



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON FATS AND OILS

Twenty-Sixth Session

Kuala Lumpur, Malaysia, 25 February- 01 March 2019

DISCUSSION PAPER ON BETTER MANAGEMENT OF THE WORK OF THE CODEX COMMITTEE ON FATS AND OILS

(Prepared by CCFO Secretariat)

BACKGROUND

1. CCEXEC70 agreed to recommend to all Committees to consider the need to develop an approach for the management of their work similar to that used by CCFH (while recognising the differences in topics, working procedures, etc. among various committees).
2. CCFO25 discussed the monitoring of standards development under CCFO. The Chair noted that the *Criteria for the establishment of work priorities* in the Procedural Manual as well as the requirements for addition of fats and oils to standards, developed by CCFO16, were sufficient for the purpose of developing standards for new fats and oils. However, she was of the opinion that there is a need to develop guidance to address other aspects of CCFO work such as revision of parameters or inclusion of new parameters and editorial amendments to existing fats and oils standards. In her view, such guidance would benefit Codex members in developing and submitting appropriate work proposals and improving the management of CCFO work.
3. Delegations generally agreed that the Procedural Manual provided CCFO with sufficient guidance on prioritization and management of its work; however, there was also general agreement with the Chair's view that there is still a need for guidance for the management of proposals on amendments to existing Standards. Delegations further commented that some aspects of the CCFH approach to manage its work could be relevant to CCFO such as mechanisms to review older Standards and requesting proposals for new work through a Circular Letter (CL).
4. CCFO25 agreed that:
 - i) there was no need to develop new criteria similar to that of CCFH in view that there is sufficient guidance for the prioritization and management of its work;
 - ii) for the purpose of developing standards for new fats and oils, current guidance in the Procedural Manual and requirements set out in CCFO16 are adequate and will continue to be applied; and
 - iii) CCFO Secretariat (Malaysia) would prepare a discussion paper on the guidance needed for revision of parameters or inclusion of new parameters and editorial amendments to existing fats and oils standards, for consideration at its next session. The paper would take into account comments made at the session.
5. CCEXEC73 noted that CCFO26 (2019) would consider specific guidance for consideration of proposals addressing specific aspects of its work, other than the development of new standards and/or the inclusion of new vegetable oils or animal fats in the standard. CCEXEC73 also noted although CCFO work was progressing well, the Committee's overall workload remained significantly heavy.
6. CCEXEC73:
 - welcomed the initiative of CCFO to develop additional guidance for the revision of parameters of, inclusion of new parameters in and editorial amendment of existing fats and oils standards and recommended that CCFO consider whether a simplified project document or procedure would expedite such work; and
 - recommended that CCFO consider developing a mechanism (e.g. forward plan) to better manage its agenda.

PURPOSE OF THE DISCUSSION PAPER

7. This paper is in response to the need to provide additional guidance for amendments of existing fats and oils standards and mechanism to better manage its agenda, as recommended by the CCEXEC73.

8. To achieve this, this paper provides a situation analysis in relation to the areas of work identified by CCEXEC73 and identify areas for improvements, and make recommendations for improvement.

SITUATION ANALYSIS AND IDENTIFICATION OF AREAS FOR IMPROVEMENT

Amendment to the existing fats and oils standards:

(i) Revision of existing parameters and inclusion of new parameters

9. In the Procedural Manual under the *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts*, amendment means any addition, change or deletion of text or numerical values in a Codex standard or related text.

10. Many proposals for amendments have been considered by CCFO. These include revision of existing parameters and inclusion of new parameters.

11. CCFO had examined each request for amendment against the details required in the project document according to the Procedural Manual:

- the purpose and the scope of the amendment;
- its *relevance* and timeliness;
- the main aspects to be covered;
- an assessment against the Criteria for the Establishment of Work Priorities:
 - consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries;
 - volume of production and consumption in individual countries and volume and pattern of trade between countries;
 - diversification of national legislation and apparent resultant or potential impediments to international trade;
 - international or regional market potential;
 - amenability of the commodity to standardization;
 - coverage of the main consumer protection and trade issues by existing or proposed general standards;
 - number of commodities which would need separate standards indicating whether raw, semi-processed or processed;
 - work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies);
- relevance to the Codex strategic objectives;
- information on the relation between the proposal and other existing Codex documents as well as other ongoing work;
- identification of any requirement for and availability of expert scientific advice;
- identification of any need for technical input to the standard from external bodies so that this can be planned for;
- *the* proposed time-line for completion of the new work, including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

12. These requirements of the project document in the Procedural Manual are applicable to both proposals for establishment of new standards and/or the inclusion of new fats or oils in the standard as well as amendments to existing fats and oils standard.

13. However, some of the requirements of the project document are only needed to justify establishment of new standards on fats or oils but are not relevant for proposals to amend existing standards i.e. revision of existing parameters and inclusion of new parameters.

14. Those requirements which are deemed not relevant for proposals to amend existing standards are as follows:

- *volume of production and consumption in individual countries and volume and pattern of trade between countries*
- *international or regional market potential*
- *amenability of the commodity to standardization*
- *number of commodities which would need separate standards indicating whether raw, semi-processed or processed*

15. These requirements are not applicable to fats and oils for which standards have been established and these fats and oils are being traded internationally. It is therefore not necessary for CCFO to spend time reviewing requirements that are not necessary for proposals to amend existing standards which may hamper the process of examining such proposals.

16. Therefore, it is necessary to expedite the examination of proposals for amendments i.e. revision of existing parameters and inclusion of new parameters by providing guidance for the submission of such proposals in the form of a simplified project document.

17. However in certain circumstances, CCFO may decide to include some or all of the requirements as in paragraph 14 in the simplified project document. For example, applications involving new varieties of oils may require volume of production and consumption in individual countries and volume and pattern of trade between countries.

(ii) Editorial Amendment

18. In the Procedural Manual under the *Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts*, amendment may also be of editorial nature and include but not limited to:

- correction of an error;
- *insertion* of an explanatory footnote; and
- updating of references consequential to the adoption, amendment or revision of Codex standards and other texts of general applicability, including the provisions in the Procedural Manual.

19. The Procedural Manual already provides clear guidance on editorial amendment. If the proposal of amendments is of editorial nature, the preparation of project document is not required.

Management of agenda of the Codex Committee on Fats and Oils

20. In line with the recommendation of CCEXEC73 for CCFO to consider developing a mechanism (e.g. forward plan) to better manage its agenda, this paper will also provide a situational analysis of CCFO work process and identify possible areas for improvement.

21. Over the last five sessions, the workload of CCFO has been increasing and the overall workload of the Committee is high with an average of 20 items per session. This workload comprises mainly of proposals to establish new standards and/or the inclusion of new vegetable oils or animal fats in the standard, and amendments (revision of existing parameters, inclusion of new parameters and editorial amendments) to the existing fats and oils standards.

22. Other than editorial amendment, CCFO has been examining these work proposals in detail in the plenary that entails screening for its completeness against the required criteria, evaluating the work proposals and making decisions. This process is tedious and takes up a great deal of time in the plenary. It would be more productive for the plenary sessions to focus on evaluating the work proposals and making decisions rather than screening for the completeness of the proposals.

23. In this respect, improvement to current CCFO work process needs to be made to better manage its agenda. It is proposed that in-session working group be established at CCFO sessions to screen all work proposals including project documents to assess their completeness. The recommendations of the in-session working group will be submitted to the plenary for evaluation and decision.

24. In addition, in some CCFO sessions, some proposals were submitted late and members/observers did not have adequate time to consult and provide informed inputs. As a consequence, this late submission has also continued to contribute to the unnecessary increase in the workload of the session.

25. To overcome this problem, any work proposal should be submitted in response to the CL.

RECOMMENDATIONS

26. In order for CCFO to better manage its work, CCFO26 is invited to consider these proposals:
- i) CCFO to use a simplified project document for submission of proposals for amendment i.e. revision of existing parameters and inclusion of new parameters, as in Appendix I. However in certain circumstances, CCFO may decide to include some or all of the requirements as in paragraph 14 in the simplified project document;
 - ii) Members to submit work proposals in response to the CL;
 - iii) CCFO to establish an in-session working group at CCFO sessions to screen all work proposals including project documents to assess their completeness with Terms of Reference as in Appendix II; and
 - iv) CCFO to have a standing agenda item in every session of the CCFO to consider new work proposals.

Appendix I

SIMPLIFIED PROJECT DOCUMENT FOR PROPOSALS TO AMEND THE EXISTING FATS AND OILS STANDARDS INCLUDING REVISION OF PARAMETERS AND INCLUSION OF NEW PARAMETERS

1. Each proposal to amend the existing fats and oils standards including revision of parameters and inclusion of new parameters for the addition, change or deletion of text or numerical values in a Codex standard or related text shall be accompanied by a project document detailing:

- the purpose and the scope of the amendment;
- its relevance and timeliness;
- the main aspects to be covered;
- an assessment against the Criteria for the Establishment of Work Priorities:
 - consumer protection from the point of view of health, food safety, ensuring fair practices in the food trade and taking into account the identified needs of developing countries;
 - diversification of national legislation and apparent resultant or potential impediments to international trade;
 - coverage of the main consumer protection and trade issues by existing or proposed general standards;
 - work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies);
- relevance to the Codex strategic objectives;
- information on the relation between the proposal and other existing codex documents as well as other ongoing work;
- identification of any requirement for and availability of expert scientific advice;
- identification of any need for technical input to the standard from external bodies so that this can be planned for;
- the proposed time-line for completion of the new work, including the start date, the proposed date for adoption at Step 5, and the proposed date for adoption by the Commission; the time frame for developing a standard should not normally exceed five years.

APPENDIX II**TERMS OF REFERENCE OF THE IN-SESSION WORKING GROUP ON SCREENING OF CCFO
WORK PROPOSALS**

- i. To screen the work proposals with project document or the proposed simplified project document as the case may be, on their completeness against the criteria in Codex Procedural Manual of the proposals for new work and decision of CCFO16, taking into account written comments received from members in relation to completeness of the proposals.
- ii. To prepare a report to be presented to the plenary to enable CCFO to evaluate and make a decision on the work proposals.