

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

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Agenda Item 2

CX/GP 00/2

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON GENERAL PRINCIPLES
Fifteenth Session, Paris, France, 10 - 14 April 2000**

**MATERS REFERRED BY THE CODEX ALIMENTARIUS COMMISSION
AND OTHER COMMITTEES**

A. DECISIONS OF THE COMMISSION CONCERNING THE WORK OF THE COMMITTEE

Amendments to the Rules of Procedure

As the quorum specified in Rule VI.6 for the amendment of the Rules of Procedure was constituted, the Commission agreed to amend Rule II – Officers and Rule IX.10 on the appointment of Regional Coordinators as proposed by the Committee on General Principles.

The Commission adopted the amendment to Rule X in order to reflect that every effort should be made to reach agreement on the adoption or amendment of standards by consensus. The Rules of Procedure were subsequently approved by the Directors-General of FAO and WHO as required by Rule XIII.1.

Criteria for the Establishment of Work Priorities and Criteria for the Establishment of Subsidiary Bodies of the Codex Alimentarius Commission

The Commission adopted the amendments separating the criteria for work priorities from the criteria for establishing subsidiary bodies, which include provisions for the establishment of *ad hoc* Intergovernmental Task Forces operating for a limited period of time under closely defined terms of reference, but functioning in the same manner as established Codex Committees.

Relations Between Commodity Committees and General Committees: Draft Amendment to the Food Hygiene Provisions

Terms of Reference of the Codex Committee on Milk and Milk Products

Draft Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission

The Commission adopted the draft provisions as proposed by the CCGP.

Definitions for the Purpose of Codex: Definitions of Risk Analysis Terms Related to Food

The Commission agreed to amend the definition of *Risk Communication* as suggested by the Delegation of Canada, deleting the reference to “hazard” in order to avoid any confusion between risk and hazard. The Commission adopted the revised definitions of *Risk Communication* and *Risk Management* as proposed.

Core Functions of Codex Contact Points

The Commission adopted the Proposed Core Functions, and noted that the structure and operation of Codex Contact Points was the responsibility of governments, as reflected in the introductory paragraph. The amendments and additions to the Rules and other amendments to the Procedural Manual were subsequently included in the 11th Edition of the Procedural Manual.

B. OTHER DECISIONS OF THE COMMISSION

Codex Coordinating Committee for the Near East

The Commission adopted the proposed amendment to Rule III.1 which provided for an additional member of the Executive Committee, representing the Near East Region, and which had been submitted at the current session in accordance with Rule XIII, following the request of Codex Member countries from the FAO Near East Region¹ (ALINORM 99/37, paras. 6, 63-65 and 222-225).

In the light of the amendment to Rule III.1 of the Rules of Procedure and the desire of the Members of the region of the Near East to appoint a Regional Coordinator in accordance with Rule II.4(a), the Commission agreed to appoint a Regional Coordinator for the Near East (Professor El-Naggar of Egypt), on the basis of the recommendation of the majority of the members of this Region.

The Commission was informed that the amended Rules would be submitted to the Directors-General of FAO and WHO for approval as required by Rule XII.1 of the Rules of Procedure. The FAO Legal Counsel informed the Commission that, following the adoption of the amendment to Rule III.1, it was possible to proceed with the election of the Representative for the Near East Region (Saudi Arabia), with the understanding that the result of the election would be confirmed when the amended Rule entered into force. The amendment to Rule III.1 was subsequently approved by the Directors-General of FAO and WHO, thereby confirming the result of the election and the amended composition of the Executive Committee.

The Commission agreed to establish, under Rule IX.1(b)(i), a FAO/WHO Regional Coordinating Committee for the Near East. The FAO Legal Counsel indicated that FAO Member countries could participate as members in more than one regional group, but that they had to choose to which region they belonged as members for the purposes of participation in FAO Council; they could not stand for election in two groups and the same principle should apply to the Codex Coordinating Committees. The Legal Counsel proposed that the Commission adopt the proposed Terms of Reference with the understanding that Member countries could not be eligible for Representatives or appointed as Coordinator in two Regions at the same time. The Commission noted that participation in different regional groups was a general question which could be considered by the Committee on General Principles at a later date.

While discussing this question, the Commission noted the proposal of the Delegation of Republic of Korea to increase the membership of the Executive Committee and recalled that all relevant aspects pertaining to the composition and role of that Committee would be considered by the Committee on General Principles, as agreed earlier. This question will be considered under **Agenda Item 5**.

Draft Maximum Residue Limits for Bovine Somatotropine (BST)

The Commission recalled that there had been no consensus in the Committee on Residues of Veterinary Drugs in Foods concerning the establishment of a MRL for BST and that the Committee on General Principles had considered the application of “other legitimate factors” in the case of BST but had not been able to reach a conclusion. The Commission recognized that there was no consensus on the establishment of a MRL for BST and therefore decided to hold the Draft MRL at Step 8 (ALINORM 99/37, paras. 75-79).

Risk Analysis

The Commission considered a progress report on the application of risk analysis in the framework of Codex, following the decisions of the 22nd Session, and after an extensive discussion agreed on a number of recommendations to be applied in Codex, by member governments and by FAO and WHO (ALINORM 99/37, paras. 47-58).

The Commission adopted the following recommendations to be applied in the framework of Codex:

¹ Algeria, Bahrain, Egypt, Islamic Republic of Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates.

- a) Programmes that contribute to risk analysis should have high priority;
- b) Relevant Codex Committees should continue to develop and to apply risk analysis principles and methodologies appropriate to their specific mandates within the framework of the Action Plan and report their progress to the Commission on a regular basis;
- c) Proposals for new or amended definitions for use within the framework of risk analysis, as appropriate, should be considered by the Codex Committee on General Principles;
- d) To overcome confusion about the usage of the terms “risk analysis” and “hazard analysis”, the Commission should reiterate its definitions for these concepts and explain how they apply in practice;
- e) The Commission should continue and expand its efforts to increase the participation of those national governments and NGOs that are members or observers but that are not presently active participants in Codex matters;
- f) Relevant Codex committees should appoint a co-author from a developing country for position papers, where the main author(s) is from a developed country;
- g) Relevant Codex committees should consider developing quality criteria for data used for risk assessment. To the extent possible such criteria should be consistent with one another, taking into account the technical differences in the disciplines covered;
- h) Relevant Codex committees should consider the acute aspects of dietary exposure to chemicals in food;
- i) Recognizing that primary production in developing countries is largely through small and medium enterprises, risk assessment should be based on global data, including that from developing countries. This data should particularly include epidemiological surveillance data and exposure studies;
- j) Risk management should take into account the economic consequences and the feasibility of risk management options in developing countries. Risk Management should also recognize the need for flexibility in the establishment of standards, guidelines and other recommendations, consistent with the protection of consumers’ health.

The questions relating to risk analysis will be considered under **Agenda Item 3**.

C. MATTERS ARISING FROM OTHER COMMITTEES

1. Committee on Food Hygiene

The Committee on Food Hygiene considered the request from the Committee on General Principles concerning the role of other legitimate factors in the framework of risk analysis and had an exchange of views on the factors which were taken into account in its work. This question, including the conclusions of the CCFH, will be considered under **Agenda Item 6**.

2. Coordinating Committee for Asia

The CCASIA considered the need for improved cooperation among member countries in relation to the work of Codex. The Delegation of Japan proposed certain measures to improve performance of the Asian Region in the elaboration of Codex standards, including transmitting information, comments and concerns to the Regional Representative for Asia.

The Delegation of the Philippines expressed the view that advising the Executive Committee of the views of countries in the Region was rather the responsibility of the Coordinator as stipulated in Rule 4.(c)(ii) and the responsibilities of Representatives should be of more global and general nature. Several delegations agreed that a clear description was necessary on the responsibilities of Regional Representatives.

The CCASIA agreed to request the Committee on General Principles to specify the responsibilities of Regional Representatives so as to clearly distinguish their duties from those of Coordinators (ALINORM 01/15, paras. 102-105). The Committee is invited to consider how this proposal should be addressed.

However, it may be recalled that the roles of the Regional Representatives and the Coordinators were discussed at the 10th Session of the CCGP under the Agenda Item “Structure of the Executive Committee and Functions of the Regional Representative”. This originated from the discussions of the Executive Committee (39th Session) which recommended that the functions of Regional Representatives and Coordinators should be clarified, and requested the Secretariat to prepare proposals for consideration by the CCGP. The following text was therefore put forward for consideration and discussed as indicated below:

“Members of the Executive Committee elected on a geographical basis shall be responsible for determining the opinions of their countries in their respective regions on matters under discussion by the Executive Committee, and shall make these views known to the Executive Committee”

“The CCGP noted the proposal to amend Rule III so as to assign certain responsibilities to the Representatives. The Committee considered that a clear distinction should be drawn between the status of the Members of the Executive Committee elected on a geographical basis and the status of the Regional Coordinators. The Committee noted that the concept of electing Members on a geographical basis was intended to ensure the widest possible equitable representation of the Member States of FAO and WHO on the Executive Committee. Such Members were elected on a regional basis. They had firstly the main responsibility of being Members of the Executive Committee and were not therefore expected to present the views of the countries of that region *per se* but rather to ensure that the general concerns and interests of the region were reflected in Executive Committee decisions. On the other hand, the Committee was of the view that it would be more appropriate to enhance the roles of the Regional Coordinators at Sessions of the Executive Committee because they were better placed to be able to ascertain the views of the countries of their region. Consequently, they should play a more active role in their status as observers to the Executive Committee.

The Committee therefore agreed that the proposed amendment should be redrafted so as to assign the responsibilities of reporting on the views of the countries of the respective regions to the Regional Coordinators, thus assisting the Executive Committee in its deliberations.” (ALINORM 93/33, paras. 7-9, Appendix II)

The 20th Session of Commission subsequently adopted the proposals of the 10th CCGP for an amendment to Rule II clarifying the function of the Coordinator; this is the current text of Rule II.4 (c) (i)(ii).

In view of the question put forward by the CCASIA, the Committee may wish to reassert its earlier decision, whereby the difference between the roles of the Regional Representative and the Coordinator was clarified through the description of the Coordinator’s functions set out in Rule II.4 (c)(i)(ii). Alternatively, the Committee would need to consider whether specific provisions concerning the role of the Regional Representative are required and if an amendment to the Rules is warranted for that purpose.