

October 2007

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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Agenda Item 7 (a)

# E

## JOINT FAO/WHO FOOD STANDARDS PROGRAMME

### EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

*Sixtieth Session, FAO Headquarters*

*Rome (Italy), 4–7 December 2007*

### RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS

#### APPLICATIONS FOR OBSERVER STATUS IN CODEX

1. The Executive Committee is hereby **invited**, in accordance with Rule IX.6 of the Rules of Procedure and the *Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission*, to provide advice regarding the applications for observer status from four international non-governmental organizations neither having status with FAO nor official relations with WHO, as included in Annexes. Other relevant information received from the applicant organization will be made available to the Executive Committee in a separate document.
2. The Directors-General of FAO and WHO will decide whether the applicant organizations are to be granted observer status, taking into account all relevant information received from the applicant and the advice of the Executive Committee.
3. This document contains the following applications:

Annex	Name	Additional information
Annex 1	EFBW ( <b>European Federation of Bottled Waters aisbl</b> )	CRD 2
Annex 2	IPA ( <b>International Probiotics Association</b> )	CRD 3

4. It should be understood that if observer status is granted to the EFBW, it would replace GISENEC as Codex observer.

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**ANNEX 1: APPLICATION FOR OBSERVER STATUS - EFBW**

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**A. NAME OF THE ORGANIZATION:**

- English (original denomination): **European Federation of Bottled Waters aisbl (E.F.B.W.)**
- French : **Federation Européenne des Eaux Embouteillées**
- Spanish : **Federacion Europea de Aguas Embotelladas**

**B. POSTAL ADDRESS:**

Rue de l' Association 32

1000 Brussels

Belgium

Tel: +32 2 210 20 32

Fax : +32 2 210 20 35

E-mail : [p.fosselard@efbw.org](mailto:p.fosselard@efbw.org)

Web: [www.efbw.org](http://www.efbw.org)

**C. AIMS AND SUBJECT FIELDS:**

The aims of the Federation are primarily:

- To represent the interest of the bottled water industry before relevant national, European and International institution, or any other stakeholder, wherever the need may be, taking into account consumers' rights and commercial trade fairness;
- To promote the image of the sector and help improve good manufacturing practices.
- To identify issues likely to affect members and propose solutions with due regard to the industry's diversity, on the scientific, legal, technical or commercial field;
- To facilitate communication and collaboration within the bottled water industry;

The federation's fields of study include: international, EU and national vertical legislation and standards applicable to bottled water (Codex Standards on Natural Mineral Waters and Codex Standard on waters other than Natural Mineral Waters, EU Directives on Natural mineral water/spring waters and on water suitable for human consumption, WHO Guidelines etc.), good hygiene practices and general food safety rules, food contact legislation, legislation on labeling, nutrition and health claims, packaging and packaging prevention waste, sustainability in its widest sense etc.

- Date of establishment: 27 November 2003

**D. MEMBER ORGANIZATIONS:**

The EFBW is composed of national or European associations representing the industry of bottled/packageged waters within their respective country.

There are 2 categories of members: full members and affiliated members.

Full membership is granted to the most representative association/organization in each country of the European continent while affiliate membership is granted to organizations or associations with a seat outside of the European continent.

EFBW's Articles of Association also allows for the membership of European associations representing a specific sub-category of bottled waters.

EFBW currently has: 21 members; 19 full members and 2 affiliated members, out of which 20 are national associations and one is a European association i.e. EBWA, the European Bottled Watercoolers Association which represents the Home and Office Delivery sector (also called the water-coolers sector).

Through those members, EFBW represents over six hundred bottlers.

None of those members enjoys observer status with the Codex Alimentarius Commission.

*Full members:* see CRD 2

Procedure and criteria for affiliation: Requests for admission are sent to the President of the Board. It is the Board's decision to admit a new member. The main criterion for admission will be the truly representative character of the association within its territory.

#### E. STRUCTURE

The EFBW is governed by the General Meeting ('Assemblée Générale') made up of all the members both full and affiliated.

Other governing bodies include:

- The **Board of Directors** which is composed of a minimum of eight directors appointed by the General Meeting, including one President, two Vice-Presidents and one treasurer.
- The **Executive Committee** made up of nine members: 4 permanent members representing the four countries with the largest bottled/packaged water production, four members representing four other countries appointed by rotation, and the President of the Board.
- The **Secretariat** counts two members of staff exclusively dedicated to EFBW. It is in charge of the daily management of EFBW, as well as the representation of the Federation before EU and international institutions, the coordination of the working groups and the general secretarial work.
- The **Working Groups:** Technical & Regulatory Working Group, Environment & Packaging Working Group and Communications group. Special ad hoc groups may be appointed to work on specific issues; for instance, this year, a group was appointed to work on the drafting of a Community Guide on Good Manufacturing practices.

#### F. FUNDING:

EFBW is financed solely and directly via membership contributions based on volume produced with a fixed minimum. No external funding or grants are received.

#### G. MEETINGS:

- **General Meeting:** meetings at least one a year with an average attendance of 50 people.
- **Board of Directors:** meetings at least two times a year with an average attendance of 12 Board directors.
- **Executive Committee:** meets on average 3 times a year with 9 members.
- **Working Groups:** three to four meetings a year with 25 attendees on average.

Past resolutions concerned with matters covering all or part of the Commission's field of activity:

We attached to the present: (CRD 2)

- proof of our past activity (as 'GISEM' Groupement international des sources d' eau minérale) at Codex level as early as April 1964, in relation to the drafting of the Natural Mineral Water Codex Standard;
- the official position EFBW sent to the European Commission in July 2007 on the Revision of the Codex Standard 108 for natural mineral waters;
- the position that EFBW will be sending this month of October to Codex Secretariat in reply to Circular 2007/25-NMW

#### H. RELATIONS WITH OTHER INTERNATIONAL ORGANIZATIONS

EFBW represents the bottled water industry before the European institutions, in particular before the various Directorates General of the European Commission such as Directorate General for Health and Consumers Protection (DG Sanco) and DG Environment with which it maintains frequent contacts. To give an example, in 2006, the EFBW was asked by the European Commission to conduct a 'impact assessment' to help assess

the potential effects on the industry of the revision of a European piece of legislation applicable to natural mineral waters.

EFBW is also an active member of the CIAA (European Food and Drink Federation).

**i. EXPECTED CONTRIBUTION TO THE JOINT FAO/WHO FOOD STANDARD PROGRAMME**

With its six hundred bottlers (the vast majority of which are natural mineral water producers), the EFBW is a highly qualified representative to express industry views and share out experience on bottled water issues in particular with respect to the Natural Mineral Water Codex Standard 108 which is due to be revised soon (see the reactivation of the Natural Mineral Water Codex Committee which is due to meet in February 2008).

EFBW's membership extends to all four corners of Europe (from Denmark to Portugal and from France to Romania) and beyond (as Turkey and South Africa are also members): as a result, the composition of the products represented is extremely diverse. This will very helpful at the time of assessing consumers' exposure to some substances for instance. The industry members represented are also diverse and range from small local producers to larger corporate groups.

**J. PAST ACTIVITIES ON BEHALF OF, OR IN RELATION TO, THE CODEX ALIMENTARIUS COMMISSION AND THE JOINT FAO/WHO FOODS STANDARDS PROGRAMME**

(Indicate any relationship by national affiliates with the regional coordinating committees and/or the national Codex Contact points or Committees for at least the last three years preceding the application).

Under its previous denomination 'GISENEC', and before that, as 'GISEM' the Federation played a very active part in the elaboration of the Natural Mineral Water Codex Standard 108 (1964-1981) and later in its first revision in the nineties (see archives document attached where it is stated "*26/30 avril 1964: ... Work of drawing up the Codex Regulation (correspondence with the Chairman of the Codex special Committee on Mineral Waters)*").

For a while after EFBW's foundation in 2003, there was no activity at Codex Commission level in connection to the Natural Mineral Water sector and therefore no involvement of the Federation. However, as soon as the Codex Commission launched an enquiry on '*Limits for certain health-related substances in the Codex Standard for Natural Mineral Waters*' (CL 2006/13-NMW), EFBW made contact with the Swiss Federal Government (hosting the NMW Codex Committee) and organized two meetings with Pierre Studer in charge of natural mineral waters. Very close collaboration was engaged with the European Commission to ensure that the comments sent by it would take into account the industry's views.

Following the sending of a second circular letter on health-related limits for natural mineral waters, the EFBW will be sending its own comments to the Secretariat of the Codex Commission in October 2007.

**K. AREA OF ACTIVITY IN WHICH PARTICIPATION AS AN OBSERVER IS REQUESTED**

Observer status is requested in relation to any Codex Commission work likely to affect bottled water, in particular, work on Codex Standard for Natural Mineral Waters 108-1981 and work on Codex General Standard for bottled/package drinking waters other than natural mineral waters (Codex Stan 227-2001). Of particular interest for the bottled water sector is the future work of the Natural Mineral Water Codex Committee on the revision of health-related limits in the NMW Codex Standard 108.

**L. PREVIOUS APPLICATIONS FOR OBSERVER STATUS WITH THE CODEX ALIMENTARIUS COMMISSION, INCLUDING THOSE MADE BY A MEMBER ORGANIZATION OF THE APPLICANT ORGANIZATION.**

To our knowledge, no application was ever made by any member of EFBW.

A global organization ICBWA (the International Council of Bottled Waters Associations) was founded in 2000 to federate the existing regional organizations (EFBW plus the European Water Cooler Association EBWA, which is a member of EFBW, for Europe, LABWA for Latin America, IBWA- in the United States, CBWA for Canada, ABWI-Australia/Oceania, and ABWA the Asian Association).

However, due to the specificities of the bottled water market in Europe as opposed to that in other continents, the EFBW deems it crucial to retain observer status before the Codex Commission and the NMW Codex Committee. The fact that the European market is primarily a 'natural' water market (i.e. 'waters of defined origin') as opposed to a 'processed water' market is particularly relevant here.

**M. LANGUAGES:**

Working languages during meetings/conference calls: French/English.  
Documents may be sent to the Secretariat in French, English and Spanish.

**N. NAME AND FUNCTION OF THE PERSON PROVIDING THE INFORMATION.**

Patricia FOSSELARD  
Secretary General  
Rue de l'Association 32  
1000 Brussels  
Belgium

**O. SIGNATURE AND DATE**

12.10.2007

**Appendices: (CRD 2)**

- EFBW's Articles of Associations (original French version)
- EFBW's comments on Codex circular letter 2006/13-NMW (sent to the European Commission in July 2007)
- EFBW's comments on Codex circular letter 2007/25-NMW as approved by the Technical and Regulatory Committee in October 2007
- History on the foundation and work of GISEM and UNESE

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**ANNEX 2: APPLICATION FOR OBSERVER STATUS - IPA**

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- a. Official name of the organization in different languages (with initials)**
- International Probiotics Association (IPA)
- b. Full postal address, Telephone, Facsimile and Email, as well as Telex and website addresses as appropriate**
- Suite #4099  
Des Plaines, IL 60016, USA  
Tel : (001) 847-376-2750  
Fax : (001) 847-298-5348  
www.internationalprobiotics.org
- c. Aims and subject fields (mandate) of organization, and methods of operation. (Enclose charter, constitution, by-laws, rules of procedures, etc.). Date of establishment.**
- IPA is an international non-profit 501(c)6 organization equally split between industry and academia and its goal is to provide a unique forum for the exchange of research and latest breakthroughs in probiotic technology and new product development. Additionally, IPA will work with government bodies and industry to assist in establishing scientific standards for probiotic supplements, probiotic pharmaceutical products and functional foods. IPA will educate consumers on the proven health benefits of probiotics for humans and animals by attending trade shows, government/regulatory meetings, scientific conferences and other relevant media functions. IPA promises to always put forth timely, unbiased information to every interested party, and share the documented benefits of probiotics to its international forum of members.
- \*\* For IPA Constitution, Bylaws, etc, please refer to the Appendix 1 submitted with this application
- Date of Establishment of IPA – November 13, 2001
- d. Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country. If the organization is of a federal nature and has international non-governmental organizations as members, please indicate whether any of those members already enjoy observer status with the Codex Alimentarius Commission)**
- IPA is composed of 21 probiotic-related companies (as of July 10<sup>th</sup>, 2007 - additional members pending) from the USA, Canada, European Union, and Japan. Please refer to CRD 3 for the list of IPA member companies and the principal officers of each company.
- Associations IPA cooperates with are:
- 1) Gluten Free Works - 1208 Thomas Drive, Fort Washington, PA 19034, USA (Cleo Lebonati)
  - 2) Taiwan Association for Lactic Acid Bacteria – National Taiwan University, Tai Pei, Taiwan, (Dr. Kung-Ta Lee)
  - 3) Polish Society for Probiotics and Prebiotics - 18 Czysta Street 31-121 Cracow, Poland (Piotr Kochan)
  - 4) Czeck Society for Prebiotics and Probiotics - IInd Dept of Internal Medicine Teaching Thomayer’s Hospital Videnska 800 140 59 Prague 4 – Krc, Czech Republic (Dr. Pavel Kohout)

5) American Gastroenterological Association – 4930 Del Ray Av, Bethesda, MD 20814  
(Diane Bach)

IPA also cooperates with other organizations such as INETI biotechnology center in Lisboa, Portugal.

**e. Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)**

Structure of Organization:

IPA Board of Directors:

Board Officers:

President of the Board

1<sup>st</sup> Vice Chair

2<sup>nd</sup> Vice Chair

Treasurer

Secretary

Assistant Secretary

The Board of Directors is comprised of 18 representatives from each of the founding 18 member companies.

**f. Indication of source of funding (e.g., membership contributions, direct funding, external contributions, or grants)**

Funding is secured from IPA Member Companies' yearly dues. IPA Membership is free for consumers, healthcare professionals and other interested (non-corporate) parties.

**g. Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed) that are concerned with matters covering all or part of the Commission's field of activity**

IPA Board of Director Meetings convene once or twice per calendar year. Average attendance is ~75% of the 18 Board representatives. The minutes of the most recent IPA Board Meeting are attached in CRD 3.

**h. Relations with other international organizations:**

**a. UN and its organs (indicate consultative status or other relationship, if any)**

**b. Other international organizations (document substantive activities)**

IPA's relations with other international organizations are limited to the associations we collaborate with around the world. We do have open lines of communication with the European Commission and in particular with the Directorate General for Health and Consumer Protection that probiotic products fall under.

**i. Expected contribution to the Joint FAO/WHO Food Standards Programme**

IPA will represent the Probiotic Industry as a WHOLE, a united voice representing both academia and industry that are involved with probiotic research, manufacturing of raw materials and marketing of finished goods.

**j. Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees for at least the last three years preceding the application)**

None as of this date

- k. **Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies). If more than one organization with similar interests is requesting observer status in any field of activity, such organizations will be encouraged to form themselves into a federation or association for the purpose of participation. If the formation of such a single organization is not feasible, the application should explain why this is so.**

IPA requests an "Observer Status" in the Commission as well as in other bodies that deal with probiotic products either in food, supplement, pharmaceutical, infant formula, dairy and/or other applicable areas.

- l. **Previous applications for observer status with the Codex Alimentarius Commission, including those made by a member organization of the applicant organization. If successful, please indicate why and when observer status was terminated. If unsuccessful, please indicate the reasons you were given.**

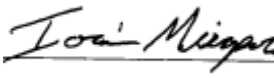
This is IPA's first application for observer status. Furthermore, IPA is not aware of any previous applications for observer status by our member organizations.

- m. **Languages (English, French or Spanish) in which documentation should be sent to the international non-governmental organization**

English and French but first choice is English.

- n. **Name, Function and address of the person providing the information**

Ioannis Misopoulos  
Executive Director  
1231 Harding Av #201  
Des Plaines, IL 60016  
ioannis@internationalprobiotics.org

Signature: 

Date: July 11, 2007

**Enclosures: (CRD 3)**

**Appendix 1: IPA Bylaws**

**Appendix 2: IPA Member Companies, Locations, and Principal Officers**

**Appendix 3: Minutes of Most Recent IPA Meeting**