



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
FAO/WHO COORDINATING COMMITTEE EUROPE**

Twenty seventh Session

Warsaw, Poland, 5 - 8 October 2010

USE OF CODEX STANDARDS AT NATIONAL AND REGIONAL LEVEL

Comments in reply to CL 2010/23-EURO – Part C

(i) Use of Codex standards and related texts at national and/or regional level

ARMENIA

The following Codex standards have been used (incorporated into the national legislation) in drafting technical regulations and national standards:

Technical Regulation on juices and juice product (Gov. Decree 1602-N, 13.12.2007)

[CODEX STAN 44-81, 45-81, 46-81, 47-81, 48-81, 49-81, 57-81, 64-81, 82-81, 83-81, 85-81, 101-81, 120-81, 121-81, 122-81, 134-89, 138-83, 139-83, 148-85, 161-89, 164-89, 179-91, 247-2005, 192-1995]

2. Technical Regulation on requirements for wheat, its production, storage, processing and re-processing (Gov. Decree 22-N, 11.01.2007)

[CODEX STAN 199-1995, 153-1985, 169-1989, 1-1985, 192-1995]

3. Technical Regulation on requirements for milk, dairy products and their production (Gov. Decree 1925-N, 21.12.2006)

[CODEX STAN 207-1999, 232-2001, 1-1985, 192-1995]

4. Technical Regulation on requirements for bottled mineral water (Gov. Decree 491-N, 30.04.2009)

[CODEX STAN 108-1981 (Rev. 1-1997)]

5. Jams and Jellies: General Technical Conditions (Armenian Standard 48-2007)

[CODEX STAN 192-1995, 79-1981]

6. Wheat Flour: General Technical Conditions (Armenian Standard 280-2007)

[CODEX STAN 152-1985 (amended 1-1995), 192-1995 (re-published in 2007 with 7 amendments)]

7. Animal Fats: General Technical Conditions (Armenian Standard 278-2007)

[CODEX STAN 211-1999, 192-1995]

8. Vegetable Oils: Olive Oils: General Technical Conditions (Armenian Standard 287-2007)

[CODEX STAN 210, 33-1981, 192-1995]

9. Order of the RA Minister of Health “On hygienic requirements for food raw and food safety and for nutritional value” N2-III-4.9-01-2010, 10.03.2010

CROATIA

Croatia is a candidate country to join EU and has the obligation to harmonize Croatian legislation with the European legislation.

CZECH REPUBLIC

Codex Alimentarius standards are implemented to the EU legislation, Czech national legislation a Czech standards.

EUROPEAN UNION

The international framework as regards food safety has developed significantly through the enhanced role of certain international organisations such as the Codex Alimentarius, the International Plant Protection Convention (IPPC) and the World Organisation for Animal Health (OIE) under the World Trade Organisation Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement), the World Health Organisation (WHO) and the Food and Agriculture Organisation (FAO).

By engaging more resources through its accession to the Codex Alimentarius Commission, the EU wishes to play a bigger role in the elaboration of international food standards and takes into account all existing Codex standards and those under development when drafting new EU legislation. The EU contributes in the context of the *Codex Alimentarius* to the development of international standards, while ensuring that the high level of human health protection adopted in the Community is not reduced.

Because both EU legislation and Codex standards are based on science, they very often converge towards the same direction. Direct reference to Codex standards is used in the EC legislation when appropriate. For example the current "Regulation of the European Parliament and of the Council laying down procedures for the establishment of residue limits of pharmacologically active substances in foodstuffs of animal origin"¹ introduces an obligation for the EU to take over maximum residue limits (MRL) set by Codex without a further risk assessment by the EFSA for those Codex MRLs the EU has supported in the relevant Codex Alimentarius Commission meeting.

For example, the maximum levels of aflatoxins in hazelnuts, pistachios and almonds (ready-to-eat or for further processing) have been aligned to Codex levels (which were higher). The European legislation on gluten free foods has been developed after the conclusions of CCNFSDU on this matter and is fully in line with Codex provisions.

FINLAND

Use of Codex standards and related texts in Finland is mainly indirect via their influence on the preparation of the EU food legislation. Within the area there is no EU legislation, the Codex standards and related texts have been used as a basis for national measures.

GEORGIA

Most of Codex standards are translated and adopted as national (voluntary) standards by the National Agency of Standards, Technical Regulations and Metrology of Georgia. Codex standards are basis of food safety and quality legislation in Georgia. Besides, there are lots of Sanitary rules which has to be changed according to codex standards and related texts.

Codex standards were used as basis of the Order of the Minister of Agriculture of Georgia "Requirements of Food Labeling", which was adopted in December 2009.

NORWAY

No change.

POLAND

Codex standards and related texts are used at the national level mainly indirectly via their influence on the EU food legislation.

National food legislation is based on Hazard Analysis and Critical Control Point (HACCP) System and Guidelines for its Application, which can be found in the Annex to CAC/RCP 1-1969, Rev. 3 (1997).

Codex standards are increasingly appreciated by the industry and traders as they are the basis for stakeholders in food trade, especially outside the EU market.

¹ Regulation 470/2009

SLOVAK REPUBLIC

This question concerns EU harmonized issues.

SWEDEN

This question concerns EU harmonized issues

TAJIKISTAN

The use of Codex standards is partially as the system mainly uses the Russian and Commonwealth Independent State standards where some standards and guidelines are similar. This approach i.e. replication the evolution of Russian standards could, be the most viable option for slowly moving toward compatibility with Codex and ISO ones.

Also under the legal system of Tajikistan, by ratification of IPPC and Codex Alimentarius, these documents have become integral part of the legal system, and consequently, can be applied directly if the need be. In case of the conflict with any existing piece of legislation, ratified international agreements and other documents, including IPPC and Codex Alimentarius, prevail.

TURKEY

MARA sets regulatory standards and ensures that they fully reflect the health and legal situation within Turkey and meet its obligations under the SPS Agreement.

The Turkish Food Codex that covers the minimum quality and hygiene criteria, pesticide and veterinary medicine residues, additives, hazardous food contaminants, sampling, packaging, labelling, transportation, storing principles and methods of analysis are prepared by the National Food Codex Commission, are published and inspected by the Ministry.

It is mandatory that the food products to be placed on the market comply with the food legislations.

Before the codex meetings, draft proposed regulation is prepared by secretariat and sent to all interested parties and then the members of relevant sub-committee are invited to preparation meeting. The draft are discussed in this meeting and decisions taken by sub-Committee are presented to NFCC. NFCC evaluates the regulation proposed by sub-Committee and approve it. After approval, it is sent to publish.

(ii) **Non-use of Codex standards and related texts at national and/or regional level (provide reasons where applicable)**

CZECH REPUBLIC

Not relevant.

EUROPEAN UNION

On some occasions, when Codex standards are being developed on subjects already harmonised at EU level (the EU food safety legislation is already very comprehensive), divergences may occur, and either the EU legislation is put in line with Codex standards, or differences may persist when there is specific scientific evidence (e.g. consumption patterns, specific exposure to a hazard, etc.).

FINLAND

Some of the Codex Standards and related texts are quite old and not always relevant at the national level.

- see also C(i)

SLOVAK REPUBLIC

This question concerns EU harmonized issues.

SWEDEN

This question concerns EU harmonized issues

TAJIKISTAN

The reason was mentioned above. In addition most of Codex documents are in English which make ones inaccessible for specialists in the relevant ministries and agencies.

TURKEY

During preparation of a regulation, all international sources are considered.

- (iii) **Difficulties encountered in the use or application of Codex standards and related texts at national, regional and/or international level (including import/export matters)**

CZECH REPUBLIC

As the Codex Alimentarius standards are implemented in the EU legislation the Czech Republic fulfil those requirements. In cases that these standards are not applied and used directly through the EU legislation they are used on the national level for food safety and quality assessment. Possible insufficiencies in import from third countries they are sorted out with regards to Codex Alimentarius standards.

As the Codex Alimentarius standards are implemented in the EU legislation the Czech Republic fulfil those requirements. In cases that these standards are not applied and used directly through the EU legislation they are used on the national level for food safety and quality assessment. Possible insufficiencies in import from third countries they are sorted out with regards to Codex Alimentarius standards.

EUROPEAN UNION

See (iv)

GEORGIA

There was not any difficulties encountered in use or application of Codex standards.

NORWAY

An example is establishing MRLs on pesticide residues where intake considerations (the food basket) often differ between regions.

We are also concerned about establishing MRLs on substances forbidden by national legislation (since this seems to be interpreted by some, to allow for the use of these substances).

POLAND

One of the difficulties encountered in the use of Codex standards and related texts is their unavailability in national language.

SLOVAK REPUBLIC

This question concerns EU harmonized issues.

SWEDEN

This question concerns EU harmonized issues

TAJIKISTAN

Availability translated in o Russian standards and guidelines.

- (iv) **Difficulties encountered in the non-use or application of Codex standards and related texts at national, regional and/or international level (including import/export matters)**

CZECH REPUBLIC

As the Codex standards are the base for the EU legislation, these provisions are harmonised with EU law on the national level.

EUROPEAN UNION

The EU has a very comprehensive set of legislation regarding food safety and also pays a lot of attention regarding the needs expressed by consumers, the collective preferences and the "other legitimate factors". For example the EU does not support the administration of veterinary drugs to healthy animals only with the only objective to accelerate their growth. This is one of the reasons why, for example, the EU does not support the adoption of maximum residue levels for performance enhancers such as BST or ractopamine. The EU is convinced that the importance of other legitimate factors should be more taken into account by Codex and the possibility to refer to them better defined.

GEORGIA

We have no information related to these matters.

SLOVAK REPUBLIC

This question concerns EU harmonized issues.

SWEDEN

This question concerns EU harmonized issues

TAJKISTAN

There were no such cases so far as Tajikistan mainly trades with Commonwealth Independent States in Central Asian Region and Russia apart of the temporary restriction in export of dried fruits to Russia due to Polio outbreak in Tajikistan since April 2010, which was solved after bi-lateral negotiation.

TURKEY

Sometimes in import.

- (v) **Relevance of Codex standards and related texts as a basis for harmonization of legislation and regulations, including in the perspective of economic integration**

ARMENIA

As it was mentioned above, the following Codex standards have been used (incorporated into the national legislation) for drafting technical regulations approved by the Government of Armenia:

Technical Regulation on juices and juice product (Gov. Decree 1602-N, 13.12.2007)

[CODEX STAN 44-81, 45-81, 46-81, 47-81, 48-81, 49-81, 57-81, 64-81, 82-81, 83-81, 85-81, 101-81, 120-81, 121-81, 122-81, 134-89, 138-83, 139-83, 148-85, 161-89, 164-89, 179-91, 247-2005, 192-1995]

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EUROPEAN UNION

Codex standards are fully considered when drafting EU legislation.

GEORGIA

During the elaboration and amendment of new legislation in food safety and quality Georgia considers Codex standards and related texts and EU legislation.

SLOVAK REPUBLIC

This question concerns EU harmonized issues.

SWEDEN

This question concerns EU harmonized issues

TAJKISTAN

See section (i)

TURKEY

Codex standards are considered in all steps of legislation preparation process.

- (vi) **Any other health and/or trade problems related to standardization at the national or regional level**

CZECH REPUBLIC

CAFIA follows in particular European and national legislation, no problems are seen.

For the organisation of conditions for agreement of trade conditions with regards to trade with third countries, there are usually used questionnaires with direct questions to particular topics.

EUROPEAN UNION

The EU and its Member States (ECMS) would like to propose to discuss several important subjects still under debate in other Codex Committees with the view to reach a regional position when feasible:

- Labelling of Foods and Food Ingredients obtained through Certain Techniques of Genetic modification/Genetic Engineering;
- MRLs for ractopamine and general position on the use of veterinary drugs for non therapeutic purposes;
- Guidelines for the Control of Campylobacter and Salmonella spp. in Chicken Meat;
- Food additives: justification for their use, use of note 161.

TAJIKISTAN

No

- (vii) **Identified ways forward to strengthen use of Codex standards and related texts at national, regional and/or international level - Based on the shortcomings identified, in particular those outlined in points (iii), (iv) and (vi), have you identified possible ways forward to facilitate the implementation of Codex standards and related texts at national, regional and/or international level, in addition to those identified for points B.1(vii) and B.2(v) that may be relevant to this question?**

EUROPEAN UNION

As already mentioned, the possibility to have recourse to "other legitimate factors" to justify a deviation from Codex Standards and related texts should be further developed and clarified.

POLAND

- ♦ translation of Codex documents into national language
- ♦ organisation of seminars and conferences conveying the Codex role and activities

TAJIKISTAN

No.