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codex alimentarius commission



FOOD AND AGRICULTURE
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HEALTH
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Agenda Item 2 a)

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Sixtieth Session, FAO Headquarters, Rome, Italy, 4-7 December 2007

DRAFT PROCEDURES AND CRITERIA FOR STREAMLINING THE COMMISSION'S WORK ON DEVELOPMENT OF REGIONAL STANDARDS AND THEIR CONVERSION INTO WORLDWIDE STANDARDS

BACKGROUND

1. The 59th Session of the Executive Committee discussed the issue of the conversion of regional standards into worldwide standards in the framework of the Critical Review and of the Review of Codex Committee Structures and Mandates of Codex Committees and Task Forces¹. Based on this discussion, the Commission, at its 30th Session, endorsed the amended Proposal 8, on a temporary basis, as follows:

- a) *The commodity work of coordinating committees should concentrate on the development of regional standards, in compliance with their terms of reference. Conversion of a regional standard into a worldwide standard should, in principle, be considered after its adoption at Step 8, at the request of Codex members or a coordinating committee or at the recommendation of the commodity committee concerned, substantiated by a project document to be reviewed by the Executive Committee in the framework of the Critical Review, taking into account the programme of work of commodity committees concerned.*
- b) *The proposal for new work for commodities having international trade potential should preferably be submitted through a worldwide commodity committee if such committee exists and is active, or in other cases, to the Commission through the Executive Committee.*

2. The Commission further noted that the 60th Session of the Executive Committee would review the outcome of a study to be undertaken by the Bureau of the Commission to identify a set of draft procedures and criteria for use by the Committee in its Critical Review process and eventually by the Commission which would, amongst others, assist the Commission in streamlining its work on development of regional standards as opposed to worldwide standards and their conversion into worldwide standards, for consideration and discussion by the next Session of the Executive Committee².

¹ ALINORM 07/30/3 paras 18-24 and 110-118

² ALINORM 07/30/REP paras 157-158

MEETING OF THE BUREAU OF THE COMMISSION

3. The Chairperson and three Vice-Chairpersons of the Commission met on 10 – 11 September 2007 at FAO Headquarters in Rome to undertake the study on the conversion of regional standards into worldwide standards as agreed by the Commission above. The Bureau also addressed general issues concerning the Critical Review process, in particular, the examination of new work proposals to develop / revise commodity standards, including quality of project documents, with a view to ensuring better management of work in commodity committees.

4. The Bureau recognized that the existing *Criteria for the Establishment of Work Priorities* and the *Procedures for the Elaboration of Codex Standards and Related Texts* constituted basic reference points when considering proposals of new work on commodity standards including conversion of regional standards into worldwide standards.

5. However, in order to ensure clarity and transparency in the implementation of the Critical Review process for new work on commodity standards, the Bureau agreed to prepare:

- a) Draft Guidelines on the Application of the *Criteria for the Establishment of Work Priorities applicable to Commodities*, as a tool used during the Critical Review by the Executive Committee to judge, on the basis of the information provided in project documents, whether new work proposals on commodity standards could be recommended (see Part A of this document); and
- b) Proposed Procedures for Conversion of Regional Standards into Worldwide Standards (see Part B of this document).

6. The Executive Committee is invited to consider the draft Guidelines and Procedures as indicated below.

Part A: Guidelines on the Application of the *Criteria for the Establishment of Work Priorities applicable to Commodities*

7. These Guidelines provide guidance on what kind of information needs to be examined by the Executive Committee while performing the Critical Review, in accordance with points (a) through (g) in the “Criteria applicable to commodities” for the establishment of work priorities.

8. In principle, an evidence-based approach that addresses multiple factors shall be taken when the Executive Committee examines proposals of new work to develop or revise commodity standards. Therefore, project proposals (project documents) for commodity standards should contain information indicated below.

(a) Volume of production and consumption in individual countries and volume and pattern of trade between countries.

Information should be provided on:

- volume of production and consumption in individual countries expressed in monetary terms, tons, proportion of GDP³, etc.;
- volume and patterns of trade, including trends in trade volume and patterns, expressed in monetary terms, tons, proportion of GDP³, etc.:
 - between countries,
 - in intra-regional trade, i.e., between or among countries of a region,
 - in inter-regional trade, i.e., between or among regions.
- credible sources or citations of information and/or references in order to support credibility of the above information, if possible.

³ Information on the volume or percentage of trade (import/export) in the commodity may be useful to demonstrate that trade in the commodity represents a significant proportion of the domestic economy of the relevant country or countries.

Note: When proposing to develop a regional standard, the coordinating committee concerned should provide well-documented and objective evidence that there is significant intra-regional trade, and that there is no trade, or no significant trade, between or within other regions. This requirement will help to avoid the development of more than one standard for the same (or similar) product in different regions.

(b) Diversification of national legislation and apparent resultant or potential impediments to international trade.

Information should be provided on:

- existence of diverse national legislation that may lead to potential or actual impediments to international trade. Evidence of impediments may be provided as quantitative information on volume and/or frequency of rejection of consignments, as expressed, for example, as absolute numbers or as rates of rejection.

(c) International or regional market potential.

Information should be provided on:

- international and/or regional market potential; and, where necessary;
- potential of regional products to enter international trade, including an analysis of current production trends as well as market potential in the foreseeable future.

(d) Amenability of the commodity to standardisation.

Information should be provided on:

- which quality factors are essential for the identity of the product e.g., definition, composition, etc.;
- characteristics of the commodity (e.g., differences in definition, composition, and other quality factors that may vary across countries and regions) that would have to be accommodated in the standard.

(e) Coverage of the main consumer protection and trade issues by existing or proposed general standards.

Information should be provided on:

- whether there are overlaps or gaps with existing standards. If gaps or overlaps are identified, the new work proposal should explain why revision of the existing standard is not sufficient to meet the need for a standard.

Note: This information is required in order to identify whether there are gaps between the proposed new work and existing standards or standards under elaboration. This analysis is necessary to avoid the elaboration of new standards when revision of existing standards, or of certain provisions in existing standards, would adequately address the concern.

If overlaps are identified, it may be possible to propose that new work should be started, while suggesting that existing standards should also be considered for revision to avoid inconsistency or overlap.

(f) Number of commodities which would need separate standards indicating whether raw, semi-processed or processed.

- Commodity standards should preferably be developed in a generic manner to cover the relevant products concerned. Information should be provided on the rationale for the need to develop separate standards indicating whether raw, semi-processed, or processed.

(g) Work already undertaken by other international organizations in this field and/or suggested by the relevant international intergovernmental body(ies).

Information should be provided on:

- activities that have been already undertaken by other relevant international organizations, including an analysis of areas of potential complementarities, gaps, duplication, or conflict with the above activities.

Note: Even when standards exist outside Codex, a rationale for new work in Codex should be provided, based on information presented in the above analysis

Part B: Proposed procedures for conversion of regional standards into worldwide standards

9. This Part provides procedures to be followed in formulation and consideration of proposals to convert regional standards into worldwide standards, including preparation of project documents by the commodity committee undertaking the conversion, as follows:

- a) A request to convert a regional standard into a worldwide standard may arise immediately after adoption of the regional standard at Step 8, or some time thereafter.
- b) The conversion of a regional standard into a worldwide standard may contemplate the following situations as per status of the relevant commodity committee:
 - (i) When the relevant commodity committee is active:

Requests for conversion of a regional standard into a worldwide standard should preferably be made by the commodity committee concerned, substantiated by a Project Document. This Project Document will be reviewed by the Executive Committee in the framework of the Critical Review Process, taking into account the programme of work of the commodity committee concerned. If the Codex Alimentarius Commission approves the proposal, taking into account the outcome of the Critical Review by the Executive Committee, the regional standard usually enters the Uniform Accelerated Procedure at Step 3, for consideration at Step 4 at the subsequent session of the commodity committee concerned.

- (ii) When the relevant commodity committee is not active:

When the commodity committee concerned is not active (i.e., not holding physical sessions), the proposal for conversion of a regional standard into a worldwide standard should preferably come through the originating coordinating committee, substantiated by a Project Document; it may also come from Codex members in the form of a Project Document for consideration by the Executive Committee in the framework of the Critical Review process. If the Codex Alimentarius Commission approves the proposal, taking into account the outcome of the Critical Review by the Executive Committee, the regional standard usually enters the Uniform Accelerated Procedure at Step 3, for consideration at Step 4 by the commodity committee concerned. In this case, the Executive Committee should give consideration to how to proceed with the work either by correspondence, or by reconvening the adjourned committee. In the latter situation, the Executive Committee should recommend to the Commission the reactivation of the committee adjourned *sine die* to undertake the new work.