



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON GENERAL PRINCIPLES

**Twenty-seventh Session
Paris, France, 2 - 6 April 2012**

DEVELOPMENT OF JOINT CODEX/OIE STANDARDS

Replies to CL 2010/22-GP

Addendum 1

(Canada, Democratic Republic of the Congo and Japan)

CANADA

Canada would like to express its appreciation for the opportunity to comment on the concept of the development of Joint Codex/OIE standards as outlined in CL 2010/22-GP. The background paper provides a good perspective on the history of cooperation between the two organizations with regards to procedural considerations related to joint standards and identifies a number of texts developed collaboratively by the two organizations.

While supporting strengthened collaboration on issues of common interest between the two organizations, Canada is of the view that existing mechanisms for cooperation have worked well, as demonstrated by the number of collaboratively developed texts.

In Canada's view, it is important to note that there are differences between Codex and the OIE regarding their approaches and timelines to standard setting which may hamper the establishment of "true joint standards". We do not believe that the development of "joint standards" should, therefore, be the desired objective but rather the ultimate goal of the two organizations should be standards that are compatible and complementary, contributing to shared safety outcomes, and promoting an enhanced integrated risk management approach throughout the farm to fork continuum.

As the work of the OIE and the CAC progresses in areas of common interest such as zoonotic foodborne pathogens, work at the national level by the respective Codex and OIE delegates could significantly contribute to the shared objectives of these two organizations. Closer and strengthened alignment at the national level will be essential in ensuring there is strong support for the continued collaboration between the two international standard setting organizations and that comments made to the respective standard setting processes are well coordinated. Such efforts should mirror and respect the agreement in place between the OIE and the CAC with respect to food safety.

It is Canada's opinion that the OIE and Codex should continue to work within their respective mandates in a collaborative, inclusive and transparent manner. While recognizing previous successful collaborative efforts, we acknowledge that working on the standards for trichinellosis in tandem is one example to further realizing the shared objectives and outcomes of the two organizations. This particular activity could serve as a model for future strengthened standard setting activities in the farm to fork continuum and a demonstration of a commitment to the global public good.

DEMOCRATIC REPUBLIC OF THE CONGO

1. General principles

Given that Codex is a joint FAO/WHO programme and that OIE (World Organisation for Animal Health) is an international organisation for the improvement of animal health and the control of the spread of zoonotic diseases, both organisations, while preserving their independence, have converging objectives to ensure that food products of animal origin are harmless and safe and are developing appropriate standards, the former in the area of protecting human health and the latter in the area of protecting animal health and welfare;

Regarding world trade, WTO uses Codex and OIE standards to settle trade disputes between States; consequently the former are reference standards for the international trade of food products of animal origin; The 28th session of the Commission adopted the *Guidelines for cooperation with international intergovernmental organisations* in several areas of common interest, such as standards for controlling pathogens transmitted through food products of animal origin, use of antimicrobials in food producing animals, or commodity standards for meat products;

The Democratic Republic of the Congo sees no reason why Codex and OIE shouldn't develop joint standards because the gaps found in the standards of either organisation could be filled by the two organisations working in consultation, thus providing valid and efficient joint standards.

2. On the procedure for the development of joint standards:

Why must the cooperating organisation have observer status with the Codex Alimentarius Commission, and for how long?

Why must the cooperating organisation have the same principles of membership, have subsidiary bodies established as Joint Codex Committees elaborate joint standards and related texts, whereas the final approval is conditioned by the adoption of the standards or joint texts by the Commission and the cooperating organisation?

For the Democratic Republic of the Congo, rather than a statement by the Directors-General of FAO and WHO, which would complicate the procedure and take longer, the relevant trilogy should be:

HEALTH-TIME-RESOURCES.

Therefore, as both organisations are working to reach the same objectives, albeit at different levels, considering their approach to health, the proposed procedure for the development of joint standards is acceptable. However, the Democratic Republic of the Congo would like to see the procedure shortened by:

- ***Eliminating the statement of the (FAO and WHO) Directors-General, which should be replaced with simple letters of acknowledgment of receipt;***
- ***Eliminating the formal adoption at the level of the organisations, as the committee for the development of the standards is a joint body.***

Furthermore, the Democratic Republic of the Congo respectfully asks OIE and Codex to set up a Joint Committee that would study the areas requiring the development of joint standards, even though the OIE has already proposed three areas (see CX/GP 10/26/8).

3. On the analysis of the issues of joint Codex-OIE standards

a. Weaknesses:

As the Codex and OIE are two separate organisations, each pursues its own agenda, which, in the event of non-consultation, fosters overlapping, duplication and contradiction, or even increased costs and substantial delays in the process; with the added factor that OIE has no risk management and assessment. It should also be pointed out that, at Codex, some guidelines are considered as integral parts of food standards.

b. Strengths:

The reasons for the development of joint Codex-OIE standards (CL2010/22-GP of August 2010) (input from OIE) prompt the Democratic Republic of the Congo to agree that there are potential advantages of having joint Codex-OIE standards as laid down in the above-mentioned discussion paper.

4. On the nature and role of the Codex and OIE:

Considering that the OIE is a private body whose democratically adopted standards can be ameliorated according to reported scientific progress;

The Democratic Republic of the Congo agrees with the arguments in the above-mentioned discussion paper, i.e.

“Cooperation between Codex and OIE, including standard-setting activities, should therefore be considered in the framework of existing agreements between FAO and OIE and between WHO and OIE, as appropriate, and the tri-partite ongoing cooperation between the three organisations.”

However, regarding the standards that do not require consultation, both organisations should continue to work as they used to, independently, while complying with their respective recognised remits.

JAPAN

1. Japan welcomes the opportunity to comment on arrangements for the development of joint Codex/OIE standards and recognizes the potential benefits of having common standards that are presented in the discussion paper (CX/GP 10/26/8). Japan notes that the relevant discussions are ongoing at the WTO/SPS Committee in the context of the Third Review of the Operation and Implementation of the SPS Agreement (G/SPS/53), including the Chair's report of the workshop of the SPS Committee in October 2009 (a WTO document, G/SPS/R/57). Japan agrees with the recommendation on “joint work by two or all three Sisters on cross-cutting issues”.

2. Firstly, Japan would like to suggest careful consideration of subjects for which joint standards should be developed. Japan notes that the two organizations have some similar but distinct objectives and purpose in the field of food safety. In some cases, the development of two independent standards in the same area that complement each other may function better. In other cases, a single standard developed by only one of these organizations that has competency in the area in question may be desirable. In the discussion of “joint standards” for the areas that are of interest of Codex, all possible options including those stated above should be considered in order to identify the most appropriate process.

3. Secondly, Codex members should discuss what type of “joint standards” they wish to have. Options may include: (1) Codex standard with input from OIE (and vice versa); and (2) a single standard jointly elaborated by Codex and OIE.

4. For a single standard, its elaboration of the standard(s) shall follow “Uniform Procedure for the Elaboration of Codex Standards and Related Texts” in the Codex Procedural Manual¹ to fully address consumer concerns as well as scientific principles and transparency. In this case, Codex (FAO/WHO) and OIE should have a clear agreement on this procedure and this agreement should be reflected in the Procedural Manual.

5. In summary, Japan proposes that Codex members work on:

- identifying subjects where the development of joint standards by Codex and OIE should be developed; and
- clarifying what type of joint standards to be developed;

6. By using “Uniform Procedure for the Elaboration of Codex Standards and Related Text”, all Codex members are given ample opportunities to provide written and oral comments, thereby ensuing transparency and inclusiveness.

¹ Guidelines on Cooperation between the Codex Alimentarius Commission and International Intergovernmental Organizations in the Elaboration of Standards and Related Text

【For reference】

The objectives of OIE are:

- Transparency: Ensure transparency in the global animal disease situation;
- Scientific information: Collect, analyse and disseminate veterinary scientific information;
- International solidarity: Encourage international solidarity in the control of animal diseases;
- Sanitary safety: Safeguard world trade by publishing health standards for international trade in animals and animal products;
- Promotion of veterinary services: Improve the legal framework and resources of national Veterinary Services; and
- Food safety and animal welfare: To provide a better guarantee of food of animal origin and to promote animal welfare through a science-based approach

The purpose of Codex is:

- (a) protecting the health of the consumers and ensuring fair practices in the food trade;
- (b) promoting coordination of all food standards work undertaken by international governmental and nongovernmental organizations;
- (c) determining priorities and initiating and guiding the preparation of draft standards through and with the aid of appropriate organizations;
- (d) finalizing standards elaborated under (c) above and publishing them in a Codex Alimentarius either as regional or worldwide standards, together with international standards already finalized by other bodies under (b) above, wherever this is practicable; and
- (e) amending published standards, as appropriate, in the light of developments.