

codex alimentarius commission ^E



FOOD AND AGRICULTURE
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Agenda Item 10

CX/GP 06/23/10

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME
CODEX COMMITTEE ON GENERAL PRINCIPLES
Twenty-third Session
Paris, France, 10 – 14 April 2006**

**CONSIDERATION OF THE STRUCTURE AND PRESENTATION OF THE PROCEDURAL
MANUAL**

Background

1. The Committee on General Principles raised the issue of the structure and presentation of the Procedural Manual at its 19th (Extraordinary) Session and following a brief discussion at its 20th Session, agreed that the Codex Secretariat would prepare a discussion paper for the next regular Session of the Committee, on the possible ways to reorganise the Procedural Manual.
2. The 22nd Session of the Committee had a general discussion on this question and agreed to request the Secretariat to present a revised discussion paper to its next session, to further explore ways to improve the structure, content and presentation of the Procedural Manual (ALINORM 05/28/33A, paras. 98-105).
3. The present paper considers how the Procedural Manual could be reordered, with some general considerations and more detailed proposals, including the modifications that could be made to its presentation and contents. As the 22nd Session did not discuss in detail the proposals put forward in the previous discussion paper, the paper has been updated but still retains the proposals that have not been considered so far.

Organization and Presentation : General Considerations

4. Since the last session of the Committee on General Principles, some changes have been made to the contents and presentation of the Procedural Manual. The amendments adopted by the 28th Session of the Commission have been adopted and this has resulted in additions to some of the current sections.
5. As agreed at the last session of the Committee, the list of Codex Contact Points has been deleted from the Manual and is regularly updated on the Codex website. It will also be distributed regularly to Members and Observers as a separate information document.
6. The 15th Edition of the Procedural Manual is currently divided into four sections (see Annex)¹. The section structure, with some changes if necessary, can be maintained in the future. This will particularly be useful when delegates wish to refer to a specific document in the Manual during their interventions at a meeting, since the page numbers normally differ between different language versions.
7. Since all provisions in the Manual are more or less closely related, it is difficult to group them under self contained or autonomous sections. New texts have been progressively added to the Manual, and the

¹ The section structure was introduced in the 6th Edition of the Procedural Manual (1986); all documents had been sequentially presented without chapters/sections until the 5th Edition.

sequence is not always in a logical order, due to the extension of the Manual to cover additional areas such as risk analysis or functions of Contact Points that were not directly related to other procedures.

8. The Statutes and Rules of Procedure establish the basis of the existence and operation of the Codex Alimentarius Commission and its subsidiary bodies and therefore should remain at the beginning of the Manual, in order to retain the separation between institutional and operational provisions.

9. It is generally recognized that texts intended for use in the framework of Codex should be included in the Procedural Manual while standards and related texts intended for governments are included in the Codex Alimentarius.

10. If this principle is applied consistently, a number of changes would be required since some texts that are intended for Codex subsidiary bodies, in order to clarify or facilitate the application of Codex procedures, and in particular the elaboration of specific standards, are currently included in other documents. These texts may be found in the Codex publications (Volumes), but in some cases they have not been included in any publication and can be found only in the reports of earlier Commission or Committee sessions. The Committee is invited to consider whether the principle in the preceding paragraph should be applied more systematically, with the introduction in the Manual of all texts applying within Codex, including general decisions of the Commission.

11. On the other hand, certain sections of the Procedural Manual may not be entirely relevant if the Manual is to concentrate only on procedures, or may be relevant not only for Codex but for governments; in such cases their removal or transfer from the Manual could be considered.

Specific proposals

12. The following proposals and considerations are put forward as a basis for discussion by the Committee.

Section I

13. This section, dedicated to the institutional and basic procedural texts, should continue to contain the Statutes, the Rules of Procedure and the General Principles. The definitions may remain in this section but could also be placed elsewhere in the Manual. A general question could be asked as to whether all definitions should be retained in the Manual or whether they should be included in the Codex Alimentarius.

14. These definitions are used throughout Codex in several standards and related texts that are intended for governments, and are not for exclusive use in the Procedural Manual. This question may be considered from a general point of view, and for specific sets of definitions (such as risk analysis or methods of analysis). The Committee on Methods of Analysis and Sampling is revising the Analytical Terminology for Codex use in the Manual and substantial changes could result from this revision at a later date. This issue has not been considered by the CCMAS since the last session of the CCGP due to the planning of the sessions.

15. Following the abolition of the acceptance procedure, the General Principles of the Codex Alimentarius has become a short text describing the nature and purpose of the Codex Alimentarius, and could be either retained in its current position or placed immediately after the Rules of Procedure.

16. The *Principles Concerning the Participation of International NGOs in the Work of the CAC* and the *Guidelines for Cooperation with International Governmental Organizations* were incorporated into Section I as they are related to the basic procedural texts. They may also be presented in a separate section.

17. The Elaboration Procedures could also be placed in Section II with all provisions concerning the operation of Codex subsidiary bodies and the elaboration of standards (see Section II below).

Section II

18. This section currently contains all procedural texts other than those contained in Section I. This section could include all provisions related to the operation of Codex subsidiary bodies, describing how standards are elaborated and how Committees should operate. The section would then begin with the Elaboration Procedures and include both sets of "Criteria" and all Guidelines intended for subsidiary bodies.

19. The Uniform System of References for Codex documents is only a guide for the system of references and not directly related to the operation of the Codex system, and it could also be placed in Section IV of the Manual. In this respect it may be noted that the system does not refer to published standards but only to working documents.

20. In recent years some confusion arose from the reference to the year of revision or amendment of standards and related texts, as this has not been applied consistently throughout Codex. It is proposed to include in the Uniform System of Reference recommendations on the references to final Codex texts. In this regard, one could consider the possibility of retaining only the reference number and to delete the year of first adoption as well as the year of amendment or revision, in order to avoid confusion. The information concerning the dates of adoption or revision is available for reference purposes in the list of standards.

21. The description of Core Functions of Contact Points is intended to provide guidance to governments on how they participate in the work of Codex, rather than to set out procedures on the operation of Codex bodies. If the text is retained in the Manual, it could be placed in a separate section.

Section III

22. This section should be retained as a separate section set aside for risk analysis policies developed by Codex committees in specific areas of risk analysis. Following their adoption by the 28th Session of the Commission, the texts developed by the Committee on Food Additives and Contaminants were inserted in this section, in addition to the general *Working Principles*. Similar documents under elaboration by other Committees will be included in this section. The definitions related to risk analysis could be included in that section, depending on the decision taken concerning definitions in general.

Section IV

23. This section contains elements of information or reference. As mentioned above, it could also incorporate the system of reference for Codex documents. As regards the sessions of Codex subsidiary bodies, this information could be separated from the terms of reference of the Committees and Task Forces which is a procedural element, whereas the list of meetings is a reference for information. A possibility would be to list the terms of reference of the Committees in Section I and to list the dates of meetings in Section IV. On the other hand, the current presentation allows the users to obtain all information regarding a given subsidiary body from one place, including the record relative to the subsidiary bodies that have been abolished.

Appendix

24. The general decisions of the Commission provide general orientation to the work of Codex and could also be placed before Section IV that contains references and information. They were included only from 1995 onwards and the Committee might consider whether earlier decisions need to be included also in the Manual and whether they should be kept under review and updated if necessary.

Provisions that could be Inserted

25. The Committee may wish to consider whether to insert in the Procedural Manual those texts relating to the elaboration of standards, establishment of priorities, criteria for new work that have been established specifically for individual Committees, and are currently included in other Codex documents. This applies in particular to the following provisions.

26. The procedure included in Volume 2B (Pesticides) for the establishment of MRLs for pesticides in the Committee on Pesticide Residues is directly related to the Codex elaboration procedure and should be inserted in the Manual. This would also provide an opportunity for the Committee on Pesticide Residues and the Committee on General Principles to review this procedure in the light of current work on risk analysis in the framework of Codex.

27. Volume 13 includes *Recommendations for a Checklist of Information Required to Evaluate Methods of Analysis Submitted to the CCMAS*. This checklist refers to the information that should be provided to the CCMAS concerning the methods of analysis proposed by Codex Committees. As it is not directed to governments but is applicable within Codex, it would be more adequately inserted in the Procedural Manual.

28. Specific procedures applied by Codex Committees should be considered for inclusion in the Manual, as it may be difficult to find them in earlier Commission or Committee reports. This is the case of the Procedure for the inclusion of additional species in the standards for fish and fisheries products that was adopted by the Commission in 1989 and can be found only in the Commission report (and in its reprint for the Committee on Fish and Fishery products, CL 30/1995-FFP).

29. Other similar procedures or criteria may have been developed by Committees but those which provide only limited guidance to the work of the Committee and were not adopted by the Commission may not need to be included in the Manual.

30. The Committee is invited to consider how to deal with the texts that have been adopted by the Commission and provide guidance to the work of the Committees, complement the elaboration procedure, or otherwise have a direct relation with Codex procedures.

Modalities of Publication

31. The Procedural Manual of the Codex Alimentarius Commission is currently published in booklet form and in electronic form on the Codex website. Although paper printing and distribution of Codex working documents has been reduced due to budgetary constraints, the publication of the Procedural Manual in printed form will be continued.

32. Although there was some earlier discussion concerning the possibility of publishing the Manual in loose leaf form, this would entail higher costs and also may create some practical difficulties. When the 15th edition was prepared, a large number of substantial changes were made and also many consequential amendments such as changes in terminology, references and numbering of various sections. As a result few sections actually remained unchanged, and this is often the case when the Manual is updated. This may or may not be the case in the future, but recent experience has shown that amendments to the Manual are rarely limited to one or two sections, but generally affect the entire Manual. The most practical approach for the publication of the Procedural Manual therefore appears to be the use of the current booklet format.

33. As the Procedural Manual is published on the Codex website in the five languages, this allows users to print the parts of the Manual they need if they do not wish to use the entire Manual. However, as many current or potential users, especially in developing countries, still lack adequate access to Internet and to printing facilities, this would not replace publication in printed form.

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