

Appendix II**PROPOSED DRAFT AFRICAN REGIONAL GUIDELINES FOR CODEX CONTACT
POINTS AND NATIONAL CODEX COMMITTEES****Table of Contents**

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These guidelines serve as recommendations for the Codex member countries in Africa.

The operations of Codex Contact Points and National Codex Committees will differ from country to country depending on national legislation, government structures and practice.

INTRODUCTION

Codex Alimentarius Commission is a joint Food and Agriculture Organisation (FAO) and World Health Organisation (WHO) programme responsible for compiling the standards, codes of practice, guidelines and recommendations that constitute the Codex Alimentarius. Its members consist of governments members of the United Nations organisation who subscribe to become its members.

Over the years, the Codex Alimentarius has become an important global reference point for consumers, food producers and processors, national food control agencies and all those involved in the international food trade. The code has had an enormous impact on the thinking of food producers and processors as well as on the awareness of the end users - the consumers. Its influence extends to every continent, and its contribution to the protection of public health and fair practices in the food trade is immeasurable.

The role of the Codex Alimentarius Commission has expanded with developments in food trade and the need for enhanced protection of public health. Codex standards are now reference standards in the World Trade Organisation (WTO) and are also being adopted by many countries as minimum food standards. Several countries are now realising the need to actively participate in the activities of the Codex Alimentarius Commission to effectively protect the rights and interests of their consumers and their traders.

The activities of the Codex Alimentarius Commission is immense in itself as it needs a critical balance of the interests of all stakeholders involved, namely the consumers, policy makers and those in the food trade industry. Codex activities at the national level are equally intricate as the varying interests of all stakeholders need to be taken on board even as the country's response on the Codex proposals are being formulated.

Creating standards that at once protect consumers, ensure fair practices in food trade and facilitate trade is a process that involves several stakeholders including consumers, food producers and traders among others.

Codex Contact Points and National Codex Committees are amongst the essential organs of the Codex Alimentarius Commission that enhances the active involvement of various stakeholders at the national level which translates to effective participation of Codex member countries in the activities of the commission, results of which are a credible food code.

This document outlines basic guidelines for the establishment, structure, functions and organisation of an effective Codex Contact Point and National Codex Committee. Should there be an existing Codex Contact Point and National Codex Committee, then these guidelines could serve to further improve on their efficiency.

CODEX CONTACT POINTS

DESCRIPTION

In order to facilitate efficient and effective communication and working relationship between the Codex Alimentarius Commission and the government, the commission recommends the establishment of a Codex Contact Point in every Codex member country.

The Codex Contact Point shall serve as the official link between the Codex Alimentarius and the respective member country. In essence, the Codex Contact Point shall serve as the official national communication agent (for and on behalf of the member country) to the Commission. This implies that all communication from the member country to the commission and vice versa shall go through the Codex Contact Point.

This does not however mean that the national Codex Contact Point shall usurp the governments' role in the Codex Alimentarius Commission. Since the activities of the Codex Alimentarius Commission affect and should include all relevant stakeholders such as consumers, food industry etc, the principal objective of the Codex Contact Point shall be to facilitate the member country's active and effective participation in the activities of the Codex Alimentarius Commission.

Just as the Codex Secretariat in Rome functions to facilitate the activities of the Codex Alimentarius Commission, so shall the Codex Contact Point operate as the national codex secretariat. The Codex Contact Point shall be headed by a competent and knowledgeable person in matters relating to Codex Alimentarius Commission objectives and functions. Additional staff can be engaged as per the needs and capability of each country. The person who heads the Codex Contact Point shall also serve as the secretary to the National Codex Committee.¹

FUNCTIONS

In order to meet her principal objective of facilitating the country's active and effective participation in the activities of the Codex Alimentarius Commission, the functions of the national Codex Contact Point shall include the following among others²;

- a) receiving all Codex communications, documents and publications from the commission;
- b) studying the documents and initiating relevant action either directly or through the National Codex Committee and/or the relevant sub-committee(s) or institution;
- c) maintaining a library of all Codex standards, Codes of Practice, Guidelines and any other documents and publications on or related to Codex;
- d) distribution of Codex documents, publications and other information to all stakeholders;
- e) serving as the country's link to the Codex Secretariat and other Codex member countries;
- f) any other task that shall be recommended by the NCC and/or the government.

¹See page 7

² Other possible functions of the Codex Contact Point as outlined in the Codex Alimentarius Commission Procedural Manual eleventh edition are in the annex.

LOCATION

Upon carefully reading and understanding the role and functions of the national Codex Contact Point, the decision on where to locate the Codex Contact Point basically rests with the respective member country.

This decision could either be made by the government and/or through consultation with the relevant stakeholders at the national level.

It is however common practice that the government takes up the responsibility to host the national Codex Contact Points since;

- Codex is an intergovernmental body and it is governments who take decisions at the Codex Alimentarius Commission with the expectation that they would interpret and implement them accordingly at the national level, hence it is more convenient that the government coordinate Codex activities;
- Looking at the functions³ and the requirements⁴, it is in most cases the government that is better placed to effectively host the Codex Contact Point;
- There is a need for the very possible neutrality in terms of meeting the basic Codex objective of protecting the health of consumers and ensuring fair practices in the food trade and the government is seen to be able to provide this.

If it is agreeable that the government hosts the Codex Contact Point, then a relevant or suitable ministry such as the Ministry of Health or Agriculture or a suitable government department or institution such as the National Bureau of Standards or the Government Chemist could serve as a good host.

Whichever the location of the national Codex Contact Point, it is desirable that the location meets the following criteria;

- is as neutral as possible as regards to all interested parties' involvement in the Codex work;
- is capable of performing the functions of the Codex Contact Point;
- accessible to all parties interested and/or those involved in the activities of Codex.

REQUIREMENTS⁵

Noting the functions of the Codex Contact Point, it is imperative that the selected/established Codex Contact Point be fully equipped and facilitated to effectively perform these functions.

³ See page 4 on functions

⁴ See page 6 on requirements

⁵ These requirements are not mandatory and/or exclusive and will differ from country to country depending on the available resources and needs.

The basic requirements for a Codex Contact Point could be;

- committed staff;
- adequate office space;
- communication facilities e.g. telephone, fax, email, postal address etc;
- stationary;
- printing and photocopying equipment e.g. computer, printer, photocopier etc.

NATIONAL CODEX COMMITTEE

Recognising the fact that there are many stakeholders within any Codex member country whose interests and concerns need to be taken on board while taking decisions at the Codex Alimentarius Commission meetings, it is essential that a National Codex Committee (NCC) be established. Codex Alimentarius Commission in some of her publications encourages Codex member states to establish National Codex Committees due to their vital functions. NCC provides a forum for discussions and for the formulation of the national position(s) and responses to Codex proposals or policy.

NCC also enables stakeholders with no international affiliation or exposure to represent their interests, or those groups unable to attend the international meetings an opportunity to discuss the meetings' agenda with their national delegation.

The primary objective of the National Codex Committee is therefore to act as a consultative group to the government on matters related to Codex.

Representatives from all relevant national bodies, including consumers organisations, business associations etc should be invited to attend the National Codex Committee to put forward their views for consideration and inclusion in the national negotiating position.

FUNCTIONS⁶

The functions of the National Codex Committee will vary from country to country owing to a number of reasons. The primary functions could however be;

- g) formulating the country response to the proposals of the Codex Alimentarius Commission;
- h) nominating delegates to represent the country at various Codex meetings;
- i) advising the government on the best possible decisions as regards Codex standards and their implementation;
- j) appoint such technical sub-committees as may be necessary for the country's effective participation in Codex;

⁶ These functions are not obligatory and/or exclusive.

k) undertake such other duties as may be advised by the government.

COMPOSITION AND STRUCTURE

Ideally all government departments and organisations concerned with food safety, food production and trade in food should be included in the National Codex Committee. Further, owing to the functions of the NCC, some scientific organisations such as public universities and research institutions and any other notable experts in the relevant field and with keen interest in Codex matters could be co-opted to the NCC.

An example of a National Codex Committee could include representatives from the following institutions;

1. Relevant Ministries/Government institutions such as:
 - Ministry of Health;
 - Ministry of Agriculture, Fisheries & Livestock;
 - Ministry of Trade and Industry;
 - Ministry of Consumer Protection,
 - National Bureau of Standards,
 - Government Chemist.
2. Consumers' Organisations;
3. Food Industry - Manufacturers [representatives from various sectors]
4. Traders in Food items e.g. importers and exporters;
5. University
6. Leading Research Institutions
7. Notable experts.

The NCC should however not be kept too large as to make it unmanageable. The NCC shall from amongst its membership elect a chairperson. The chairperson can be one representing any organisation or ministry. The position of the chairperson should be rotational may be on a two-year term. The responsibilities of the chairperson shall be decided by the NCC and may include conducting meetings of the NCC among others;

The person who serves as the head of the Codex Contact Point should also serve as the Secretary of the National Codex Committee. As a secretary to the NCC, his/her responsibilities shall be decided by the NCC and may include:-

- taking minutes at the NCC meetings;
- keeping all records relating to the activities of the NCC;
- drafting the agenda items and sending invitations to meetings in conjunction with the chairperson;
- undertaking such other duties as may be prescribed by the NCC and/or the government.

The NCC shall agree amongst herself on the basic operational procedures including the quorum and the schedule and procedure at her meetings. It is however recommended that the quorum for any meeting include a representative from all the key stakeholders such as the industry and the consumers. The documents should also be circulated as widely as possible and with ample time to enable those that are not able to attend any particular NCC meeting to submit their inputs which should be considered at the NCC meeting.

All sub-committees appointed by the NCC shall report to the NCC. Decisions at the NCC shall be reached by consensus and implemented by and as agreed at respective NCC meeting. Communication between the government and the NCC is conducted through the Codex Contact Point.

NOMINATION TO THE NATIONAL CODEX COMMITTEE

As there are several interested parties who would want to be involved in and to represent their constituents at the NCC, the procedure for nomination/inclusion into the NCC must be known, open and transparent. Whereas different countries could use different methods to select those to sit at the NCC depending on resources and structures available, it is recommended that the Codex Contact Point identify and lists all key stakeholders and invite them to the inaugural meeting of the NCC. The participants at this meeting would then identify and invite [through the secretary] other members to the NCC.

Ideally the intention to form the NCC could be advertised in the media and organisations requested to recommend nominees. The sitting NCC could form a small subcommittee to sort out the list of applicants and make a selection based on a NCC predetermined criteria for representation at on the NCC. Possible criteria for selection could include:-

- track record on food issues relevant in Code Alimentarius;
- reasonable prospects of continuous existence;
- expertise;
- availability to attend meetings and comment on Codex documents.

Participation at the NCC meetings should be reviewed annually and new members appointed to replace dormant members.

FUNDING

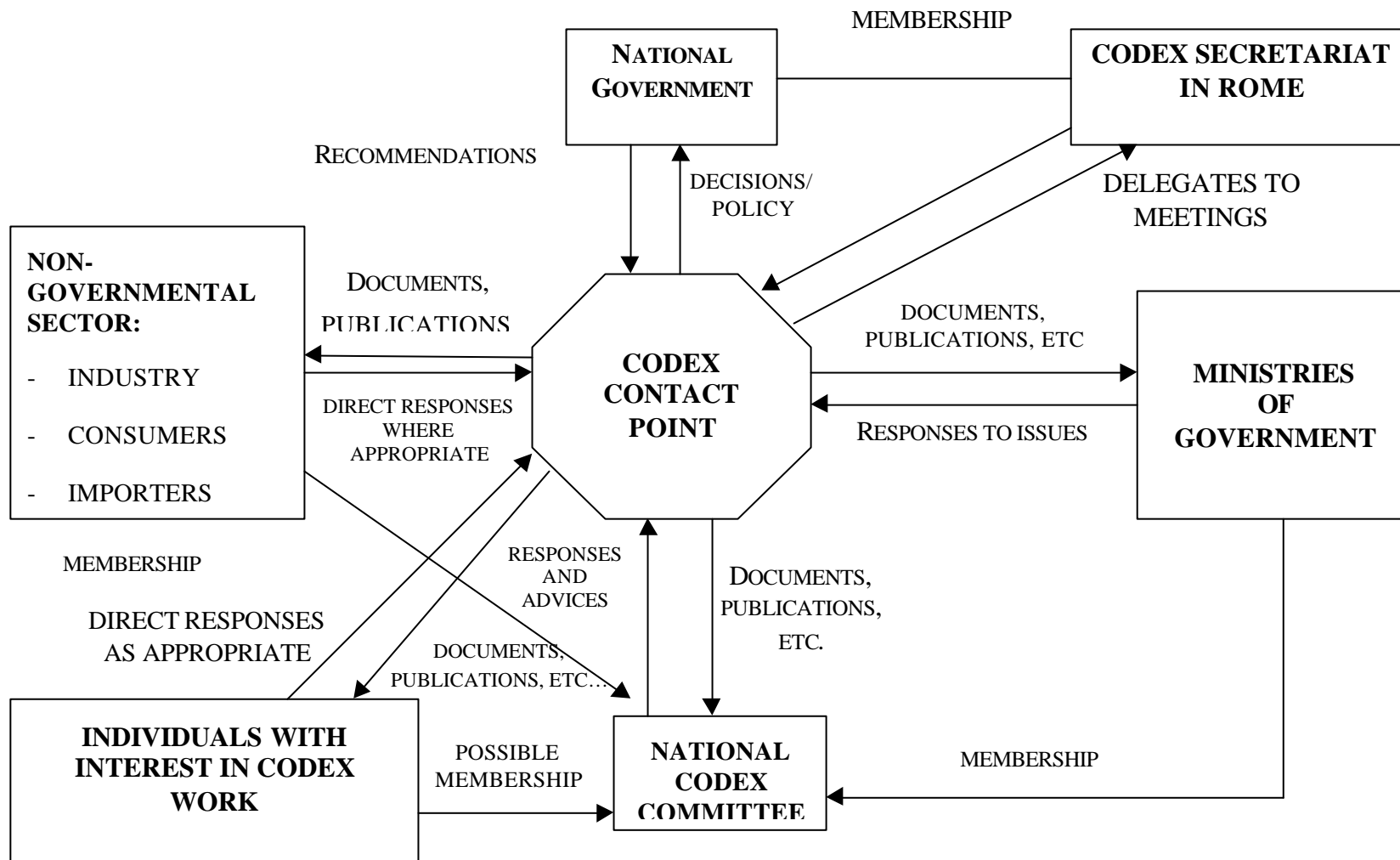
For the Codex Contact Point and the National Codex Committee to operate efficiently and effectively, there must be identified a sustainable source of funding for their activities. A secure source of funding for Codex work at the national level would enable prompt response/reactions on Codex proposals, timely and adequate preparation for Codex meetings, representation and effective participation at Codex meetings among other things.

The source of funding for running and/or for activities of the Codex Contact Point and the National Codex Committee must however be known to all members of the NCC. Any contributions must not be attached to any conditions so as to enable the two bodies operate effectively without fear or favour.

Besides the support from the government, the NCC could seek additional financial support for the activities of Codex through the Chairperson and/or the Codex Contact Point (Secretary) from well-wishers and stakeholders in the Codex work. Possible sources of support for the codex activities include;

- Central Government
- Foundations & Trust Funds
- Industry Levy
- UN Organisations e.g. WHO, FAO, UNDP
- International Organisations

Figure 1. Interrelationships within the Codex System



ANNEX

Core Functions of Codex Contact Points

The operation of Codex Contact Points will differ in each country depending on national legislation, government structures and practices.

1. Act as the link between the Codex Secretariat and Member countries;
2. Coordinate all relevant Codex activities within their own countries;
3. Receive all Codex final texts (standards, codes of practice, guidelines and other advisory texts) and working documents of Codex sessions and ensure that they are circulated to those concerned within their own countries;
4. Send comments on Codex documents or proposals to the Codex Alimentarius Commission or its subsidiary bodies and/or the Codex Secretariat;
5. Work in close cooperation with the National Codex Committee, where such has been established. The Codex Contact Point acts as the liaison point with the food industry, consumers, traders and all other concerned to ensure that the government is provided with the appropriate balance of policy and technical advice upon which to base decisions relating to issues raised in the context of the Codex work;
6. Act as a channel for the exchange of information and the coordination of activities within their own countries and with other Codex members;
7. Receive the invitations to Codex sessions and inform the relevant chairpersons and the Codex Secretariat of the names of participants from their own countries;
8. Maintain a library of Codex final texts; and
9. Promote Codex activities throughout their own countries.