

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 7

CX/GP 06/23/7

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON GENERAL PRINCIPLES

Twenty-third Session

Paris, France, 10 – 14 April 2006

REVIEW OF THE GENERAL PRINCIPLES OF THE CODEX ALIMENTARIUS

The 22nd Session of the Committee on General Principles considered the amendments to the General Principles of the Codex Alimentarius resulting from the abolition of the Acceptance Procedure. In the discussion, it was proposed to retain paragraph 4 of the section on *Codex Alimentarius: Not a Substitute for, or Alternative to, Referring to National Legislation* of the *Guidelines for the Acceptance Procedure for Codex Standards*, as it provided important information on Codex standards. The Secretariat and the WHO Legal Counsel indicated that this paragraph had been part of the *Guidelines for the Acceptance Procedure*, referring to the provisions that should be notified and therefore could not be taken in isolation or transferred to another section where it would not have the same relevance, without a specific need to do so. The Committee agreed to delete the entire *Guidelines* and noted that the delegations would have the possibility to submit comments to the Commission concerning the possible insertion of additional provisions in the General Principles of the Codex Alimentarius (ALINORM 05/28/33A, para. 85).

At the 28th Session of the Commission, the Delegation of Australia expressed the view that paragraph 4 of the *Guidelines for the Acceptance Procedure* described important principles of the Codex Alimentarius and provided guidance to member countries on how to implement or give regard to Codex standards in developing national regulations. After some discussion, the Commission agreed to delete all sections of the Procedural Manual related to acceptance and to request the Committee on General Principles to review the General Principles to consider how the principles reflected in paragraph 4 could be integrated into the General Principles of Codex, taking into account the written comments made by Australia and other members (ALINORM 05/28/41, para. 34).

The comments presented to the 28th Session of the Commission propose to insert the fourth paragraph of the *Guidelines for the Acceptance Procedure*, with the deletion of the reference to the acceptance procedure. This paragraph would be inserted at the end of the current *General Principles* and would read as follows:

Every country's laws and administrative procedures contain provisions which it is essential to understand and comply with. It is usually the practice to take steps to obtain copies of relevant legislation and/or to obtain professional advice about compliance. The Codex Standard will not normally deal with general matters of human, plant or animal health or with trade marks. The language which is required on labels will be a matter for national legislation and so will import licences and other administrative procedures.

In view of the abolition of the Acceptance Procedure and the developments of Codex work since the adoption of the *General Principles*, the Committee may also consider some consequential and editorial amendments in addition to the above.

The complete text of the General Principles would therefore read as follows (additions underlined):

Purpose of the Codex Alimentarius

1. The Codex Alimentarius is a collection of internationally adopted food standards and related texts presented in a uniform manner. These food standards and related texts aim at protecting consumers' health and ensuring fair practices in the food trade. ~~The Codex Alimentarius also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures intended to assist in achieving the purposes of the Codex Alimentarius.~~ The publication of the Codex Alimentarius is intended to guide and promote the elaboration and establishment of definitions and requirements for foods to assist in their harmonization and in doing so to facilitate international trade.

Scope of the Codex Alimentarius

2. The Codex Alimentarius includes standards for all the principle foods, whether processed, semi-processed or raw, for distribution to the consumer. Materials for further processing into foods should be included to the extent necessary to achieve the purposes of the Codex Alimentarius as defined. The Codex Alimentarius includes provisions in respect of food hygiene, food additives, ~~pesticide~~ pesticides and veterinary drugs, contaminants, labelling and presentation, methods of analysis and sampling, import and export inspection and certification. ~~It also includes provisions of an advisory nature in the form of codes of practice, guidelines and other recommended measures.~~

Nature of Codex Standards

3. Codex standards and related texts contain requirements for food aimed at ensuring for the consumer a safe sound, wholesome food product free from adulteration, correctly labelled and presented. A Codex standard for any food or foods should be drawn up in accordance with the Format for Codex Commodity Standards and contain, as appropriate, the sections criteria listed therein.

Revision of Codex Standards

4. The Codex Alimentarius Commission and its subsidiary bodies are committed to revision as necessary of Codex standards and related texts to ensure that they are consistent with and reflect current scientific knowledge and other relevant information. When required, a standard or related text shall be revised or removed in accordance with the Procedures for the Elaboration of Codex Standards and Related Texts ~~using the same procedures as followed for the elaboration of a new standard~~. Each member of the Codex Alimentarius Commission is responsible for identifying, and presenting to the appropriate committee, any new scientific and other relevant information which may warrant revision of any existing Codex standards or related texts.

The Codex Alimentarius: not a substitute for, or alternative to, referring to national legislation

5. Every country's laws and administrative procedures contain provisions which it is essential to understand and comply with. It is usually the practice to take steps to obtain copies of relevant legislation and/or to obtain professional advice about compliance. The Codex Standard will not normally deal with general matters of human, plant or animal health or with trade marks. The language which is required on labels will be a matter for national legislation and so will import licences and other administrative procedures.