride and styrene monomer as previous cargos, it was noted that a discussion paper should be prepared for consideration by CCFO28. CCFO27 agreed to request the Codex Secretariat to make the editorial amendments to CXC 36-1987 based on the proposal in working document CX 21/27/07 Annex I pages 3 and 4 (Appendix IX).

Chairperson’s comments:
There were no proposals submitted for addition and/or removal of substances; however, some editorial proposals were submitted, reviewed and agreed by the Committee. The Committee also agreed to the proposal to consider a discussion paper, at its next session, on the potential restriction of ethylene dichloride and styrene monomer as previous cargoes.

4. Amendment/revision to the *Standard for Named Vegetable Oils* (CXS 210-1999) to include - Camellia seed oil; - Sacha inchi oil; - High oleic acid soya bean oil, Paragraphs 152, 160 and 169, Appendices V, VI and VIII

Secretariat’s comments:
CCFO27 agreed to submit for approval by CAC45 the proposal for new work on the inclusion in the *Standard for Named Vegetable Oils* (CXS 210-1999) of: - camellia seed oil (Appendix V) - sacha inchi oil (Appendix VI) - high oleic acid soya bean oil in (Appendix VIII)

CCFO27 undertook its role in the evaluation of proposals for new work very seriously and applied a structured process to carefully evaluate the issues. In this context, a further proposal on inclusion of mahua oil in the *Standard for Named Vegetable Oils* (CXS 210-1999) was not supported at this session as it was considered that further information on the level of production, consumption, volume and pattern of trades and availability of toxicological data was needed to appropriately evaluate this proposal.

In addition, a proposed amendment/revision to the *Standard for Fat Spreads and Blended Spreads* (CXS 256-2007) presented by an observer was not supported due to general concerns on the proposed revision to the terms (proposed use of the term “plant butter” in particular raised a lot of concerns) although some delegations noted that there was a need to address plant-based spreads. From the Codex secretariat’s perspective, there may be other avenues to approach such work which could be considered, for example in the discussion paper on TFAs.

Chairperson’s comments:
CCFO27 applied the better management approach for new work agreed at CCFO26 for the first time to evaluate the proposals for new work. The checklist for new work proposals was prepared by the CCFO Secretariat to determine completeness against the requirement of criteria for the establishment of work priorities in the Procedural Manual as well as based on CCFO16 and CCFO26 decisions related to requirements on Proposal of New Standard or Inclusion of New Oils/Fats. It has been proven to be a valuable tool to facilitate and expedite the new work evaluation process in CCFO. There was a general support for three out of five proposals received.

The Committee also agreed that the checklist for new work proposals as prepared by the CCFO Secretariat will be published as an Information Document, which would be made available on the Codex website to assist Members and observers in preparing new work proposals.

5. Amendment/revision to the *Standard for Fish Oils* (CXS 329-2017) - Inclusion of Calanus oil, Paragraph 166, Appendix VII

Secretariat’s comments:
CCFO27 agreed to submit for approval by CAC45 the proposal for new work on the inclusion of Calanus oil as a named fish oil in the *Standard for fish oils* (CXS 329-2017).

Chairperson’s comments:
The proposal is to include calanus oil in the *Standard for fish oils* (CXS 329-2017) due to its unique chemical characteristic of wax esters, compared to the other named fish oils as stipulated in this standard.

Taking into consideration that this proposal for new work is straight forward, the timeframe proposed for its completion is until CCFO28. An EWG was established, subject to the approval of new work, to prepare the proposed draft revision for circulation for comments at Step 3 and consideration by CCFO28.

Secretariat’s comments:
A discussion paper on the need to align the maximum levels for copper and iron in ghee (butter oil) in the Standard for Milk Fat Products (CXS 280-1973) and CXS 210-1999 noted that published and laboratory data from different countries showed that the average amount of copper and iron obtained in butter oils from animal sources was higher than the maximum allowed in the CXS 280-1973, and the amounts of these elements were influenced by factors such as type of livestock and environment. It was suggested revising the limits for copper and iron in CXS 280-1973 to align with those in CXS 210-1999; or to deleting copper and iron content from the “Other contaminants” listed in the Appendix-additional information to CXS 280-1973 for ghee as in other milk products.

Noting that CXS 280-1973 is under the mandate of CCMMP, which had been adjourned sine die, while CXS 210-1999 is within the mandate of CCFO, the Codex Secretariat clarified that revision of standards under the purview of the inactive committee, was the responsibility of CAC on the advice of CCEXEC. CCFO27 agreed to forward a request to CCEXEC for their consideration and advice on which mechanisms could be used to consider the proposal to revise the Standard for Milk Fat Products (CXS 280-1973) to address the concerns raised with the maximum levels for copper and iron.

Chairperson’s comments:
The discussion paper by Iran outlined the need to align maximum levels for copper and iron in ghee (butter oil) in the Standard for Milk Fat Products (CXS-280-1973) to CXS 210-1999. Noting that the standard proposed for revision is under the mandate of CCMMP, while making reference to CCFO Standard, it was agreed that the proposal be forwarded to CCEXEC for consideration and advice.

Since the paper suggested revision on the limit for contaminants (copper and iron), the Chairperson is of a view that CCCF may be the most relevant committee to undertake the work.

7. Proposed draft revision to the Standard for Olive Oils and Olive Pomace Oils (CXS 33-1981), Paragraph 135(i and v)

Secretariat’s comments:
The EWG had been working actively, organizing 11 rounds of consultations on 16 key issues and the alignment of the layout of CXS 33-1981 with that of CXS 210-1999. A number of issues were still pending.

An issue of concern among a number developing country delegations related to the proposed removal of the category of ordinary virgin olive oil (OVOO), as it was an important category for these countries and they needed time to adapt and modernize their processes. The discussion also made reference to the Codex Procedural Manual statement on taking into account the needs of developing countries in the standard setting process. As a result, it was agreed to retain the definition for OVOO and its associated footnote as well as related parameters in the standard until CCFO30, when final discussions would be held to decide as to whether to retain/remove the provision in the standard.

Following a constructive discussion, CCFO27 agreed to retain all provisions in Sections 3, 8 and the Appendix at Step 4, for which CCFO and the EWG had reached consensus for consideration at CCFO28, and to re-establish the EWG to further the work and to convene a working group prior to CCFO28 to facilitate progress on reaching consensus on the outstanding issues. Concerns were expressed on some of the decisions taken which indicate that some significant work is still needed to reach consensus on this revision.

CCFO27 also agreed to request CCEXEC for an extension to the deadline for completion of work to CCFO28.

Chairperson’s comments:
It was a challenging discussion, especially in a virtual setting as it involved revision of 3 main parts of the standard, Sections 3, 8 and the Appendix of the Standard for Olive Oils and Olive Pomace Oils.

A webinar was held prior to the CCFO meeting to provide the Members an insight of the EWG work progress as well as to highlight on the areas where agreement is still pending. Noting that there was concern on the deletion of ordinary virgin olive oil from the standard, an informal discussion was held to provide a platform for interested Members to share their view and concerns regarding the issue.

In view that much progress had been made during the EWG deliberation and due to time constraint, the discussion in the Committee focused its discussions on the unresolved issues. CCFO reached agreement on several items in the proposed draft revised standard, however, several other issues are still in square brackets.
As expected, the discussion on the deletion of ordinary virgin olive oil became the major concern among numbers of developing country delegations with particular reference to the economic impact. The Committee was reminded that these discussions were on revision of a published Codex Standard and that the text in the current standard would remain until there was a final agreement to remove or amend it. In view of this consideration, the definition of ordinary virgin olive oil and its associated footnote were agreed to be retained in the standard until CCFO30 with a view to conduct the necessary scientific studies that would support the removal/retention. The Committee noted that the IOC was interested in providing data. By CCFO30, final discussions would be held to decide as to whether to retain/remove the provision in the standard.

As for the remaining parts, it was agreed to continue with another round of deliberation of the draft revision and it is hoped that the Committee will be able to come to an agreement for all the pending issues to enable this draft revision to be finalized at CCFO28.

8. Possible work that CCFO could undertake to reduce TFAs or eliminate PHOs, Paragraph 11

Secretariat’s comments:
CCFO27 noted the discontinuation of work on the claim for “free” of trans-fatty acids (TFAs) by CCNFSDU41 and the request to CCFO to consider possible ways to reduce TFAs or eliminate partially hydrogenated oils (PHOs). It was further noted that the 46th Session of the Codex Committee on Food Labelling (CCFL46) had recently discussed possible new work on TFAs but had agreed not to proceed as yet, but that a discussion paper should be prepared taking into account the outcomes of discussions at CCFO. The Representative of WHO requested CCFO to consider possible ways to reduce TFAs or eliminate PHOs. There was general support among delegations to explore how CCFO could address TFAs and PHOs in the food supply. CCFO27 agreed that a discussion paper to address the possible work that CCFO could undertake to reduce TFAs or eliminate PHOs would be prepared by Canada in collaboration with the European Union, Egypt, India, Saudi Arabia, Uganda, the United States of America, and WHO for consideration by CCFO28.

Chairperson’s comments:
CCNFSDU41 decided to discontinue work on the claim for “free” of trans-fatty acids (TFAs) and requested CCFO and CCFL to consider possible ways to reduce TFAs or eliminate partially hydrogenated oils (PHOs) within each other’s purview. Both Committees are closely following the progress of the other Committee to ensure coherent decision be made. There was general support among CCFO27 delegations to explore how CCFO could address TFAs and PHOs in the food supply. CCFO will discuss a proposal paper to address the possible work under CCFO that would be prepared by Canada in collaboration with several other interested members and WHO.

9. Consideration of proposals on new substances to be added to the List of Acceptable Previous Cargoes, Paragraphs 144 (ii) and 32

Secretariat’s comments:
CCFO27 agreed to request the Codex Secretariat to issue a Circular Letter inviting interested Members and observers to propose further amendments to Appendix 2: List of Acceptable Previous Cargoes of CXC 36-1987 and to establish an EWG to consider proposals on new substances to be added to the list, prioritize substances to be submitted to FAO and WHO for evaluation, and consider proposals to remove substances from the list in light of new data.

CCFO27 was informed that JECFA had concluded the safety evaluation of 23 substances that were being considered for inclusion in the list of acceptable previous cargoes and that the complete reports of JECFA and the monographs would be published within the next 12-15 months. CCFO27 agreed to defer discussions on this item to CCFO28 at which time it would fully deliberate on the outcome of the JECFA evaluation, and to request the Codex secretariat to advise all members when the JECFA reports became available and to issue a Circular Letter requesting comments on the recommendations of JECFA 90 and 91 in order to facilitate discussions at CCFO28.

Chairperson’s comments:
CCFO appreciated the effort by the FAO and WHO for completing the safety evaluation of 23 substances in the list of acceptable previous cargoes by JECFA 90 and 91 despite the challenging circumstances posed by the pandemic. The complete reports of JECFA and the monographs are important for Members to understand the JECFA evaluation and its recommendations. As such, CCFO27 agreed to defer discussions to the next session when the JECFA reports and monographs are expected to be available.
## 1. General

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<td>Hilke Thordsen-Böhm and Anja Brönstrup</td>
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<td>6-10 March 2023</td>
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## 2. Overall comments

**Secretariat’s comments:**

Due to the COVID-19 pandemic, CCNFSDU42 was postponed from 2020 to 2021. CCNFSDU42 had an abridged agenda focusing on those items in the Step Process noting that work on the technological justification for several food additives would continue through an EWG and that consideration of emerging issues or new work proposals and the prioritization mechanism would be considered at CCNFSDU43. In the case of the review of the *Standard for follow-up formula* (CXS 156-1987), the Committee focused on the technical and other provisions on the understanding that the preamble and structure would be considered after all sections had been finalized (consistent with a decision of CCNFSDU41). CCNFSDU42 was successfully conducted as a virtual session and had high participation, both in number of delegations and number of participants. The session was constructive and productive as all items on the abridged agenda were discussed and consensually concluded. Despite the postponement of CCNFSDU42 and the heavy workload of the committee, the work is on track and there is very good progress. The Committee had effectively utilized the period to progress work in the EWGs, revised papers taking into account comments and circulation for additional rounds of comments. All papers were well articulated and had clear conclusions and recommendations. A webinar to prepare delegates to CCNFSDU42 was held in September 2021 to provide an update on work and the key issues related to the review of the *Standard for Follow-up Formula*, Guidelines for ready-to-use therapeutic foods (RUTF) and General Principles for the establishment of NRVs-R for persons aged 6 – 36 months. The Codex Secretariat is particularly thankful to the EWG chairs for assisting with analyzing comments, revising documents and/or preparing new proposals so as to effectively use the additional time available due to the postponement of CCNFSDU from 2020 to 2021.

**Chairperson’s comments:**

Despite the ongoing pandemic, work in CCNFSDU progressed well. Overall, the virtual mode worked well, even in the discussion of sensitive issues. The first virtual meeting of CCNFSDU42 constituted a huge challenge both in terms of resources and agenda items. In the light of the many topics currently dealt with by CCNFSDU and with the aim to achieve as much progress as possible on the more comprehensive topics on CCNFSDU’s agenda, it was decided to proceed with an abridged agenda focusing on the revision of the *Standard for Follow-up Formula* and the guidelines for RUTF. This approach reached its intended goal, as CCNFSDU agreed to send the guidelines for RUTF to CAC45 for adoption and as good progress was reached on all but two outstanding aspects of the draft revised *Standard for Follow-up Formula*.

However, there is room for improvement. Adjustments are especially needed when it comes to contributions to the discussion from Member countries and observers. For virtual meetings, Codex still needs to find a working mode in which their participation is more balanced. It should be avoided that the impression arises that the decision-building process is determined by few (usually observing) participants because only they speak in an extensive and repetitive manner, while those who (want to) advance the process with their willingness to compromise do not participate due to the principle of “agreement through silence”. This has caused delays in the discussions and dissatisfaction among compromise-seeking Member countries because of their impression that their contributions - agreement through silence - are not sufficiently recognized.
### 3. Status of work items

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<td><strong>For decision by the Commission</strong></td>
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<tr>
<td>10. Guidelines for Ready-to-Use Therapeutic Foods (RUTF)</td>
<td>N05-2016</td>
<td>2020</td>
<td>Adoption at Step 8</td>
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<tr>
<td><strong>For monitoring</strong></td>
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</table>
  - Section A: scope, description, essential composition and labelling; and remaining sections  
  - Section B: scope, description, essential composition and labelling; and remaining sections  
  - Methods for measuring sweetness of carbohydrate sources  
  - Preamble and structure | N07-2013 | 2022 | Step 7/4 |
| 12. General Principles for the establishment of NRVs-R for persons aged 6 – 36 months / pilot NRVs-R | | 2025 | Step 2/3 |
| **For information** | | | |
| 13. Prioritization mechanism / emerging issues or new work proposals | Redrafting / reviewing | | |
| 14. Technological justification for several food additives | Ongoing | | |
4. Specific comments

10. Guidelines for Ready-to-Use Therapeutic Foods (RUTF), paragraph 126, Appendix II

Secretariat’s comments:
CAC43 had adopted the Guidelines for Ready-to-Use Therapeutic Foods (RUTF) at Step 5, noting that the following issues remained unresolved, i.e. the preamble, and the compositional requirements for the essential fatty acids and magnesium.

CCNFSDU42 finalised its work on the Guidelines for adoption at Step 8 by CAC45 successfully resolving the outstanding issues. The Guidelines provide a clear definition for RUTF, conditions for its use, guidance on suitable raw materials and ingredients, the nutritional composition, labelling and safety requirements.

One of the key issues for discussion was the preamble to the Guidelines which was aimed at providing the overall context of the Guidelines. It was agreed to make direct reference to the actual text in the 2007 Joint Statement of WHO, WFP, UNSCN, and UNICEF, which sets the framework for the Guidelines on RUTF. All other concepts and technical information from other reference documents were directly incorporated into the text of the Guidelines. This approach was considered consistent with the advice of CCEXEC75 and CCEXEC78.

Endorsement status:
CCFL endorsed the labelling provisions with a recommendation to consider a reference to the Guidelines for Use of Nutrition and Health Claims (CXG 23-1997).
CCFA endorsed the food additives provisions.
CCNFSDU42 agreed to forward to CAC45 the draft guidelines for adoption at Step 8. The format and presentation as well as language is according to Codex style.

Chairperson’s comments:
CCNFSDU42 dedicated quite some time to the outstanding issues of the draft Guidelines for Ready-to-Use Therapeutic Foods (RUTF), which was used for constructive discussions in particular concerning the preamble and the compositional requirements for essential fatty acids. As a result, CCNFSDU42 was able to finalise the draft RUTF Guidelines and to forward them to Step 8 for adoption by CAC45. This was possible thanks to the delegates’ constructive collaboration as well as the intense and continuously well-founded work on these guidelines, in particular by the members of the former EWG, its Chair and Co-chairs as well as UNICEF and WHO.

11. Review of the Standard for Follow-up Formula (CXS 156-1987), Paragraph 12-99, Appendices III and IV

-Section A (Follow-up formula for older infants): scope, description, essential composition and labelling; and remaining sections
-Section B (Drink for young children with added nutrients or product for young children with added nutrients or drink for young children or product for young children): scope, description, essential composition and labelling; and remaining sections
-Methods for measuring sweetness of carbohydrate sources
-Preamble and structure

Secretariat’s comments:
CCNFSDU42 completed its discussions on all remaining sections, i.e. Labelling provision 9.6.5 of section A: follow-up formula for older infants;
the scope, description and labelling provisions for Section B (drink or product for young children with added nutrients or drink or product for young children),
the sections on purity requirements; vitamin compounds and mineral salts; consistency and particle size; specific prohibitions; food additives (including flavourings); contaminants; hygiene and methods of analysis and sampling for both sections A and B;
other technical issues related to protein and available carbohydrates, taking into account the work of the joint FAO/WHO Expert Meeting on Nitrogen to protein conversion factors for soy-based and milk-based ingredients used in infant formula and follow-up formula; and feedback from CCMAS, respectively.

With the discussions and decisions at CCNFSDU42 on the aforementioned, all work on the technical part
of the Standard has been completed and is being held either at Step 4 or 7 in order to advance the entire Standard to CAC for adoption once the work on the preamble and structure has been completed. CCNFSDU will still consider at its next session appropriate methods for assessing conformity to one of the provisions for carbohydrate (relating to measuring sweetness).

CCNFSDU42 agreed that CCNFSDU43 would consider the preamble and structure of the Standard based on a discussion paper to be prepared by New Zealand.

In view of the above and the decision to hold CCNFSDU43 in March 2023, it is envisaged that the work on the Standard for follow-up formula will only be completed by 2023. CCEXEC is therefore requested to extend the deadline for completion of the work until 2023.

**Status of endorsements**

Labelling provisions have been endorsed by CCFL45 and CCFL46.

Food additives: No endorsement necessary. Food additives included in the revised Standard have been previously endorsed and already submitted to CCFA as part of its alignment work. However, CCNFSDU42 will inform CCFA regarding the relevant changes to food additive provisions in the Standard for Follow-up Formula (e.g., the provisions for flavourings)

**Chairperson's comments:**

CCNFSDU42 dedicated quite some time to this agenda item and good progress was reached, despite the fact that several contentious issues had to be solved. It is important that provisions of a standard are both clear and enforceable. In that regard, discussions also addressed an issue where feedback was sought from CCMAS. There was divergence in the understanding of CCMAS’ reply, so some time needed to be dedicated to achieve a common understanding of the exact meaning and the implications of CCMAS’ answer. The lesson learnt is that the communication with another Committee in writing only may not suffice to provide enough detail to enable a focused discussion in that Committee and to interpret the answer received.

The text of the preamble and the structure of the Standard are outstanding issues. It is hoped that one session will suffice to reach consensus on these sensitive topics. There may also be discussions on the general structure of Section B, as four names have been agreed upon for the food covered by Section B (drink or product for young children with added nutrients or drink or product for young children), yet their specific order or how this should generally be dealt with in a standard has not been the focus of discussions.

The German host secretariat had initially aimed to also hold CCNFSDU43 before CAC45, to make up for the year lost due to the pandemic. However, as this proposal was not taken up by the Codex Secretariat, the deadline for completion of this work will need to be extended by one to two years.

### 12. General Principles for the establishment of NRVs-R for persons aged 6–36 months / pilot NRVs-R, paragraphs 170–171

**Secretariat's comments:**

CCNFSDU42 agreed to continue its work on NRVs-R for persons aged 6–36 months and to re-establish the EWG to finalize the General Principles for establishing NRVs-R for persons aged 6 to 36 months including presenting the new structure for Annex 1 in Guidelines for Nutrition Labelling (CXG 2-1985), taking account of discussion at the session and any written comments submitted, for circulation for comments and consideration by CCNFSDU43. CCNFSDU42 furthermore agreed to pilot the draft General Principles on the following nutrients: vitamin B12, iodine, vitamin B6, riboflavin and, if time permits, thiamine, niacin and vitamin C. The work will take into account the FAO scientific report on Review of derivation methods for dietary intake reference values for older infants and young children.

**Chairperson’s comments:**

CCNFSDU42 saw detailed discussions on the General Principles for establishing Nutrient Reference Values – Requirement (NRVs-R) for persons aged 6 to 36 months. These discussions were necessary and useful to pave the way for the further work in this area. It is planned that discussions will continue at CCNFSDU43 and that, at the same time, proposals for NRVs-R for selected nutrients be discussed with the aim to pilot the draft General Principles for establishing NRVs-R for persons aged 6 to 36 months.

The work is on track and exchange with FAO and WHO is taking place to benefit from their joint work on the update of FAO’s/WHO’s nutrient requirements for infants and young children aged 0–36 months and to avoid any unnecessary duplication of work.

### 13. Prioritization mechanism / emerging issues or new work proposals, paragraphs 174

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<tr>
<td><strong>13. Prioritization mechanism / emerging issues or new work proposals, paragraphs 174</strong></td>
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</table>
Secretariat’s comments:
CCNFSDU42 agreed to establish an EWG to revise the draft guideline for the preliminary assessment and identification of work priorities for CCNFSDU as well as the proposed criteria taking into account the written comments received by the CCNFSDU Secretariat as well as the comments and decision made at CCNFSDU41 for the development of a long-term work prioritization mechanism. CCNFSDU42 furthermore agreed to prepare a revised proposed prioritization mechanism for use on a trial basis for consideration by CCNFSDU43.

Chairperson’s comments:
CCEXEC75 requested CCNFSDU to consider a prioritization mechanism to better manage its work. CCNFSDU41 welcomed a discussion paper prepared by the host country Germany along with comments on the development of such a prioritization mechanism. CCNFSDU42 then agreed to establish an EWG, chaired by the host country Germany and co-chaired by Canada, to revise the draft guideline for the preliminary assessment and identification of work priorities for CCNFSDU as well as the proposed criteria. Given the huge workload of CCNFSDU and the complexity of its tasks, a structured approach is indispensable when it comes to decide on new work. Once established, it is expected that the prioritization mechanism will not only help the Committee to focus its work on the most important and emerging issues but will also shorten the discussions on new work proposals in the plenary.
1. General

<table>
<thead>
<tr>
<th>Committee</th>
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<td>Host</td>
<td>USA</td>
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<td>Chairperson</td>
<td>Emilio Esteban</td>
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<td>Session reported on</td>
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<td>Report</td>
<td>REP22/FH</td>
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2. Overall comments

**Secretariat’s comments:**

Due to the COVID-19 pandemic, the 52nd Session of the Codex Committee on Food Hygiene (CCFH52) was postponed from November 2020 to February/March 2022. CCFH52 was successfully conducted as a virtual session and had high participation, both in number of delegations and number of participants. An abridged agenda was established for the session which focused on work in the step process and the related scientific advice with items on previously defined discussion papers and forward work-planning put on hold to be considered by the subsequent session. The session was constructive and productive as all agenda items were discussed and consensually concluded. Despite the postponement of CCFH52, the work is on track and there is very good progress. The Committee had effectively utilized the period prior to CCFH52 to progress work in the EWGs, and to revise papers taking into account comments and circulation for additional rounds of comments. All papers were well articulated and had clear conclusions and recommendations. A working group on the Guidelines for the control of STEC in raw beef, fresh leafy vegetables, raw milk and raw milk cheeses and sprouts to prepare delegates and help build consensus was held prior to CCFH52. All the aforementioned approaches ensured that CCFH52 could finalize and forward to CAC45 two Codex texts for final adoption.

While discussion papers and the forward workplan were not considered by this session, CCFH52 reaffirmed the value of the strategic approach provided by the forward workplan and established a working group on CCFH Work Priorities to be held in conjunction with CCFH53 to consider any proposals for new work and update the committee’s forward work plan.

CCFH52 also expressed appreciation for the extensive scientific work that had continued to be developed over the past two years and noted the importance of both the reports and engagement with the JEMRA secretariat to facilitate use of the scientific advice.

Although the Committee did not meet physically between CCFH51 (November 2019) and CCFH52 (February 2022) due to the COVID-19 pandemic, it was still very productive during this extended period of time in the active EWGs on Outbreaks, Decision Tree (for the General Principles of Food Hygiene), STEC and Water. For a Committee that has traditionally met annually, having so much time between meetings presented some new challenges, but the nice camaraderie that has always existed among delegates in this Committee extended to working virtually. This was obvious in terms of the extensive progress made on the working documents as well as the high level of preparation of the EWG Chairs and delegates. For this reason, CCFH52 was able to recommend final adoption of the Guidelines for the Management of Biological Foodborne Outbreaks and the Proposed draft revision to the General Principles of Food Hygiene (inclusion of tools for determination of CCPs (e.g. Decision Tree) to CAC45.

Last time I stated that I felt very proud to say that the Members of CCFH in collaboration with the Secretariat, FAO and WHO representatives made the work fun and successful; the fact that we were all able to do it in a virtual environment makes me even more proud and excited for the future of this Committee.
### Status of work items

<table>
<thead>
<tr>
<th>Topic</th>
<th>Job No</th>
<th>Target year</th>
<th>Recommendation of the Committee</th>
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<tbody>
<tr>
<td><strong>For decision by the Commission</strong></td>
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<tr>
<td>15. Draft Guidelines for the Management of Biological Foodborne Outbreaks</td>
<td>N05-2018</td>
<td>2021</td>
<td>Adoption at Step 8</td>
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<tr>
<td>16. Proposed draft revision to the General Principles of Food Hygiene</td>
<td>N03-2016</td>
<td>2021</td>
<td>Adoption at Step 5/8</td>
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<td>17. Proposed Draft Guidelines for the Control of Shiga Toxin-Producing <em>Escherichia coli</em> (STEC) in Raw Beef, Raw Milk and Raw Milk Cheeses, Fresh Leafy Vegetables, and Sprouts</td>
<td>N02-2019</td>
<td>2024</td>
<td>Step 2/3</td>
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<tr>
<td>18. Proposed Draft Guidelines for the Safe Use and Reuse of Water in Food Production</td>
<td>N05-2020</td>
<td>2024</td>
<td>Step 2/3</td>
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<td><strong>For information</strong></td>
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<td>19. Discussion paper on the Revision of the Guidelines on the Application of General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood (CXG 73-2010)</td>
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<td>To be developed for CCFH53</td>
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<tr>
<td>21. Scientific advice requests to JEMRA on the following:</td>
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<td>Scientific advice requested</td>
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<tr>
<td>a. Additional scientific advice to support the work related to the guidelines for the safe use and reuse of water in food production</td>
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<td>b. <em>Salmonella</em> and <em>Campylobacter</em> in chicken meat</td>
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<td>c. A full farm to table risk assessment for <em>Listeria monocytogenes</em> in foods</td>
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<td>22. Facilitation of consideration of the JEMRA outputs in the ongoing CCFH work</td>
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</table>
4. Specific comments

14. Draft Guidelines for the Management of Biological Foodborne Outbreaks, paragraph 31, Appendix II

Secretariat’s comments:
CAC43 had adopted the Guidelines at Step 5 and the EWG had effectively utilized the extended period following CCFH51 to further the work, including issuing several Circular Letters and amending the text in response to comments received. It was noted that the title had been changed from “Guidance” to “Guidelines” for consistency with other similar CCFH texts and that no major issues remained. Following a constructive discussion and editorial amendments, CCFH52 agreed to forward the draft guidelines to CAC45 for adoption at Step 8.

While the work was scheduled to be completed in 2021, this was not possible due to the postponement of CCFH52. However, its progression at this session means that it has been completed at the first available opportunity and therefore could be considered on track. The format and presentation as well as language is according to Codex style.

Chairperson’s comments:
I am pleased that the Committee was able to come to consensus and finalize the draft Guidelines for the Management of Biological Foodborne Outbreaks at CCFH52 for final adoption by CAC45. While COVID-19 is not a foodborne virus, the fact is that some of the most relevant foodborne illnesses are caused by viruses. Having a Codex document that complements all the other great guidance that WHO and FAO have available will only improve the response and coordination of any contamination event.

15. Proposed draft revision to the General Principles of Food Hygiene, paragraph 52, Appendix III

Secretariat’s comments:
CCFH51 had agreed that a decision tree be drafted for comment and consideration by CCFH52. A small group of countries (Brazil, Honduras, Jamaica and Thailand) led by Brazil had taken this work forward and comments on proposals had been sought through two Circular Letters. A revised proposal, based on the comments received was considered by CCFH52. An extensive discussion considered both the role of a decision tree as well as the technical content, highlighting some of the challenges with developing decision support tools but ultimately leading to the, introduction of a number of amendments and a revised text. CCFH52 agreed to forward to CAC45 for adoption at Step 5/8 their revised “Tools to Determine the Critical Control Points (CCPs)” to CAC45 for adoption at Step 5/8 for subsequent inclusion as Annex 2 in the General Principles of Food Hygiene (CXC 1-1969) (Appendix III, part A); and the consequential amendment to Section 3.7 of Chapter two of CXC 1-1969 to cross-reference Annex 2 (Appendix III, part B).

While the work was scheduled to be completed in 2021, this was not possible due to the postponement of CCFH52. However, its progression at this session means that it has been completed at the first available opportunity and therefore could be considered on track. The format and presentation as well as language is according to Codex style.

Chairperson’s comments:
Although it took the Committee some time to come to a consensus on the content of the sample decision tree(s), I am pleased that this was resolved. At CCHF52, the Committee agreed to forward the tools for determination of CCPs to CAC45 for final adoption at Step 5/8 and inclusion as an annex to the General Principles of Food Hygiene (GPFH) (CXC 1-1969), along with a consequential amendment in CXC 1-1969 to reference the annex. The revision of the GPFH is now complete.

16. Proposed Draft Guidelines for the Control of Shiga Toxin-Producing Escherichia coli (STEC) in Raw Beef, Raw Milk and Raw Milk Cheeses, Fresh Leafy Vegetables, and Sprouts, paragraph 69

Secretariat’s comments:
CCFH51 had considered an initial draft and agreed on the scope and names of commodities to be included in the Guidelines and its annexes and had also requested scientific advice to support the work. JEMRA had convened several expert meeting meetings in 2020 (raw beef and raw milk) and 2021 (leafy vegetables and sprouts) to address the requested scientific advice on this topic. There was a detailed presentation on that work at the pre-session working group but as the reports of all these expert meeting had not been finalized, some of advice has yet to be considered in the development of the guidelines. Nevertheless, the EWG had utilized the extended period following CCFH51 to prepare a revised version of the General Section and
three of the commodity annexes. A pre-session working group meeting discussed and agreed on some of the outstanding issues identified by the EWG and CCFH52 provided further guidance on key questions that had been identified by the EWG. As further work was needed to incorporate this feedback CCFH52 agreed to return the proposed draft document to Step 2/3 for redrafting and circulation for comments.

CCFH52 also agreed to establish an EWG to update the General Section and the Annexes on Raw Beef, Fresh Leafy Vegetables, and Raw Milk and Raw Milk Cheeses, draft an annex on Sprouts describing interventions relevant to control of STEC, and review the relevant JEMRA reports with respect to control of STEC and incorporate appropriate interventions and other changes into the annexes and general part as appropriate. The availability of the reports of the JEMRA work was highlighted as an important element for completion of the Guidelines, but for the now the work can considered to be on track.

**Chairperson's comments:**

This activity is progressing nicely with very good engagement by the Co-chairs and delegates, but will definitely require inclusion of work currently being conducted by JEMRA. (Work previously conducted by CCFH on *Salmonella* used a similar approach very successfully.)

The EWG worked very effectively during our two-year hiatus and a good amount of progress was made at CCFH52. The Committee agreed to establish an EWG to update the General Section and the annexes on Raw Beef, Fresh Leafy Vegetables, and Raw Milk and Raw Milk Cheeses and to develop an annex on Sprouts.

I am confident that the upcoming two-day Virtual Working Group in June 2022 will further help develop the work so that the document (general section plus perhaps some of the annexes) can be advanced in the step process at CCFH53 (November 2022). However, it is imperative that we include JEMRA advice before final adoption of the text. The JEMRA consultation is key and likely some adjustments to the timeline may be required.

Since CAC45 will meet immediately prior to CCFH53, whatever recommendations come out of CCFH53 will be considered at CAC46.

### 17. Proposed Draft Guidelines for the Safe Use and Reuse of Water in Food Production, paragraph 93

**Secretariat’s comments:**

CCFH51 had agreed to undertake this new work, which was subsequently approved by CAC43, and tasked an EWG to develop the guidelines. The draft developed consisted of a General Part, and two annexes, one on Fresh Produce and another on Fishery Products. A third annex on the dairy sector from milk harvest to manufacturing is yet to be elaborated.

CCFH52 following a constructive discussion agreed to return the proposed draft document to Step 2/3 for redrafting, and circulation for comments and re-established the EWG to progress this work. CCFH52 also agreed that the EWG co-Chairs and FAO/WHO would schedule regular communications to facilitate consideration of the JEMRA outputs and get advice on any relevant issues in the document, thereby facilitating the further development of the guidelines. Currently the work can be considered being on track.

**Chairperson’s comments:**

This is very important new work the Committee has undertaken. Water is a key element in food production and we need consistency and clarity on the use of terminology, actual use, and scope of hazards. CCFH will limit its work to biological contaminants, but cannot ignore the relevance of chemical hazards; as such, we will inform CCCF of our work. Key to the success will be the ability to integrate the work from JEMRA into our discussion.

Given the limited time we had at CCFH52 due to the virtual nature of the meeting, there was little discussion about specific aspects of the Guidelines, which consist of a General Section and annexes on Fresh Produce and Fishery Products. An additional annex on the Dairy Sector is also expected to be developed. However, the Committee was able to come to consensus on a critical point - use of the term “potable” water instead of “drinking water” throughout the document.

### 5-8. Items for information, discussion papers, scientific advice and forward work planning, paragraphs 93iii, 98, 99 and 105i,ii
## Secretariat's comments:

CCFH52 considered these items together under other business and future work as it was working with an abridged agenda and on this occasion was not in a position to have a working group meeting on forward work planning. Nevertheless, the ongoing importance of forward planning was emphasized and commitments to prepare discussion papers on the revision of the *Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food* (CXG 79-2012) and the revision of the *Guidelines on the Application of General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood* (CXG 73-2010) were reaffirmed and will be considered by CCFH53. Also, to facilitate future workplanning, CCFH52 made several requests for scientific advice to JEMRA and the interlinkage between the availability of scientific advice and the work of the committee was well recognized. In the context of workplanning a working group on work priorities was established and would meet in conjunction with CCFH53.

## Chairperson's comments:

*Guidelines on the Application of General Principles of Food Hygiene to the Control of Pathogenic Vibrio Species in Seafood* (CXG 73-2010)

As part of the CCFH forward workplan, Japan (with the assistance of New Zealand) will take initial steps to prepare a discussion paper. Given our history with these two delegations and the superb quality of prior work, I expect the CCFH will be ready to discuss the relevance and ranking of this new work proposal at CCFH53. The original guidelines are over 10 years old, and we have learned much more about *Vibrio* spp. Look forward to this activity.

*Guidelines on the Application of General Principles of Food Hygiene to the Control of Viruses in Food* (CXG 79-2012)

As part of the CCFH forward workplan, Canada will take initial steps to prepare a discussion paper. I expect that CCFH will be ready to discuss the relevance and ranking of this new work proposal at CCFH53. Foodborne illness caused by viruses is most relevant worldwide and an update to our current text is called for. Also look forward to engaging in this activity.