



**JOINT FAO/WHO FOOD STANDARDS PROGRAMME**

**CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES**

**18<sup>th</sup> Session**

**Phuket, Thailand, 24 – 28 February 2014**

**REVIEW OF THE TERMS OF REFERENCE OF THE CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES**

**(Prepared by the Electronic Working Group led by Japan)**

This document contains:

- Report of the Electronic Working Group on the Terms of Reference of the Codex Committee of Fresh Fruits and Vegetables (EWG/TOR-CCFFV)
- Annex A: List of Participants
- Annex B: Responses from members of the EWG/TOR-CCFFV
- Annex C: Summary of the proposals made by eWG members in relation to Question 9
- Annex D: TOR of the CCFFV

## **I. BACKGROUND**

1. The 34<sup>th</sup> session of the Codex Alimentarius Commission (July 2011) agreed to recommend to the Committee on Fresh Fruits and Vegetables (CCFFV) to consider its Terms of Reference and that result of its consideration could be forwarded to the Committee on General Principles (CCGP) for review if necessary.<sup>1</sup>

2. At the 17<sup>th</sup> session of the Committee on Fresh Fruits and Vegetables (September 2012), a revision of the Terms of Reference of the Committee was considered based on a background document prepared by the Codex Secretariat (CX/FFV 12/17/13). The Committee agreed to establish an electronic working group coordinated by Japan with the mandate to consider the TOR of the CCFFV and in doing so, to take into account paragraphs 18, 20 and 23 of CX/FFV 12/17/13 and the TORs of other commodity committees in order to facilitate the discussion on this matter<sup>2</sup>. For easy of reference, an extract of paragraphs 18, 20 and 23 of CX/FFV 12/17/13 is presented here below.

<sup>1</sup> REP 11/CAC, paras. 254-257; REP11/EXEC, paras. 160-162.

<sup>2</sup> REP13/FFV, para. 157.

**CX/FFV 12/17/13**

18. The goal of the consultation process is the development of harmonized standards in order to ensure fair trade practices. However, certain degree of divergence might be needed or is in practice unavoidable to accommodate the needs of Codex's broader membership.
20. However, in view of the different goals, meeting intervals, working procedures and decision-making process in both parties, the CCFFV may wish to consider whether the current working procedures are sufficient to implement the consultation process in such a way to allow the minimum differences between Codex and UNECE standards and if not to consider possible ways of improving the consultative process. However, while doing so, it might also wish to first clarify its interpretation of:
- "harmonization" in the framework of cooperation between Codex and the UNECE;
  - how the UNECE Layout should be respected for those provisions related to quality and the Codex Format for Commodity Standards should be respected for those provisions related to safety; and
  - the recommendation to use UNECE standards as a starting point in the development of corresponding Codex standards vis-à-vis its recommendation on the need to develop harmonized standards.
23. The Committee may also decide that point (c) of its Terms of Reference namely "*To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables*" is sufficient to ensure collaboration and cooperation with the UNECE and other relevant international organizations and ensures consistency with the mandate of the Commission to (b) promoting coordination of all food standards work undertaken by international governmental and non-governmental organizations and Goal 4 of the Codex Strategic Plan 2008-2013 "*Promoting cooperation between Codex and other relevant international organizations*".

**II REPORT OF THE EWG ACTIVITIES**

3. In February 2013, Japan circulated an invitation via the Codex Secretariat requesting all Codex member governments and observers to submit their contact details if they were interested in participating in the electronic working group. Thirty member countries, one member organization and one observer expressed their interest in participating in the eWG. The list of participants is provided in Annex "A".
4. In June 2013, a request for comments was circulated to all participants who were requested to provide their comments and views on the following questions:

**Questions for the 1<sup>st</sup> circulation**

- Q1: In reference to paragraph 18 of the CX/FFV 12/17/13, do you think certain degree of divergence might be needed or is unavoidable to develop harmonized standards in order to ensure fair trade practices?
- Q2: Taking into consideration paragraph 20 of the CX/FFV 12/17/13, the following questions can be considered. Please provide your views on following items:
- (1) "harmonization" in the framework of cooperation between Codex and UNECE;
  - (2) how UNECE Layout should be respected for those provisions related to quality and the *Codex Format for Commodity Standards* should be respected for those provisions related to safety; and

(3) the recommendation to use the UNECE standards as a starting point in the development of corresponding Codex standards in relation to its recommendation on the need to develop harmonized standards.

Q3: In reference to paragraph 20, do you think current working procedures are sufficient to implement the consultation process to allow the minimum differences between Codex and UNECE standards? If not, please provide your suggestions about possible ways of improving the consultative process.

Q4: What do you think about paragraph 23 of the CX/FFV 12/17/13?

Q5: Please provide your suggested texts for revision of TOR of the CCFFV with rationale, if necessary, with referring to TOR of other commodity committees.

Q6: Please provide any other comments and thoughts, which may facilitate the discussion on this issue.

5. Comments were received from 12 member countries, one member organization and one observer in the 1<sup>st</sup> round of comments.

6. While Japan was drafting the 1<sup>st</sup> report of the eWG, the 36<sup>th</sup> session of the Codex Alimentarius Commission (July 2013) adopted the Codex Strategic Plan 2014-2019. The Commission also established the new Codex Committee on Spices and Culinary Herbs (CCSCH). In this context, the European Union (EU) referred to Objective 1.3 of the newly adopted Strategic Plan namely “Strengthen coordination and cooperation with other international standards-setting organizations seeking to avoid duplication of efforts and optimize opportunities”. In addition, the UNECE Secretariat submitted a proposal for a revised TOR of the CCFFV, which was formulated at the 61<sup>st</sup> session of the UNECE Specialized Section on Standardization of Fresh Fruit and Vegetables (April-May 2013). Taking into account these circumstances, in September 2013, Japan prepared additional questions for further consideration in the 2<sup>nd</sup> round of comments as follows:

#### Questions for the 2<sup>nd</sup> circulation

Q7: Any comments referring to Objective 1.3 of the Strategic plan 2014-2019?

Q8: Any comments referring to the Terms of Reference of the Committee on Spices and Culinary Herbs (CCSCH), which was established at the Commission held in July 2013? namely: “*To consult, as necessary, with other international organizations in the standards development process to avoid duplication*”

Q9: Any comments to suggested texts and/or comments for TOR of the CCFFV provided by the eWG members in Question 5 of the 1<sup>st</sup> circulation, especially from the UNECE?

Proposal from the UNECE:

*Codex Committee on Fresh Fruits and Vegetables (CCFFV)*

*(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;*

*(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format.”*

Q10: Any comments to Section II of the 1<sup>st</sup> draft report by the eWG and other participants’ answers in the 1<sup>st</sup> round of comments?

7. Eleven countries, one member organization and one observer provided comments for 2<sup>nd</sup> round of comments.
8. All comments from members and observers are provided in Annex "B". A summary analysis of these responses is provided below in Section III.
9. In presenting the final analysis and conclusions, Japan would like to acknowledge the contributions of France and Costa Rica for the translation of the comments and the internal draft reports into French and Spanish respectively.

### **III. SUMMARY ANALYSIS OF THE RESPONSES**

10. The analysis of each question are as follows:

#### **Question 1**

11. Several participants consider that Codex standards will not be identical to other international standards, as a certain level of divergence is unavoidable due to differences between organizations in terms of membership and organizational goals. In other words, Codex is an international organization that should have more flexible standards to accommodate the needs and interests of various regions. In turn, the UNECE is a regional organization in which countries share a similar geographic, economic and social situation, so they do not need so much flexibility.

12. On the other hand, a few participants consider that these standards should be fully harmonized to facilitate trade, or do not see any need for divergence in the development of a harmonized standard with respect to different geographic areas, different climatic conditions, varying levels of technology and food safety practices, and different cultural and trading policies that could be taken into consideration.

#### **Question 2**

13. With regard to "harmonization" in the framework of cooperation between Codex and UNECE in Question 2 (1), several opinions are provided: the term "harmonization" in the context of Codex is much broader, as it is located within a multilateral context where all regions of the world are represented; "harmonization" in the framework of cooperation between Codex and UNECE must be based on the principle that both organizations can have the same objectives, undertake identical activities, but have different results; "harmonization" aims at avoiding double writing and double working time; and "harmonization" does not mean that UNECE and Codex standards should be identical.

14. With regard to Question 2 (2), many participants share the following understanding: UNECE standards are focused primarily on quality issues and practices of a singular region and exclude food safety provisions; whilst Codex has to consider a much broader membership that is global in scope and includes food safety provisions from the horizontal committees. Some participants consider that all the quality sections of the UNECE Standards are included in the Codex format. Other opinions include: UNECE and Codex should respect the same standard layout for quality; Codex must be autonomous for defining its template; and it is important for the CCFFV to ensure that technical and quality aspects of other standards which are not appropriate to Codex members' requirements are not absorbed into Codex standards.

15. With regard to Question 2 (3), it was noted that the recommendation to use UNECE standards as a starting point in the development of corresponding Codex standards historically has been a contentious issue in Codex.

16. Some participants support the use of the UNECE standards as a starting point because it greatly facilitates and speeds up the work of the CCFFV on similar or same matters and it must be maintained as far as a large number of country players of international market are involved in the work of the UNECE Working Group on Agricultural Quality Standards.

17. Other participants consider that UNECE standards should only be used as a “reference” in the development of corresponding Codex standards and not as a starting point, because UNECE standards respond to geographical and commercial particularities of a region; and UNECE countries are developed countries and do not necessarily take into account the needs of developing countries.

18. A suggestion was also made to use UNECE standards as a reference in commodity standards development, just as other committees / task forces use the inputs of relevant international organizations in the collaborative process to develop Codex standards.

### **Question 3**

19. With regard to Question 3, many participants consider that current working procedures are sufficient to implement the consultation process to allow the minimum differences between Codex and UNECE standards, while a few participants are in disagreement with the current procedure of consultation with the UNECE. There is also a suggestion for the CCFFV to consult all international organizations “*which are active in the area of standardization of fresh fruits and vegetables.*” as indicated in point (c) of the TOR of the CCFFV.

### **Question 4**

20. With regard to Question 4, some participants believe that it is worth keeping point (b) of the TOR of the CCFFV because it is unwise to dedicate additional resources to duplicate work already carried out by other organizations; it runs counter to efforts being made to harmonize standards at an international level; and the deletion of this reference in the TOR of the CCFFV would weaken the link between both organizations.

21. Many other participants, however, agree with paragraph 23 of CX/FFV 12/17/13 and referred to other commodity committees’ terms of reference where such a specific mention to a consultation process with a particular organization is not indicated as in the Terms of Reference of the CCFFV.

22. Regarding the Goal 4 of the Codex Strategic Plan 2008-2013, a member organization made comment referring to the Objective 1.3 of the Codex Strategic Plan 2014-2019 in particular as to avoiding duplication of work.

### **Question 5**

23. With regard to Question 5, the following revisions of the current TOR of the CCFFV were suggested by the eWG members: (1) to keep paragraph (a) only; (2) to keep paragraphs (a) and (c) only; (3) to keep paragraphs (a) and revised (c) by adding some words on avoiding / minimizing duplication of standardization activities; and (4) to keep paragraphs (a), (b) and (c) as they are.

24. The UNECE Secretariat forwarded the formal view of the UNECE Specialized Section on Standardization of Fresh Fruit and Vegetables discussed at their 61<sup>st</sup> Session<sup>3</sup> in which they basically aligned themselves with proposal (2) in paragraph 26.

### **Question 6**

25. With regard to Question 6, most participants reiterated and/or emphasized their opinions on question 5, while a few participants expressed their support to comments made by other participants. Also a few participants provided suggestions that: consideration should set a time limit to international organization to respond to inquiries performed within the Codex Procedural Manual.

---

<sup>3</sup> ECE/TRADE/C/WP.7/GE.1/2013/2. UNECE documents are available for downloading at: <http://www.unece.org/trade/agr/welcome.html>

**Question 7**

26. With regard to Question 7, all members of the eWG supported the Objective 1.3 of the Codex Strategic plan 2014-2019. On the other hand one participant highlighted that a less stringent and more independent TOR should take into consideration not only Objective 1.3, but also other rules and principles of the Procedural Manual and Objectives 1.2, 1.2.1 and 1.2.2 of the Strategic Plan 2014-2019. Furthermore, a participant stated it is prudent that the Codex Alimentarius cooperates with other standardization organizations to avoid duplication of efforts and to optimize opportunities. Along these lines, another participant indicated the need for mentioning coordination and cooperation with other international organizations in the TOR of the CCFFV because the Codex Strategic Plan 2014-2019 has a temporary validity, whereas the TOR remains valid along the years.

**Question 8**

27. Although many members of the eWG provided comments, Question 8 might have caused confusion and misunderstanding among the participants. This question intended to ask members of the eWG to consider the TOR of the newly established commodity committee CCSC, because the mandate of this eWG is to take into account the TOR of other commodity committees. In that sense, one participant provided a comment supporting any effort to harmonize the language as set up in the TOR of the CCSC to the TOR of the CCFFV, which may suggest an opportunity for facilitating the discussion in the CCFFV.

**Question 9**

28. With regard to Question 9, several participants provided their comments on the UNECE's proposal and the current TOR of the CCFFV. The suggestions were as follows: (1) agree with the proposal of UNECE; (2) amend UNECE's proposal by adding a paragraph referring to the establishment of "working group sessions"; (3) amend UNECE's proposal by adding texts referring to "harmonization" at each end of the paragraphs (a) and (b); (4) amend UNECE's proposal in paragraph (b) by replacing the word "international" with "multinational, regional, private sector and subscription based standard"; (5) amend current TOR of the CCFFV by replacing "Agricultural Quality Standards" with "Standardization of Perishable Produce"; and (6) keep paragraphs (a) and (c) only of current TOR of the CCFFV

**Question 10**

29. With regard to Question 10, some members of the eWG reiterated and/or emphasized their opinions on previous questions.

**IV. CONCLUSIONS**

30. Based on the mandate received from the CCFFV and the questions put forwarded in the two round of comments, there is no consensus among members of the eWG on a revised text for the TOR of the CCFFV.

31. Most of the views expressed by members of the eWG agree however with the need to revise the TOR towards making it more in line with a simple set of provisions as in the TOR of other commodity committees while keeping the concept of cooperation with relevant international organizations. This may imply the deletion of specific references to organizations and the corresponding consultative process. In this regard, it is noted that guidance is already provided in the Procedural Manual of the Codex Alimentarius Commission as to cooperation between the Codex Alimentarius Commission and international intergovernmental organizations namely "*Guidelines on Cooperation between the Codex Alimentarius Commission and International Intergovernmental Organizations in the Elaboration of Standards and Related Texts*".

32. Views on the consultative process did not provide for further refinement, therefore, it seems that no further improvement on the working arrangement between Codex and UNECE is needed if the reference to the UNECE remains as point (b) of the TOR of the CCFFV. The various proposals by the eWG participants are shown in the Annex "C".

33. All participants supported Objective 1.3 of the Codex Strategic Plan 2014-2019, which clearly seeks to avoid duplication of efforts with other international standards-setting organizations. There is, however, no agreed interpretation on "harmonization between Codex and UNECE" with views ranking from both standards should be fully harmonized, i.e. equal as per the quality provisions, and to *"the need for certain degree of flexibility to accommodate other countries / regions needs that do not participate in the work of the UNECE or due to Codex broader membership"*. It is noted that the feeling of the eWG here was mainly that such divergence is needed to complement quality provisions in UNECE standards to aid world trade in fruits and vegetables rather than introducing conflicting provisions that may create trade barriers. In other words, additional quality provisions in Codex standards for fresh fruits and vegetables will be required to aid international trade in this product as UNECE standards are mainly developed to aid trade within / towards the ECE region.

34. Regardless the reference to the UNECE remains or not as point (b) of the TOR of the CCFFV, the general view on the Codex layout is that provisions relating to the quality of fresh fruits and vegetables could be based on the UNECE layout but in such a way to remain flexible to reflect the international nature of Codex standards. This may ensure compliance with Objective 1.3 of the Strategic Plan 2014-2019 to avoid duplication of work on a newly developed layout.

35. Regardless UNECE should be taken as a "starting point" or "reference" for the development of Codex standards for fresh fruits and vegetables, the general view is that this should be allowed in any case deviations from UNECE standards as required to fulfil the worldwide nature of Codex standards.

36. A number of suggesting proposals for the current TOR of the CCFFV were set up by the WG as follows:

- (1) agree with the proposal of the UNECE;
- (2) amend the UNECE's proposal by adding a paragraph referring to the establishment of "working group sessions";
- (3) amend the UNECE's proposal by adding text referring to "harmonization" at the end of paragraphs (a) and (b);
- (4) amend the UNECE's proposal in paragraph (b) by replacing the word "international" with "multinational, regional, private sector and subscription based standard";
- (5) amend the TOR of the CCFFV by replacing "Agricultural Quality Standards" with "Standardization of Perishable Produce";
- (6) keep paragraphs (a) and (c) only of the TOR of the CCFFV; and
- (7) harmonize the TOR of the CCFFV with the TOR of the Committee on Spices and Culinary Herbs (CCSCH)

**ANNEX A****LIST OF PARTICIPANTS****AUSTRALIA / AUSTRALIE**

Angela O'Sullivan  
 Director, International Food Standards  
 Department of Agriculture, Fisheries and Forestry  
 angela.osullivan@daff.gov.au

**BENIN / BÉNIN**

TOSSOUGBO Dagbegnon  
 Biochemist  
 alexisdag@yahoo.fr  
 HOUGBENOU HOUNGLA E. Jacques  
 Codex Contact Point  
 jacquos75@yahoo.fr  
 maepdana@ymail.com

**BRAZIL / BRÉSIL / BRASIL**

André Luiz Bispo Oliveira  
 Standards Division Officer –  
 DNP/CGQV/DIPOV/SDA/MAPA  
 Ministry of Agriculture, Livestock and Food Supply  
 andre.oliveira@agricultura.gov.br

**CANADA / CANADÁ**

Kevin Smith  
 National Manager  
 Processed Products, Maple and Honey  
 Kevin.Smith@inspection.gc.ca

**COLOMBIA / COLOMBIE**

Javier Muñoz Ibarra  
 Asesor / Adviser  
 jmunoz@mincomercio.gov.co  
 Elvin Rincón  
 Contratista / Contractor  
 erincon@mincomercio.gov.co

**COSTA RICA**

Ligia Lopez  
 Ministry of Agriculture and Livestock  
 llopez@inta.go.cr  
 Marcela Rojas  
 Ministry of Economy, Trade and Industry  
 infocodex@meic.go.cr  
 mrojas@meic.go.cr

**DOMINICA / DOMINIQUE**

Mr. Roland Royer  
 Technical Officer  
 Dominica Bureau of Standard  
 rroyer@dominicastandards.org

**DOMINICAN REPUBLIC /  
 RÉPUBLIQUE DOMINICAINE /  
 REPÚBLICA DOMINICANA**

Dr. Susana Santos  
 Technical Director of Nutrition  
 Ministry of Public Health and Social Assistance  
 codexsespas@yahoo.com

**EUROPEAN UNION / UNION EUROPÉENNE /  
 UNIÓN EUROPEA**

Mr. Risto HOLMA  
 Directorate-General  
 Health and Consumers  
 European Commission  
 risto.holma@ec.europa.eu  
 Rudy VAN DER STAPPEN  
 Deputy Head of Unit  
 Unit C. 2  
 DG Agriculture and Rural Development  
 Rudy.Van-der-Stappen@ec.europa.eu



Helene Philipp

Market Officer

Unit C. 2

DG Agriculture and Rural Development

Helene.Philipp@ec.europa.eu

Helena GUNTIÑAS RUBIO

Market Officer

Unit C. 2

DG Agriculture and Rural Development

Helena.Guntinas-rubio@ec.europa.eu

### **FRANCE / FRANCIA**

Catherine Ballandras

Direction Générale de la Concurrence, de la  
Consommation et de la Répression des Fraudes

catherine.ballandras@dgccrf.finances.gouv.fr

### **GERMANY / ALLEMAGNE / ALEMANIA**

Dr. Ulrike Bickelmann

Head of Division "Control Procedures Plant Products,  
Marketing Standards"

Federal Office for Agriculture and Food

ulrike.bickelmann@ble.de

### **HONDURAS**

Maryury Leonarda Munguía Irías

National Supervisor, Division of Fruit and Vegetables,  
Food Safety Division

Ministry of Agriculture and Livestock (SAG)

National Agricultural Health Service (SENASA)

mmunguia@senasa-sag.gob.hn

Juan Carlos Paguada

Responsible Fruit and Vegetable Section

Food Safety Division /

Codex Coordinating Sub-National Committee on

Processed Fruits and Vegetables

Ministry of Agriculture and Livestock (SAG)

National Agricultural Health Service (SENASA)

jcpaguada@senasa-sag.gob.hn

jcpaguada@yahoo.com

### **INDONESIA / INDONÉSIE**

Dr. Gardjita Budi

Director of Quality and Standardization

Ministry of Agriculture

gbudi.jkt@gmail.com, codex\_kementan@yahoo.com

### **IRAN / IRÁN**

Mahmoud Hosseinnia

Head of Temperate Fruits

Agri Jihad Ministry

shavakee@gmail.com

### **JAMAICA / JAMAÏQUE**

Mrs. Juliet Goldsmith

Pest Risk Analyst

Pest Risk Analysis Unit

Ministry of Agriculture & Fisheries

jvgoldsmith@moa.gov.jm

### **JAPAN / JAPON / JAPÓN**

Makoto Sakashita

Associate Director

Food Safety and Consumer Policy Division,

Ministry of Agriculture, Forestry and Fisheries

makoto\_sakashita@nm.maff.go.jp

codex\_maff@nm.maff.go.jp

Masae Hasegawa  
 Section Chief  
 Food Safety and Consumer Policy Division,  
 Ministry of Agriculture, Forestry and Fisheries  
 masae\_hasegawa@nm.maff.go.jp

**KENYA**

Joseph Ngili Kigamwa  
 Inspector (Projects Office)  
 Kenya Plant Health Inspectorate Service (KEPHIS) in  
 Kenya  
 jkigamwa@kephis.org  
 director@kephis.org

**LATVIA / LETTONIE / LETONIA**

Māriņe Gailīte  
 Expert and advisor at Latvian Association of  
 Vegetables Growers "Latvijas Dārznieks"  
 maritegailite@inbox.lv  
 Edīte Strazdiņa  
 Head of the Board "Mūsmāju Dārzenī" and co-owner  
 at Galiņi farm  
 galini@oic.lv.

**MEXICO / MEXIQUE / MÉXICO**

Gabriela Alejandra Jiménez Rodríguez  
 Subdirectora de Normas  
 Dirección General de Fomento a la Agricultura  
 Subsecretaría de Agricultura/SAGARPA  
 gjimenez.dgvd@sagarpa.gob.mx  
 Michelle Vizueth Chávez  
 Subdirectora para la Atención a Organismos  
 Internacionales de Normalización  
 México, Dirección General de Normas de la  
 Secretaría de Economía  
 michelle.vizueth@economia.gob.mx

**NORWAY / NORVÈGE / NORUEGA**

Mrs Vigdis Synnøve VEUM MØLLERSEN  
 Senior Advisor  
 Norwegian Food Safety Authority- Head Office  
 visvm@mattilsynet.no

**PARAGUAY**

Mirian Leticia SoriaCaceres  
 Tecnica del Dpto. de Calidad e Inocuidad Vegetal  
 letitasoria@hotmail.com

**PERU / PÉROU / PERU**

Lourdes Carlota Córdova Moya  
 Jefe del Laboratorio Cámara Peruana del Café y  
 Cacao y Miembro Oficial del Comité Técnico de Café  
 y Cacao  
 laboratorio@camcafeperu.com.pe  
 LCCM99@YAHOO.COM

**POLAND / POLOGNE / POLONIA**

Malgorzata KŁAK-SIONKOWSKA  
 International Co-operation Department  
 Agricultural and Food Quality Inspection  
[kodeks@ijhars.gov.pl](mailto:kodeks@ijhars.gov.pl)

**REPUBLIC OF KOREA /****RÉPUBLIQUE DE CORÉE /****REPÚBLICA DE COREA**

Ji Gang Kim  
 Senior Research Scientist  
 National Institute of Horticultural and Herbal Science,  
 Rural Development Administration  
[kig3@korea.kr](mailto:kig3@korea.kr)

**RUSSIAN FEDERATION /  
FÉDÉRATION DE RUSSIE /  
FEDERACIÓN DE RUSIA**

Dr. Vladimir Bessonov

Head of Laboratory (Institute of Nutrition RAMS)

bessonov@ion.ru

Vsevolod Milrud

Head of Technical Regulation and Standardization

Vsevolod.Milrud@x5.ru

Svetlana Chebarova

Director of Quality Management

Svetlana.Chebarova@x5.ru

**SENEGAL / SÉNÉGAL**

Alhousseynou Moctar Hanne

Chef de Bureau Quarantaine des Plantes

Gestionnaire du PNI /SPS

DPV/ Ministère de l'Agriculture,

almhanne@yahoo.fr

**SPAIN / ESPAGNE / ESPAÑA**

Helena Guntiñas Rubio

Head of Technical Service

Ministry of Agriculture, Food and Environment,

Directorate General of Agricultural Markets and

Production. Subdirector General on Fruits and

Vegetables

hguntinas@magrama.es

Jaime Camps Almiñana

Head of Area

Ministry of Economy and Competitiveness.

Subdirector General for Inspection, Certification

and Foreign Market Assistance.

jcamps@comercio.mineco.es

Marta Cainzos Garcia

Head of Area

Ministry of Agriculture, Food and Environment.

mcainzos@magrama.es

**SUDAN / SOUDAN / SUDÁN**

Dr. Afaf Elgozouli

Manager of Quality Control and Export Development

Unit

Ministry of Agriculture and Irrigation, Khartoum

bitelgozouli@gmail.com

**SWITZERLAND / SUISSE / SUIZA**

Manuel Boss

Scientific Officer

Federal Office for Agriculture FOAG

manuel.boss@blw.admin.ch

**THAILAND / THAÏLANDE / TAILANDIA**

Ms. Kulpipith Chanbuey

Standards Officer

Standard Development Bureau, National Bureau of

Agricultural Commodity and Food Standards

kulpipith@acfs.go.th

Benjamas Ratanachinakorn

Senior Researcher

Postharvest group

Dept of Agriculture

Ministry of Agriculture and Cooperatives

benjamas@cscs.com

**UNITED STATES OF AMERICA /**

**ETATS-UNIS D'AMERIQUE /**

**ESTADOS UNIDOS DE AMERICA**

Kenneth Lowery

International Issues Analyst

U.S. Codex Office

Kenneth.Lowery@fsis.usda.gov

Dorian LaFond

International Standards Coordinator

Fruit and Vegetables Division

Agricultural Marketing Service

U.S. Department of Agriculture

dorian.lafond@usda.gov

Dongmin (Don) Mu  
Product Evaluation and Labeling Team  
Food Labeling and Standards Staff  
Office of Nutrition, Labeling and Dietary Supplements  
U.S. Food and Drug Administration  
dongmin.mu@fda.hhs.gov

Jasmine Curtis  
Program Analyst  
USDA/FSIS/USCODEX OFFICE  
Jasmine.Curtis@fsis.usda.gov

**URUGUAY**

Karina Gilles  
Ministerio de Ganaderia Agricultura y Pesca  
kgilles@mgap.gub.uy  
Lujan Branchero  
Ministerio de Ganaderia Agricultura y Pesca  
lbranchero@mgap.gub.uy

**UNITED NATIONS ECONOMIC COMMISSION FOR  
EUROPE (UNECE) /  
COMMISSION ÉCONOMIQUE DES NATIONS  
UNIES POUR L'EUROPE (CEE-ONU) /  
COMISIÓN DE LAS NACIONES UNIDAS PARA  
EUROPA (CEPE)**

Mika Vepsalainen  
Chief, Trade Policy and Government Cooperation  
mika.vepsalainen@unece.org

## ANNEX B

## RESPONSES FROM MEMBERS OF THE EWG/TOR-CCFFV

Questions and requests	
1. In reference to paragraph 18 of the CX/FFV 12/17/13, do you think certain degree of divergence might be needed or is unavoidable to develop harmonized standards in order to ensure fair trade practices?	
Member / Observer	Answer
<b>Australia</b>	<p>Australia supports the principle that Codex should collaborate, and harmonize to the extent possible, with other international organizations that “are active in the area of standardization of fresh fruits and vegetables” in order to achieve global harmonization of standards to facilitate trade.</p> <p>Codex standards will not be identical to other international standards, as a certain level of divergence is unavoidable due to differences between organizations in terms of membership and organizational goals. Codex membership is global, therefore its objectives must focus on considerations, including trade implications, in the development of standards that meet Codex members needs.</p>
<b>Benin</b>	<p>A harmonized standard is a standard that has the same requirements and technical provisions.</p> <p>Codex is the international body that sets food standards therefore any organization that develops food standards should add them to the Codex’s ones if it is not a private standard. But the application in a country or region may be different given the level of food quality. So there is no difference</p>
<b>Colombia</b>	<p>There seems to be a contradiction in the question, because if a standard is harmonized, it means that there are not important differences in relation to other related documents taken into account for its development.</p> <p>Besides, the question does not take into account paragraph 18, concerning that standards draft enquiry is carried out specifically for harmonizing the final standard among different regions or countries.</p> <p>Considering the above, it is important to emphasize that due to CODEX standards are international, they shall be the result of agreement among member countries, and particular aspects shall not be included, otherwise they would not be international, but regional or national standards. In order to achieve harmonization, it is important that standards deal with general interest topics, without providing specific details, which can be of benefit to a specific country or region, and affect others. CODEX standards must be the frame of reference to be used by each country to define their own standards, if they consider it relevant, except justified deviations related to risks wanted to be anticipated, and supported through risk assessments.</p>
<b>Costa Rica</b>	<p>Costa Rica reaffirms its position that handling a certain degree of divergence in the development of standards, because countries participating in Codex meetings have different commercial interest, crop varieties, climatic and agro-ecological aspects, which allow for enrichment in the development of Codex standards to ensure fair trade practices.</p>

<b>Dominica</b>	The consultative process used in Codex allows for the development of a standard, which takes into account different geographic area, different climatic conditions, varying levels of technology and food safety practices, as well as different cultural and trading practices. We see no need for divergence in the development of a harmonized standard.
<b>European Union</b>	A certain degree of divergence between UNECE and Codex standards is often needed/may be contemplated to accommodate the needs of Codex's broad membership. However in the interest of fair trade, emphasis should be placed on the approximation of standards to achieve as much harmonization as possible at the international level.
<b>France</b>	<p>A certain degree of divergence is inevitable in the development of international standards.</p> <p>It must be limited to recognizable points which can be resolved by a specific marking allowing a clear information of the marketed products.</p> <p>So, the harmonized points have to be: the minimal characteristics and the definition of the categories. The differences can concern the sizing or the presentation of the product.</p>
<b>Germany(*)</b>	<p>International standards – may they be from Codex, UNECE, or any other international standard setting body – must be harmonized. Traders – importers and exporters – when applying international standards do not care about the standard setting body. They expect that any international standard is accepted by their trading partners. To facilitate trade, these standards should be fully harmonized.</p> <p>Without harmonization, the labeling “Class I” would not provide clear indication on the characteristics of the produce contained in the relevant package. Thus, a trader or inspector has to figure out which standard was applied. This is not facilitating trade.</p> <p>The membership in Codex and UNECE is the same – UN member countries. Participation might be different in these standard setting bodies. The challenge for international standard setting bodies is, to develop a standard that covers the needs of all countries. Thus, these bodies should communicate their observations of provisions not covering the needs of all countries and work on a harmonized approach.</p>
<b>Kenya</b>	The principle of equivalence (or domestication) should be adopted when going for harmonization to ensure similar efforts in a standard bring out a safe and healthy food. Therefore some divergence should be acceptable provided it falls within the principle of equivalence – this could be due to differences in commodities, agro-ecological zones and food control systems.
<b>Mexico</b>	<p>Mexico considers that there is a priority, not only for the CCFFV, but also for Codex in general terms, to point out the difference between the scope and text of Codex standards and the scope of the standards developed by regional standardization organizations. Emphasizing that regional standardization bodies develop this activity with a fewer number of member countries.</p> <p>With all of the above, it should be considered that the creation and application of the scope of Codex and UNECE standards are different. By one side, Codex is an international organization that should have very much more flexible standards to accommodate the needs and interests of various regions. Instead, the UNECE is a regional organization in which countries share a similar geographic, economic and social situation, so they do not need so much flexibility. Considering this, there must be differences between Codex and UNECE standards.</p>

<b>Switzerland</b>	<p>The goal of Codex and other commercial norms is to ensure that our consumers are provided with safe and healthy food and that they clearly recognise different qualities. Some foodstuffs are transported over wide distances and between continents before reaching consumers. Depending on the trading country, the preferred type, shape or variety of the foodstuff may vary. It is up to Codex standards to adequately integrate such regional preferences whenever possible. However, some aspects, as for example quality tolerances (defects), are equally important to consumers all over the globe. Rotten or otherwise degraded food is not something the consumer wants.</p> <p><b>A certain degree of divergence between Codex and other standards is acceptable in order to take into account country specific preferences with respect to sizing or presentation. We are opposed, however, to divergent minimum requirements or quality tolerances concerning major aspects (e.g, decay, presence of dead insects).</b></p>
<b>United States of America</b>	<p>No level of divergence is needed to develop a harmonized standard, nor is it unavoidable if FFV standards are developed with less prescriptive requirements. CCFFV standards should take into consideration</p> <ul style="list-style-type: none"> <li>(i) the different characteristics of the products arising from the diverse geo-climatic conditions in producing countries</li> <li>(ii) different levels of technological abilities among member countries and</li> <li>(iii) different trading practices of member countries or regions due to socio-cultural influences and historical trading practices.</li> </ul>

**2. Taking into consideration paragraph 20 of the CX/FFV 12/17/13, the following questions can be considered. Please provide your views on following items**

**2. (1) “harmonization” in the framework of cooperation between Codex and UNECE**

<b>Member/ Observer</b>	<b>Answer</b>
<b>Australia</b>	<p>Australia appreciates the ideal of ‘harmonization’ with respect to the standard development process. Australia supports the need for both consultation and cooperation when developing standards, though does not believe that this should result in identical development of fresh fruit and vegetable standards. Australia supports retention of provisions and the current wording regarding consultation with other international organizations “which are active in the area of standardization of fresh fruits and vegetables” in the CCFFV Terms of Reference. Australia does not support reference to UNECE alone in regard to harmonization without reference to other international organizations.</p>
<b>Benin</b>	<p>Taking into account paragraph 20 of CX/FFV 17/12/13, “harmonization” in the context of cooperation between Codex and UNECE can be approached from a technical point of view and general provisions.</p>
<b>Colombia</b>	<p>The CODEX Alimentarius Commission, due to its nature as an international standards body recognized by WTO, is a frame of reference to other standards bodies wishing to develop standards, regardless their scope. Harmonization shall not be done in the opposite direction, since the global domain is the work field of Codex Alimentarius standards.</p>

<b>Costa Rica</b>	<p>Costa Rica reaffirms its previous position regarding the term “harmonization”. Codex is much broader, as it is located within a multilateral context where all regions of the world are represented and should not be confined to the harmonized interests of a group of countries or a single region. In addition, Costa Rica agrees and supports the comments submitted by Colombia.</p> <p>However, Costa Rica believes that the term “<del>detentan</del>” should be corrected by the term “<b>ejercen</b>” because according to the definition established by the Royal Spanish Academy, the term means to exercise illegally, which is not the case of the Codex Alimentarius and could cause confusion in its interpretation.</p>
<b>Dominica</b>	<p>“Harmonization” in the framework of cooperation between Codex and UNECE can be approached in areas where the objectives of both organizations are similar. This should not be a general provision.</p>
<b>European Union</b>	<p>“Harmonization” does not mean that UNECE and Codex standards should be identical. There are differences in the membership of the two organizations. However, the approximation of standards between both should always be the objective in order to facilitate trade.</p>
<b>France</b>	<p>This point plans the necessity of harmonizing the existing standards as they are used by numerous countries in their exchanges. This point aims at avoiding doubles writing and double working time.</p>
<b>Germany(*)</b>	<p><u>Harmonization</u> in the framework of cooperation between Codex and UNECE means that the standards of both bodies are fully harmonized as far as the commercial quality is concerned.</p>
<b>Kenya</b>	<p><u>Harmonization should be the ultimate goal of these two bodies but must take into consideration the inherent differences – one is global and the other is regional; but the strengths from each body should be taken into account when harmonizing and ensure finally that these standard bodies do not repeat the same activities but build on synergies from each other.</u></p>
<b>Mexico</b>	<p>The use of the UNECE layout in the development of CCFFV standards does not pose any problems since the layout addresses all sections of CCFFV standards.</p>
<b>Switzerland</b>	<p><u>Definition of “harmonization” in the framework on cooperation between Codex and the UNECE</u></p> <p>International meetings are very costly for its member states, both in time and money. It is in the interest of the Codex Alimentarius and its member states to accelerate the working procedure of the Codex Committee if norms created by the UNECE are taken as a starting point for a corresponding Codex norm. Some Codex member states also participate in the UNECE Working Party (WP) on Fresh Fruits and Vegetables. However, the UNECE WP is open to any member state of the United Nations or one of its specialized agencies. It does not make sense to multiply the workload and to review or create norms simultaneously and independently in two organizations that are both affiliated institutions of the UNO (i.e., the UNECE and the WHO/FAO joint organization Codex Alimentarius). For us, harmonization also means that the CCFFV should take an existing UNECE norm as a starting point for the creation of new norms.</p>
<b>United States of America</b>	<p>Harmonization in the framework of cooperation between Codex and UNECE must be based on the principle that both organizations can have the same objectives, undertake identical activities, but have different results.</p>



	The different result may result from each organization catering to the needs of the majority its members, Codex being global in nature and UNECE regional. Nevertheless, harmonization should result in a single standard that is not disruptive to each organizations constituent, trading practices or impose foreign requirements.
<b>2. (2) how UNECE Layout should be respected for those provisions related to quality and the Codex Format for Commodity Standards should be respected for those provisions related to safety</b>	
<b>Member / Observer</b>	<b>Answer</b>
<b>Australia</b>	Australia is aware of the Standard Layout for UNECE Standards on Fresh Fruit and Vegetables (2009), and understands UNECE's well established focus of provisions surrounding food quality. Australia considers that it is useful for Codex and UNECE standards to have a similar layout for the quality aspects of the standards. However in development of standards Codex should consider the need to include aspects of a standard on an individual commodity basis. Food safety considerations should also be considered on an individual commodity basis. It is important for the CCFFV to ensure that technical and quality aspects of other standards, which are not appropriate to Codex members' requirements are not absorbed into Codex standards.
<b>Colombia</b>	Codex Alimentarius standards deal with quality and safety issues. Some of these aspects are included in UNECE standards, but with a regional coverage. Inconveniences arise when these issues do not reflect international interests and affect fair trade. As to the layout structure to be followed, CODEX must be autonomous for defining its template.
<b>Costa Rica</b>	Given the autonomy of both standards, Costa Rica considers that the question No. 2.2. <b>How to respect the general model of the UNECE for those provisions relating to the quality and how to respect the Format for Codex Commodity Standards for those provisions relating to safety</b> , would not apply. As noted by the United States, Codex would never lower its standards by eliminating food safety provisions to be in line with the UNECE. However, the UNECE has the freedom to include Codex food safety provisions in UNECE standards, if desired, without having to become an obligation. However, UNECE quality provisions are considered in the negotiating process of Codex fora.
<b>Dominica</b>	The layout/format of Codex Standards should be respected with its food safety provisions. All the sections of the UNECE Standards are included in the Codex format.
<b>European Union</b>	The Codex Format for Commodity Standards is a generic layout designed for all commodities under the Codex mandate while the UNECE lay-out is designed specifically for fresh fruits and vegetables. The broad headings of the Codex Format match with the headings of the UNECE layout, which facilitates matters with the exception of food safety related provisions, which are not covered by the UNECE layout.
<b>France</b>	The workgroup of the UNECE brings the technical data that can be used as a basis of the writing of the standards. The Codex Committee completes these data with the work done by other committees. This way of functioning is not incompatible.

<b>Germany(*)</b>	<u>Standard Layout</u> : UNECE and Codex should respect the same standard layout for quality. This might require a special consultation process to develop a harmonized standard layout. For safety provisions the Codex format should be used.
<b>Kenya</b>	Since the broad headings of the UNECE layout for fresh fruits and vegetable quality standards and Codex format match; hence there is no conflict of the general presentation of these standards. In case UNECE wants to include food safety provisions in their standards; it would be advisable to follow the Codex format.
<b>Mexico</b>	The use of the UNECE layout in the development of CCFFV standards does not pose any problems since the layout addresses all sections of CCFFV standards.
<b>Switzerland</b>	<u>Food safety vs. food quality provisions</u> The UNECE standards include minimal requirements for food safety (e.g., sound, clean, free of damage caused by pests), whilst the Codex standards cover a wider range of food safety elements (e.g., contaminants). The general Codex food safety standards are horizontal standards that apply to all Codex vertical standards (commodity standards). We do not see a conflict between the UNECE and the Codex approach.
<b>United States of America</b>	The layout and/or format of each organization standard are not an issue. All of the sections of UNECE FFV standards are included in Codex FFV standards. All UNECE members are also members of Codex Alimentarius and take active part in Codex development of Food Safety guidelines/recommendations/codes of hygienic practice. In fact, UNECE members to date have had an advantage over other members of Codex in that they are able to have their input considered in the drafting of the UNECE standard and in the Codex standard. UNECE standards are focused primarily on the quality issues and practices of a singular region and exclude food safety provisions. Whilst Codex has to consider a much broader membership that is global in scope and includes the food safety provisions of the expert committees. It would be impossible for Codex to diminish its standards by removing the food safety provisions to bring them in line with the UNECE. However, the UNECE is free to include the Codex Food Safety provisions in its standards if so desired.

**2. (3) the recommendation to use the UNECE standards as a starting point in the development of corresponding Codex standards in relation to its recommendation on the need to develop harmonized standards**

<b>Member / Observer</b>	<b>Answer</b>
<b>Australia</b>	In the development of harmonized standards, Australia values the use and reference of all relevant standards, whether they be of UNECE origin or otherwise. Where appropriate, Australia would value the use of UNECE standards as a reference in commodity standard development, just as it values the input and collaboration of other relevant international organizations "which are active in the area of standardization of fresh fruits and vegetables".
<b>Benin</b>	Taking into account paragraph 20 of CX / FFV 17/12/13, UNECE standards are regional standards outside the framework of Codex.

	<p>To take UNECE standards, as a starting point to develop Codex standards, is not acceptable because the UNECE countries are developed country and developing their standards, they do not necessarily take into account the needs of developing countries.</p>
<b>Colombia</b>	<p>As it is presented in the recommendation, it may be understood that CODEX shall adopt UNECE standards, but this is not appropriate taking into account standards hierarchy. This statement is based on a wrong concept about international standards development.</p> <p>The procedure established by CODEX for the inclusion of new work items should be uniformly applied to all cases, because the final document approved will be international in nature. Also, equal opportunity shall be given to all countries through all study stages, even in the stage of preparation of a new proposal.</p> <p>As any country belonging to CODEX, European countries can propose work items, and these are subjected to a critical analysis. The current mandate for the Codex Committee on Fresh Fruits and Vegetables (CCFFV) states that UNECE may directly propose work items to be approved by the Commission, this way introducing prevalence and lack of transparency in the standards development process.</p>
<b>Costa Rica</b>	<p>Costa Rica varies its previous position and considers that the UNECE should be a reference point, not a starting point, in order to expedite the process, because, in some cases the discussions have gone on for several years awaiting the relies of the consultations with the UNECE.</p>
<b>Dominica</b>	<p>UNECE Standards should be used as a reference in the development of Codex standards.</p> <p>UNECE standards are developed specifically for a region where most of its members are developed countries and where the climatic conditions and levels of technology and food safety and trading practices are similar. These standards cannot be used starting point for standards that will be used on a globally basis which these conditions are vastly different.</p>
<b>European Union</b>	<p>Using UNECE standards as a starting point greatly facilitates and speeds up the work of the CCFFV on similar or the same matters. At a time when resources are limited, it is important to base Codex work on that of other relevant international organizations.</p>
<b>France</b>	<p>This point is very important and must be maintained as far as a large number of country players on international market are involved in the UNECE Working Group. UNECE standards are numerous and the work already made by the UNECE must be taken into account to draft Codex standards, when it is necessary, taking into account practices already implemented at international level.</p>
<b>Germany(*)</b>	<p>The recommendation to use <u>UNECE standards as a starting point</u> does not guarantee harmonization. From that point of view this part of the TOR should be amended to read "Whenever Codex is deciding to develop a standard for a produce where a UNECE standard exists already, this UNECE standard should be approved as Codex standard. If the consultation in Codex reveals areas that do not meet the needs of Codex participating countries these concerns and alternative provisions should be communicated to UNECE in order to amend the standard accordingly." To guarantee full harmonization, the UNECE should include a respective provision in their TOR.</p>

<b>Kenya</b>	Since countries trading at the international level are at different levels in implementation of standards; UNECE standards would form a reference point for development of standards but other standards bodies from other regions should make their input before acceptance and concurrence is reached.
<b>Mexico</b>	Regarding the recommendation to use UNECE standards as a starting point for the development of CCFFV standards, Mexico considers that UNECE standards should ONLY be used AS REFERENCE, and ONLY to develop standards when CCFFV has no an international technical reference developed for the proposed product, since as mentioned earlier on, UNECE standards meet geographical and commercial characteristics proper to that region and therefore would limit the scope of CCFFV standards.
<b>Switzerland</b>	<p><u>Use of UNECE standards as a starting point</u></p> <p>As stated above, international meetings are costly in terms of time and money. In our understanding, all Codex member states should have a common interest to reduce time and effort spent in the creation of new standards, especially if there is an existing UNECE norm that is used inter-continently and has widely been accepted. Upon request of some tropical producing countries, UNECE standards have been developed for some tropical produce. These countries have also actively participated in the creation of such norms.</p> <p>Taking an existing UNECE standard as a basis allows for more time for the Committee to suggest and discuss amendments to satisfy the needs of the global community. We do not believe that UNECE member states are privileged over non-UNECE member states during the plenary sessions, as the content of the standards is open for general discussion. What is more, non-members of the UNECE have actively participated in UNECE WP sessions with great success.</p> <p><b>In order to reduce time and money spent on discussions of new norms that have already been held in the UNECE WP, we suggest taking existing UNECE norms as a starting point and concentrating precious time and effort of the Committee on necessary amendments to the norms to satisfy the needs of the global community.</b></p>
<b>United States of America</b>	The recommendation to use the UNECE standards as a starting point in the development of corresponding Codex standards historically has been a contentious issue in Codex. Many Codex members who are not UNECE members believe that “recommendation” and “starting point” give UNECE members significant advantages because from the inception Codex standard will be based on UNECE standards and as such be based on UNECE members trading practices. Therefore, the U.S continues to believe that the UNECE standard should only be used as a “reference” in the development of corresponding Codex standard- and not a starting point.
<b>Uruguay</b>	While Uruguay recognizes the importance of UNECE in developing the rules governing commercial practices among the countries comprising the economic organization, Uruguay considers that UNECE standards should probably be taken as a reference and not as a “starting point” for the CODEX. In the same direction, other standards developed by regional trading blocs could also be taken as a reference to the work of CCFFV.

3. In reference to paragraph 20, do you think current working procedures are sufficient to implement the consultation process to allow the minimum difference between Codex and UNECE standards? If not, please provide your suggestions about possible ways of improving the consultative process	
Member / Observer	Answer
<b>Australia</b>	Australia reiterates that it is important for the CCFFV to consult all international organizations “which are active in the area of standardization of fresh fruits and vegetables”.
<b>Colombia</b>	<p>An intention of subordination of CODEX to UNECE is expressed in the question, to a extent that the modification of CODEX procedures for facilitating harmonization of CODEX standards with UNECE standards is brought up. This confirms what was exposed before, in the sense that the proposal made in the question is not suitable, considering the standardization hierarchies.</p> <p>We think that CODEX procedures for standards development are suitable. As to the enquiry stage, it should be done by initiative of the CCFFV, i.e., if when developing a Codex standard there is need to consult any aspect which can modify the content of the project under preparation, the CCFFV may decide what and whom to consult. This decision will be submitted to the Codex Alimentarius Commission for evaluation.</p>
<b>Costa Rica</b>	<p>Costa Rica believes that despite CCFFV meetings are every 18 months, the work is expedited through electronic working groups.</p> <p>In addition, Costa Rica reaffirms its previous position that the objective of the CCFFV is not to harmonize Codex with UNECE standards, but to develop global standards. Costa Rica is in disagreement with the current procedure of consultation with the UNECE.</p> <p>Costa Rica recommends that consultation and development of Codex standards are not driven by the UNECE, as this process slows the development of standards. Also, it should be the prerogative of the working group developing the standard to consult to any organization with a proper time for response.</p>
<b>Dominica</b>	The working procedures are sufficient.
<b>European Union</b>	The current working procedures are sufficient and appropriate to implement the consultation process.
<b>France</b>	<p>The process of consultation can be improved to use the available computing tools in a systematic way. Exchanges must be made systematically to allow constant harmonization of the standards in the time interval between the various meetings of the committees.</p>
<b>Kenya</b>	The concept of an all inclusive and harmonized standard is to consult all international organizations involved in fruits and vegetable standards development; hence as Codex develops standards, it should make reference to other standards such as those of UNECE even OECD. Since many UNECE members attend Codex meetings, the feeling is that the procedures are sufficient.
<b>Mexico</b>	Mexico considers that the current working procedures are enough to implement the consultation process. It is reiterated that differences are acceptable according to question 1 of this questionnaire.

<b>Switzerland</b>	<p>We believe that the current working procedures allow for enough time for the Codex Secretariat to consult with the UNECE secretariat between sessions. As the UNECE WP reunites every 12 months, the CCFFV does so every 18 months only. The UNECE WP has the capacity to advance quicker than the CCFFV.</p> <p><b>The current consultation process should be expanded and intensified. We are also in favour of common works between the Codex and the UNECE. However, the Committee may wish to ask the Secretariat if the different reunion cycles of the UNECE WP and the CCFFV do have any hindering effects on the consultation procedure.</b></p>
<b>United States of America</b>	<p>The current working procedures are indeed sufficient to implement the consultation process to allow the minimum difference between Codex and UNECE standards. However, recognizing the differences between the membership aspects of both organizations may result in different needs or objectives of the same standard is also very important.</p>
<b>Uruguay</b>	<p>Uruguay considers that the current working procedures are adequate and appropriate.</p>

#### 4. What do you think about paragraph 23 of the CX/FFV 12/17/13?

<b>Member / Observer</b>	<b>Answer</b>
<b>Australia</b>	<p>Australia supports goal 4 of the Codex Strategic Process Plan 2008-2013 in “Promoting cooperation between Codex and other relevant international organizations”.</p> <p>Having considered the Terms of Reference for all other active Codex commodity committees, Australia is of the view that point (c) in CCFFV Terms of Reference, “To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables”, is sufficient to ensure collaboration and cooperation with all relevant international organizations, including UNECE.</p> <p>No other active commodity committee specifies the consultation process with relevant international organizations as is done in the CCFFV Terms of Reference. Australia believes that the inclusion of point (c) “To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables” should be sufficient to highlight the value of collaboration with all relevant international organizations.</p>
<b>Benin</b>	<p>We believe that paragraph 23 of CX / FFV 17/12/13 is explicit.</p>
<b>Colombia</b>	<p>The phrase “To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables” would cover in general the topic of consultation, and it is not restricted only to UNECE, because as it was answered in the previous question, the CCFFV may decide whom to consult, depending on the nature of the topic. However, none of the TORs of other CODEX commodity committees define a particular consultation body.</p>
<b>Costa Rica</b>	<p>Costa Rica supports Colombia comments, “To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables”.</p>

	It is power of the CCFFV to define which organism will consult, thereby avoiding duplication of efforts and optimize the opportunities, as mentioned by the European Union.
<b>Dominica</b>	We agree with paragraph 23
<b>European Union</b>	<p>Taking into account the fact that:</p> <ul style="list-style-type: none"> <li>- UNECE work on standardization related to fresh fruits and vegetables is directly related to the work of CCFFV,</li> <li>- UNECE work is a valuable resource for Codex,</li> <li>- the mandate of the Codex Alimentarius Commission,</li> <li>- the emphasis in the newly adopted Codex Strategic Plan 2014-2019 to maximize outputs with limited resources and to strengthen coordination and cooperation with international organizations to avoid duplication of efforts and optimize opportunities,</li> </ul> <p>it is worth keeping point b of the CCFFV terms of reference specifically referring to UNECE consultation. It is not only unwise to dedicate additional resources to duplicate work already carried out by others, it also runs counter to efforts being made to harmonize standards at an international level.</p>
<b>France</b>	The sector of fresh fruits and vegetables is the only sector for which, another body works in parallel with CODEX on standards, which exist for several years and are used at international level. To delete this reference in the reference terms of the CCFFV would weaken the link between both authorities.
<b>Germany(*)</b>	Paragraph 23 b) and c) may be consistent with the mandate of the Commission "Promoting coordination of all food standards work" but the current consultation process does not guarantee harmonization and does not avoid duplication. The consultation process should include a step or provision guaranteeing that final decisions on revision of existing standards or of new standards can only be taken once the partner body did communicate agreement.
<b>Kenya</b>	As already mentioned it would be good for Codex to promote "all-inclusive" standards through consulting other international organizations, which work in the area of fruits and vegetables.
<b>Mexico</b>	Mexico agrees that subsection c) of the Terms of Reference is enough in accordance with the mandate of the Commission: (b) Promote coordination on all food standards works undertaken by international governmental and non-governmental organizations and with Goal 4 of the Codex Strategic Plan 2008-2013 "Promote cooperation between Codex and other international organizations". See Mexico's proposal on answer 5.
<b>Switzerland</b>	<p>As the CCFFV and the UNECE WP are the most important issuers of standards for fresh fruits and vegetables, we are in favour of specifically mentioning the UNECE in the CCFFV Terms of Reference; even more so as the CCFFV and the UNECE Secretariats already collaborate.</p> <p><b>We urge the Committee to maintain the mention in the Terms of Reference that duplication of standards and codes of practice must be avoided and that they follow the same broad format. Member countries of both organizations investing money to duplicate work for the same result is neither sustainable nor viable.</b></p>

**5. Please provide your suggested texts for revision of TOR of the CCFFV with rationale, if necessary, with referring to TOR of other commodity committees. (Please refer to the Annex)**

Member / Observer	Suggested texts / [Comments]
<b>Australia</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p>
<b>Benin</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(c) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p> <p>-----</p> <p>[Comments]</p> <p>Justification: Points kept a) and c) are consistent with the working procedures of the Codex</p>
<b>Colombia</b>	<p>[Comments]</p> <p>Taking into account that TOR (Terms of Reference) established in the Procedure Manual for Active Codex Committees, "sine die" or disbanded committees about: Fats and Oils (CCFO); Fish and Fishery Products (CCFFP); Milk and Milk Products (CCMMP); Processed Fruits and Vegetables (CCPFV); Cocoa Products and Chocolate (CCCPC); Cereals, Pulses and Legumes (CCCPL); Sugars (CCS); Processed Meat and Poultry Products (CCPMPP); Soups and Broths (CCSB); and Meat (CCM), do not make reference to other standardization organizations or bodies for the products covered, or to the need to consult with them, the following TOR is proposed for the CCFFV:</p> <p>-----</p> <p>To elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p>
<b>Costa Rica</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>-----</p> <p>[Comments]</p> <p>Costa Rica ratifies its position that the mandate should consider only the CCFFV developing global standards for fruit and vegetables, according to Rev. CRD 18 (Annex).</p> <p>Costa Rica considers that the same autonomy treatment should be given to the CCFFV mandate, on equal terms, in relation to other Codex commodity committees, e.g., CCPFV, CCFFP, CCFO, etc.</p> <p>Costa Rica considers that it does not make any sense that Codex looks for harmonization with standards developed by other organizations if indeed within Codex the terms of reference of commodity committees are not all the same.</p> <p>Costa Rica consider that it should be made it clear that when there is a need to consult with international standardization organizations, the UNECE is already included within these organizations.</p>



<b>Dominica</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables regard to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format.</p>
<b>European Union</b>	<p>[Comments]</p> <p>There is no need to amend the current terms of reference of CCFFV. The TOR capture the objectives of the CCFFV extremely well, giving prime position to Codex whilst still recognizing the valuable input of organizations such as UNECE to Codex work.</p>
<b>France</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult with the UNECE Working Party on Agricultural Quality Standards in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format;</p> <p>(c) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p> <p>Codex “proposed draft standards” and “draft standards” for fresh fruits and vegetables at Steps 3 and 6 of the Codex Procedure should be submitted to the UNECE Secretariat for obtaining comments.</p>
<b>Germany(*)</b>	<p>[Comments]</p> <p>The term “to consult” does allow a closer cooperation and improvement of the consultation process. Anyway, the TOR should clarify what “consultation” means with respect to “harmonization” and “duplication”.</p> <p>In paragraph 23 (b) the following sub-paragraph should be added:</p> <p>“Whenever Codex and UNECE do have standards for the same produce, the consultation is as follows: The CCFFV communicates any observation and/or proposal for amendments to UNECE. When observations and/or proposals are received from UNECE the CCFFV initiates a discussion and – where necessary – a revision of the relevant standard.</p> <p>In case the CCFFV decides to start the work on a standard for a produce where a UNECE standard already exists, this standard is checked. Any observations on inadequate provisions and/or proposals for amendments are communicated to UNECE.</p> <p>The final decision and approval of a new standard or a revision of an existing standard can be taken once both bodies have agreed on the harmonized text.”</p> <p>It is essential that UNECE implements the same type of consultation and cooperation in their working and decision making procedures. Codex should approach UNECE accordingly.</p> <p>Although this type of consultation and cooperation might slow down the standard setting process it is necessary to guarantee full harmonization and avoid any duplication. Moreover, it would guarantee that both international standard setting bodies develop truly international standards reflecting the needs of all interested countries.</p>

<b>Kenya</b>	<p>“To elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables”.</p> <p>“To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the recommended broad format”.</p>
<b>Mexico</b>	<p>[Comments]</p> <p>Mexico proposes to eliminate subsection b) and the numerals 1 to 4, considering that section c) is clear enough. This phrase ensures the collaboration and cooperation between the CCFFV and UNECE, as well as with other international organizations involved with fruit and vegetables standardization.</p> <p>The TOR should read as follows:</p> <hr/> <p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p>
<b>Switzerland</b>	<p>a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables <u>particularly with the UNECE Working Party on Agricultural Quality Standards</u> to ensure that there is no duplication <u>of standards or codes of practice</u> and that they follow the same broad;</p> <p>c) <u>to promote working group sessions with other international organizations to accelerate and facilitate the consultation process and to ensure an efficient collaboration.</u></p>
<b>United States of America</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(c) to consult, as necessary, with other international organizations that develop fresh fruits and vegetables standards and/or undertake standardization related activities. Thereby, minimizing duplication of standardization activities, and ensuring fresh fruits and vegetable standards or codes of practice follow a similar format.</p>
<b>Uruguay</b>	<p>a) elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables.</p> <p>b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format.</p>
<b>UNECE</b>	<p>[Comments]</p> <p>“The Specialized Section on Standardization for Fresh Fruit and Vegetables of the UNECE Working Party on Agricultural Quality Standards, as an active observer at the CCFFV and in support of the CCFFV effort to revise its Terms of Reference, submits the proposal to amend them as follows:</p>

	<p>CCFFV Codex Committee on Fresh Fruits and Vegetables</p> <p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format.”</p>
--	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**6. Please provide any other comments and thoughts, which may facilitate the discussion on this issue.**

<b>Member / Observer</b>	<b>Comments</b>
<b>Australia</b>	<p>Australia considers that specific references to the UNECE could be removed from the CCFFV Terms of reference and supports the continued collaboration between Codex and the UNECE.</p> <p>In view of the wider membership of Codex and need to accommodate regional differences in climate, production, varieties of produce and storage requirements, Australia believes that Codex standards need to retain flexibility, which may not be accommodated in UNECE or other regional standards.</p> <p>Australia reiterates that the goal of the consultation process is the development of harmonized standards. The CCFFV Terms of Reference should encourage the avoidance of prescriptive quality standards that limit consumer choice, add to food waste and stifle product innovation.</p>
<b>Colombia</b>	<p>The proposal of changing the TOR shall not be understood as an excuse to ignore standardization work of other bodies. The objective is establishing an operational domain for the CCFFV, independent, clear and concrete, defined in the same terms that the TORs of the rest of Codex commodity committees, also avoiding duplication of efforts in other bodies having the same origin: United Nations.</p>
<b>Costa Rica</b>	<p>Costa Rica supports Colombia's comments and ratifies previous the comments Cof osta Rica i.e. to establish time limits if necessary to consult with other international organizations.</p>
<b>European Union</b>	<p>The UNECE consultation procedure should be considered as a valuable resource for CCFFV work, which facilitates and speeds up the development of standards at CCFFV. Codex should continue to consult with UNECE to elaborate standards that can be applied worldwide.</p>
<b>Germany(*)</b>	<p>We should take into account that international standards have the status of recommendations as long as they are not implemented in national legislation. Thus, Codex and UNECE quality standards have equal rights and should provide fully harmonized provisions. With respect to the WTO TBT, national standards should not be stricter than inter-national standards. Thus Codex and UNECE standards should be fully harmonized to avoid any conflict in this aspect.</p>
<b>Iran</b>	<p>Iran supports the comments of the United States of America about CCFFV - EWG on the TOR. Also Iran generally agree with efforts and activities of the Codex Committee on Fresh Fruits and Vegetables (CCFFV) in developing standards to protect the health of consumers and ensure fair practices in the food trade.</p>
<b>Kenya</b>	<p>All efforts should be put to avoid duplication in standards in whatever form and waste resources in the process of implementing similar standards. Hence all efforts should be put in harmonization.</p>

	Strengths from each should be borrowed with a timeline towards operating under one standard; this can further be enhanced through having joint activities like meetings, workshops.
<b>Mexico</b>	Mexico considers that the same autonomy should be given to the CCFFV's mandate i.e. on equal terms as other commodity committees of the Codex Alimentarius.
<b>Switzerland</b>	<p>Trading companies in the fresh fruits and vegetables business across continents appreciate a solid basis for their transactions, i.e. fresh fruits and vegetables standards. In our opinion, taking existing norms as a starting point for CCFFV sessions facilitates and stimulates plenary discussions, as the broad structure of the standard is already given. In addition, existing standards that may serve as a starting point for new Codex standards are always submitted to Codex member states, so that they should have enough time to take position.</p> <p>In this regard, <b>we would like to understand why it would be better that the CCFFV starts discussing a new standard without taking into consideration the corresponding UNECE standard.</b></p>

#### 7. Any comments referring to Objective 1.3 of the Strategic plan 2014-2019?

<b>Member / Observer</b>	<b>Comments</b>
<b>Australia</b>	<p>Australia supports Objective 1.3 of the Codex Strategic Plan 2014-2019. We support the principle that Codex should collaborate, and harmonize to the extent possible, with other international organizations that "are active in the area of standardization of fresh fruits and vegetables" in order to achieve global harmonization of standards to facilitate trade.</p> <p>Australia supports the need for both consultation and cooperation when developing standards, though we do not believe that this should result in identical development of fresh fruit and vegetable standards.</p>
<b>Benin</b>	Benin supports the 1.3 objective of the 2014-2019 Codex Strategic plan.
<b>Brazil</b>	Objective 1.3 needs to be addressed in coordination with other rules and principles of the Procedural Manual and Objectives 1.2, 1.2.1 and 1.2.2 of the Strategic Plan 2014-2019. In that sense, Brazil understands that a less stringent TOR should be set to bring flexibility and independence to CCFFV's work.
<b>Dominica</b>	Dominica is in support of objective 1.3 of the Strategic plan 2014-2019. Strengthening coordination and cooperation with other international standards-setting organizations is essential in order to avoid duplication. It also encourages and allows all countries to participate equally and freely at all decision-making levels.
<b>European Union</b>	Avoiding duplication of efforts seems a priority objective in the context of simplification of standards and easing global trade.
<b>Kenya</b>	This should be encouraged in order to make the codex standards which have a global appeal and mandate more inclusive.
<b>Mexico</b>	Mexico agrees with Objective 1.3 of the Strategic Plan.

<b>Spain</b>	Spain is fully in line with this objective. The main objective of international standards should be to avoid unnecessary obstacles to trade. To achieve this, it is necessary to coordinate and cooperate with other organizations working in the same field of activity, while avoiding duplication of efforts. Working in an uncoordinated manner would lead to a lack of harmonization, i.e. the existence of different rules for the same product, or what is the same, to a technical barrier to trade.
<b>Switzerland</b>	Objective 1.3 of the Codex strategic plan underpins the importance of coordination and cooperation. This should not infer, though, that the CCFFV TOR should avoid mentioning the need for coordination and cooperation with other international organizations. The strategic plan 2014-2019 has a temporary validity, whereas the TOR remains valid.
<b>United States of America</b>	The United States supports objective 1.3 of the Codex 2014- 2019 Strategic Plan. It also believes that Codex Alimentarius is the sole international standard setting body/organization that allows all United Nations member countries to participate equally and freely at all decision making levels- from working groups to the Codex Executive. Therefore, since Codex Alimentarius have the inherent authority bestowed by its 189 member country governments, it is prudent that Codex Alimentarius cooperate with other standard organizations to avoid duplication of efforts and to optimize opportunities.
<b>Uruguay</b>	Uruguay is in accordance with the Strategic Plan that aims at establishing international standards as efficiently as possible without duplicating efforts or resources. We also agree with the way of work of the Electronic Working Group. We believe it is a valid tool to assist in the discussion of issues raised, where each member has the opportunity to express their opinion. Uruguay recognizes the efforts made by the coordinating country and countries responsible for the translation of the documents to summarize the issues raised and the timely distribution of the documents to the eWG members. Uruguay recognizes that the greatest limitation of this valuable tool is the language, which in the case of this electronic working group does not exist, but may become so in other electronic working groups.

**8. Any comments referring to the Terms of Reference of the Codex Committee on Spices and Culinary Herbs (CCSCH), which was established at the Commission held in July 2013?**

<b>Member / Observer</b>	<b>Comments</b>
<b>Australia</b>	Australia has no comments for this question as we believe that it is outside the remit of the eWG.
<b>Benin</b>	TOR fits well with the 1.2 and 1.3 objectives.
<b>Brazil</b>	Brazil supports any effort to harmonize the language as set up for the Terms of Reference of the Committee on Spices and Culinary Herbs (CCSCH) to the TOR of the CCFFV.
<b>Dominica</b>	Dominica has no substantial comments at this point on the TOR of the Codex Committee on Spices and Culinary Herbs (CCSCH) and is in full support of the establishment of the CCSCH.
<b>European Union</b>	No comments.
<b>Kenya</b>	(a) Elaborate worldwide standards for spices and culinary herbs in their dried and dehydrated state in whole, ground and cracked or crushed form, <b><u>with the goal of harmonization.</u></b>

	(b) To consult, as necessary, with other international organizations in the standards development process to avoid duplication, <b><u>and bring harmony in application of standards for spices and culinary herbs.</u></b>
<b>Mexico</b>	Agree with the Terms of Reference of the Codex Committee on Culinary Herbs and Spices with India as host country.
<b>Spain</b>	The Terms of Reference of this Committee reflects the desire to avoid duplication of efforts and results. Therefore, the TOR takes into account the work being carried out or performed internationally by other organizations to avoid duplication of work and lack of international harmonization.
<b>Switzerland</b>	The UNECE WP.7 has created around 50 standards for fresh fruits and vegetables (FFV). There is no other organization known to us that has done the same for FFV or other products, including spices and culinary herbs. It makes nevertheless sense to integrate the need for consultation in the CCSC TOR.
<b>United States of America</b>	The United States has no comments.
<b>Uruguay</b>	Uruguay believes that the same should be included in the Terms of Reference of the CCFFV, the query must be put forwarded to those organizations active in standardization of species and culinary herbs. Moreover, Uruguay would like to take the opportunity to raise concerns about the establishment of multiple committees and that this does not lead to duplication of efforts and resources. In this regards, compliance with objective 1.3 of the Strategic Plan is of particular importance. Uruguay ratified the statement in the previous document, and agrees with paragraph a) in its entirety and with paragraph b) with the following modification  (b) to consult, as necessary, with other international organizations <b><u>which are “active” in the area of standardization of spices and culinary herbs</u></b> in the standards development process to avoid duplication.

**9. Any comments to suggested texts and/or comments for TOR of the CCFFV provided by the eWG members in Question 5 of the 1st circulation, especially from the UNECE?**

<b>Member / Observer</b>	<b>Comments</b>
<b>Australia</b>	Australia considers that it is useful for Codex and UNECE standards to have a similar layout for the quality aspects of the standards. However in the development of standards Codex should consider the need to include aspects of a standard on an individual commodity basis. Food safety considerations should also be considered on an individual commodity basis. It is important for the CCFFV to ensure that technical and quality aspects of other standards, which are not appropriate to Codex members' requirements are not absorbed into Codex standards.
<b>Benin</b>	In the Codex Strategic Plan 2014-2019, Objectives 1.2 and 1.3 justifies the CCFFV TOR.
<b>Brazil</b>	Brazil does not support such proposal.

<b>Dominica</b>	Dominica supports paragraph (a) and is in agreement with the proposed amendment made by the United States in paragraph (b).
<b>European Union</b>	<p>The mention to UNECE in the terms of reference should be kept:</p> <p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) <b><u>to consult with the UNECE Working Party on Standardization of Perishable Produce in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format; and,</u></b></p> <p><del>(c) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format.</del></p>
<b>Kenya</b>	<p>(a) To elaborate worldwide standards and codes of practices as may be appropriate for fresh fruits and vegetables, <b><u>with the goal of harmonization.</u></b></p> <p>(b) To consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format, <b><u>and bring harmony in application of standards of fresh fruits and vegetables.</u></b></p>
<b>Mexico</b>	<p>Proposal of Mexico;</p> <p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p>
<b>Spain</b>	<p>Spain, as a participant in the 61st Session of the Specialized Section on Standardization of Fresh Fruits and Vegetables of the UNECE/UN (GE.1), supports the proposal to amend the Terms of Reference of the CCFV as detailed in the paragraph above.</p> <p>We consider necessary to include in the Terms of Reference, a reference to take into account the work of other international organizations working in the area of standardization of fresh fruits and vegetables, although the UNECE is not specifically mentioned.</p>
<b>Switzerland</b>	<p>Given the concerns expressed by many eWG members with respect to the reference to the UNECE, we support the CCFV TOR amendment proposed by the UNECE Specialized Section on Standardization of Fresh Fruit and Vegetables. However, we propose to add a supplementary paragraph c) that reads as follows:</p> <p>c) to promote working group sessions with other international organizations to accelerate and facilitate the consultation process and to ensure an efficient collaboration.</p> <p>We propose this additional amendment because we think that electronic and/or physical working groups with representatives of different international organizations should be established.</p>

	<p>These “inter-organizational” working groups should favour the exchange of knowledge and know-how and help advance the creation of new Codex standards quicker. The CCFFV would have to decide whom to invite before establishing a new working group.</p>
<b>United States of America</b>	<p>The United States recommend the following changes in Paragraph b. Delete the word “international” from the sentence and replace it with “multinational, regional, private sector and subscription based” standard organizations</p> <p>b. to consult, as necessary, with <del>other international</del> <b>multinational, regional, private sector and subscription based standard</b> organizations in the standards development process to avoid duplication.</p> <p><u>Justification:</u> The United States believes that Codex is the “only” international standards setting body/organization for Fruits and Vegetables, and all the other bodies/organizations are either are multinational, regional, private sector and/or subscription based.</p>
<b>Uruguay</b>	<p>Uruguay shares the proposal for amendment of the CCFFV TOR proposed by the 61<sup>st</sup> Session of the UNECE Specialized Section on Standardization of Fresh Fruits and Vegetables (GE.1) held from April 30 to May 3, 2013 (paragraph 53). Uruguay would like to emphasize that it is important the inclusion that the UNECE has made in b) which specifies that the query is made to international organizations that are active in the area of standardization of fresh fruits and vegetables.</p>

**10. Any comments to Section II of the 1<sup>st</sup> draft report by the eWG and other participants’ answers in the 1st round of comments?**

<b>Member / Observer</b>	<b>Comments</b>
<b>Australia</b>	<p>Australia reiterates that it is important for the CCFFV to consult all international organizations “which are active in the area of standardization of fresh fruits and vegetables”. Australia reiterates that the goal of the consultation process is the development of harmonized standards. The CCFFV Terms of Reference should encourage the avoidance of prescriptive quality standards that limit consumer choice, add to food waste and stifle product innovation.</p>
<b>Benin</b>	<p>We felicitate the working group synthesis done here.</p> <p>Some corrections to the document:</p> <ul style="list-style-type: none"> <li>- paragraph 11 in French, delete the word « must »</li> <li>- paragraph 26: in the French version, the word “de” must be deleted.</li> </ul>
<b>Brazil</b>	<p>Brazil shares the same view of other participants of the WG that “Codex standards will not be identical to other international standards, as a certain level of divergence is unavoidable due to differences between organizations in terms of membership and organizational goals”.</p> <p>In that sense Brazil would like to recommend to the WG to harmonize the TOR of CCFFV with the most recently approved Terms of Reference approved by the Codex Alimentarius Commission for the Codex Committee on Spices and Culinary Herbs (CCSCH), as set below:</p>



	<p>“To consult, as necessary, with other international organizations in the standards development process to avoid duplication”.</p> <p>The adopted language envision Objective 1.3 of the Strategic Plan 2014-2019 without any constrain to consult other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p> <p>Moreover, taking into consideration the acknowledged expertise of UNECE, ISO and other International Organizations in the Standard set up process, we also would like to bring to the attention of the WG that such language also ensures the Committee to refrain from duplication of work and to exercise cooperation for a broad and harmonized standard format.</p> <p>Most importantly, such language also brings flexibility to the work of the Committee to fully and independently addresses Article 1 of the Statutes of the Codex Alimentarius Commission to implement the Joint FAO/WHO Food Standards Programme.</p> <p>It also assess Objective 1.2 of the Strategic Plan 2014-2019 to “Proactively identify emerging issues and Member needs and, where appropriate, develop relevant food standards”; 1.2.1 to “Develop a systematic approach to promote identification of emerging issues related to food safety, nutrition, and fair practices in the food trade”; and 1.2.2 to “Develop and revise international and regional standards as needed, in response to needs identified by Members and in response to factors that affect food safety, nutrition and fair practices in the food trade”.</p>
<b>European Union</b>	No comments.
<b>Kenya</b>	The comments for the 1st circulation have been done in the comments above; we would like to commend the persons that mooted this eWG.
<b>Spain</b>	No comments.
<b>Switzerland</b>	<p>Comments for the draft report:</p> <p>7. With regards to Question 1, several participants consider that Codex standards will not be identical to other international standards, as a certain level of divergence is unavoidable due to differences between organizations in terms of membership and organizational goals. In other words, Codex is an international organization that should have <b>very much</b><sup>(1)</sup> more flexible standards to accommodate the needs and interests of various regions. Instead of it the UNECE is a regional organization, <b>although used transcontinentally</b><sup>(2)</sup>, in which countries share a similar <b>geographic</b><sup>(3)</sup> economic and social situation, so they do not need so much flexibility.</p> <p>(1) “Very much” is too strong considering the comments from the different countries.</p> <p>(2) only “regional” makes believe that these standards are used only within Europe, for example, which is not the case.</p> <p>(3) similar geographic situation is not true, as the climates etc. are very different in the regions where UNECE standards are applied.</p>

	<p>8. On the other hand, a few participants see that these standards should be fully harmonized to facilitate trade, or <b>do not see any need</b> for divergence in the development of a harmonized standard <b>with respect to</b> <del>if</del> different geographic areas, different climatic conditions, varying levels of technology and food safety practices, as well as cultural and trading policies <del>that could should be</del> taken into consideration.<sup>(4)</sup></p> <p>(4) Please revise this paragraph; this is a proposition based on the “back-translation” from the French version</p> <p>9. With regards to “harmonization” in the framework of cooperation between Codex and UNECE in Question 2(1), several kinds of opinions are provided: the term “harmonization” in the forums Codex is much broader, as it is located within a multilateral context where are represented all regions of the world; “harmonization” in the framework of cooperation between Codex and UNECE must be based on the principle that both organizations can have the same objectives, undertake identical activities, but <b>may</b> have different results; <del>this point</del> <b>“harmonization”</b> aims at avoiding doubles writing and double working time; and “harmonization” does not mean that UNECE and Codex standards should be identical.</p> <p>(5) “may” reflects more the different positions as the “different result” is not compulsory.</p> <p>(6) We suggest to clarify what “this point” stands for as it might suggest a reference to the preceding sentence.</p>
<p><b>United States of America</b></p>	<p>The United States has no comments.</p>
<p><b>Uruguay</b></p>	<p>Uruguay welcomes the opportunity to express its views and has provided its comments on the issues under discussion.</p>

(\*) **Definition:** The term Codex stands for “Codex Committee on Fresh Fruit and Vegetables” and the term UNECE stands for “UNECE Working Party on Agricultural Quality Standards” and its subsidiary bodies the “Specialized Section on Standardization of Fresh Fruit and Vegetables” and the “Specialized Section on Standardization of Dry and Dried Produce”.

## ANNEX C

## SUMMARY OF THE PROPOSALS MADE BY EWG MEMBERS IN RELATION TO QUESTION 9

**Any comments to suggested texts and/or comments for TOR of the CCFFV provided by the eWG members in Question 5 of the 1st circulation, especially from the UNECE?**

Current CCFFV TOR

- (a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;
- (b) to consult with the UNECE Working Party on Agricultural Quality Standards ~~[Agricultural Quality Standards Standardization of Perishable Produce]~~ {EU proposal} in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format;
- ~~[(b) to consult with the UNECE Working Party on Agricultural Quality Standards in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format;]~~ {Mexican proposal}
- (c) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.

UNECE proposal of CCFFV TOR revision

- (a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables [with the goal of harmonization] {Kenyan proposal};
- (b) to consult, as necessary, with other international ~~[international]~~ multinational, regional, private sector and subscription based standard {US proposal} organizations which are active in the area of standardization of fresh fruits and vegetables to ensure that there is no duplication of standards or codes of practice and that they follow the same broad format [, and bring harmony in application of standards of fresh fruits and vegetables] {Kenyan proposal}.
- [(c) to promote working group sessions with other international organizations to accelerate and facilitate the consultation process and to ensure an efficient collaboration] {Swiss proposal}

<p>Option 1: UNECE proposal</p> <p>Option 2: Swiss proposal</p> <p>Option 3: Kenyan proposal</p> <p>Option 4: US proposal</p> <p>Option 5: EU proposal</p> <p>Option 6: Mexican proposal</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## ANNEX D

## TERMS OF REFERENCE OF THE CODEX COMMITTEE ON FRESH FRUITS AND VEGETABLES

CCFFV	Codex Committee on Fresh Fruits and Vegetables
<b>Terms of reference</b>	<p>(a) to elaborate worldwide standards and codes of practice as may be appropriate for fresh fruits and vegetables;</p> <p>(b) to consult with the UNECE Working Party on Agricultural Quality Standards in the elaboration of worldwide standards and codes of practice with particular regard to ensuring that there is no duplication of standards or codes of practice and that they follow the same broad format;</p> <p>(c) to consult, as necessary, with other international organizations which are active in the area of standardization of fresh fruits and vegetables.</p> <p>*The Working Party on Agricultural Quality Standards of the United Nations Economic Commission for Europe:</p> <ol style="list-style-type: none"> <li>1. may recommend that a worldwide Codex standard for fresh fruits and vegetables should be elaborated and submit its recommendation either to the Codex Committee on Fresh Fruits and Vegetables for consideration or to the Commission for approval;</li> <li>2. may prepare "proposed draft standards" for fresh fruits or vegetables at the request of the Codex Committee on Fresh Fruits and Vegetables or of the Commission for distribution by the Codex Secretariat at Step 3 of the Codex Procedure, and for further action by the Codex Committee on Fresh Fruits and Vegetables;</li> <li>3. may wish to consider "proposed draft standards" and "draft standards" for fresh fruits and vegetables and transmit comments on them to the Codex Committee on Fresh Fruits and Vegetables at Steps 3 and 6 of the Codex Procedure; and</li> <li>4. may perform specific tasks in relation to the elaboration of standards for fresh fruits and vegetables at the request of the Codex Committee on Fresh Fruits and Vegetables.</li> </ol> <p>Codex "proposed draft standards" and "draft standards" for fresh fruits and vegetables at Steps 3 and 6 of the Codex Procedure should be submitted to the UNECE Secretariat for obtaining comments.</p>