



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COMMITTEE ON GENERAL PRINCIPLES

Twenty-ninth Session

Paris, France, 9 - 13 March 2015

CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE

(prepared by the Codex Secretariat in collaboration with FAO and WHO)

Governments and international organizations in Observer status with the Codex Alimentarius Commission wishing to submit comments on this document are invited to do so no later than **20 February 2015** as follows: Ms Geneviève Raoux, Ministère de l'Économie, de l'Industrie et du Numérique, Direction générale de la concurrence, de la consommation et de la répression des fraudes, 59 Boulevard Vincent Auriol, Teledoc 223, 75703 Paris Cedex 13, France (E-mail: genevieve.raoux@dgccrf.finances.gouv.fr) with a copy to the Secretariat of the Codex Alimentarius Commission, Joint FAO/WHO Food Standards Programme (E-mail: Codex@fao.org).

1. INTRODUCTION**1.1 Background**

1. CCEXEC69 discussed a proposal of CCGP28 to (i) develop an inclusive and clearly scoped process to review the work management systems and practices of Codex according to strategic goal 4 of the Codex Strategic Plan 2014-2019; and (ii) envisage a review, under the auspices of FAO and WHO, of the status of implementation of the recommendations and associated proposals arising from the 2002 Codex Evaluation.
2. CCEXEC69 noted that the key concerns needed to be identified and analysed first, before concrete decisions could be made on the way forward and that this could be best addressed through a discussion paper prepared by the Secretariat in cooperation with FAO and WHO.
3. CCEXEC69:
 - Agreed that a two stage process, first internal and Secretariat-led and then external could be undertaken in order to evaluate the work management of Codex
 - Requested the Secretariat to prepare, in collaboration with FAO and WHO, a paper identifying scope and processes to evaluate the work management of Codex for consideration by CCGP in May 2015. The background to this paper should also include an analysis of the implementation of the 2002 Codex evaluation. Taking into account comments expressed at CCGP, the Secretariat-led internal review will be initiated in a form to be decided and approved by the Commission at its 38th Session. The case and process for an external review will also be examined by the Commission.
4. CCEXEC69 also considered the issue raised by the Delegation of Cameroon during CCGP28 regarding the effectiveness and representativeness of CCEXEC and noted that this matter was closely linked to the discussion on the Codex work management and that it could be dealt within the discussion paper agreed upon.¹
5. CAC37 endorsed the recommendation of CCEXEC69 concerning the preparation of a paper identifying scope and process to evaluate the work management of Codex (i.e. that the Secretariat prepare, in collaboration with FAO and WHO, a paper identifying scope and processes to evaluate the work management of Codex) for consideration by CCGP in 2015. CAC37 noted that the paper would also address the issues related to the effectiveness and representativeness of the Executive Committee and that the Codex Evaluation in 2002 ([ALINORM 03/25/3](#)) and its follow-up in 2005 were appropriate starting points for this work².

¹ REP14/EXEC paras 69-75

² REP14/CAC para. 103

6. As indicated by CAC37 and CCEXEC69, this document uses as a starting point the implementation of the recommendations of the Codex Evaluation in 2002 ("the Evaluation").
7. The Evaluation contains forty-two recommendations, which address: (i) Codex (Rec. 1-31); (ii) Scientific Advice (Rec. 32-40); and (iii) Capacity Building (Rec. 41-42).
8. For the purpose of this document only recommendations 1-31 are considered. The status of implementation of the recommendations related to Scientific Advice and Capacity Building is presented in separate document (CX/GP 15/29/6 Add.1).
9. At its 25th (Extraordinary) Session (Geneva 13-15 February 2003), the Commission had a general discussion on the main aspects of the recommendations identified by the Executive Committee, namely : the mandate; the priorities; the establishment of an Executive Board, in place of the current Executive Committee and a Standards Management Committee; the definition of consensus; expert scientific advice; and capacity building.
10. CAC25 requested the Secretariat to obtain comments from governments and interested international organizations on the report of the Evaluation, and to prepare options and strategies for consideration by CAC26. Based on the replies received, the Codex Secretariat prepared thirty-eight proposals, addressing the following areas:
- Review of the Codex committee structure and mandates of Codex committees and task forces, including regional committees ([ALINORM 03/26/11 Add.1](#)) (related to Recommendations 16, 17);
 - Review of the functions of the Executive Committee ([ALINORM 03/26/11 Add.2](#)) (Recommendations 9, 10);
 - Improved processes for standards management ([ALINORM 03/26/11 Add.3](#)) (Recommendations 18, 20, 23, 24);
 - Review of the Rules of Procedure and other procedural matters ([ALINORM 03/26/11 Add.4](#)) (Recommendations 8, 22, 23, 24, 26, 27, 28); and
 - Implementation of other Recommendations ([ALINORM 03/26/11 Add.5](#)).
11. From CAC27 (2004) until considered completed in 2009, the Codex Secretariat presented a document (to both CCEXEC and CAC) on the status of implementation of the 38 proposals. It should be noted that there is no always a clear correspondence between the recommendations of the Evaluation and the proposals that were monitored.
12. In the Appendix, for each recommendations, information is provided on:
- Correspondence with proposals
 - FAO/WHO Management Response;
 - Relevant decision of CAC25, which discussed the recommendations;
 - Relevant decision of CAC26; which discussed the proposals;
 - Implementation status by 2009 of the proposals; and
 - Events after 2009.

1.2 Overview

13. Section 2 contains a review of the implementation status of recommendations 1-31. Section 3 contains proposals made to improve Codex work management and functioning of the Executive Committee. Section 4 will examine possible ways and resources required for further evaluation and implementation of the proposals.

2. FINDINGS

14. When reviewing the implementation status of recommendations 1-31, 5 main areas for re-evaluation /improvements which are discussed below were identified (Sections 2.1-2.5) as well as recommendations for which presently no further action is recommended (2.6). Each section contains the original short version of each recommendation from 2003 followed by comments by FAO/WHO/Codex Secretariat from 2015.

2.1 Mandate and priorities

Recommendation #1:

The scope of Codex should fully cover health-related aspects of food standards. It will, therefore, need (subject to availability of resources for Codex and expert scientific advice and prioritization on the basis of expert scientific advice as to the importance of alternative risks) to :

- strengthen work on foods for special dietary uses, health claims and nutrient addition; and
- undertake new work on packaging materials; and on industrial processing agents and bioagents in foods.

15. The work of Codex continues both on health (food safety and nutrition) and non-health standards; the exact ratio in the use of Codex resources for these different categories has never been examined.

16. Work on foods for special dietary uses, health claims and nutrient addition has continued and even been strengthened in several specific areas such as special dietary uses, health claims, nutrition labelling, nutrient addition. Codex worked intensively in these areas also in relation to the implementation of the WHO Global Strategy on Diet, Physical Activity and Health, adopted by the World Health Assembly.

17. It is not clear why in the recommendation new work on packaging materials and industrial processing agents in foods was stressed.

18. What seems to be lacking in some areas are effective mechanisms to strategically conduct horizon scanning and identify and include emerging issues in the programme of work (this would be consistent with the Codex Strategic Plan Strategic Goal 1). Ongoing discussions on the “revitalisation of FAO/WHO Coordinating Committee meetings” are also partly addressing this question. The proposal (related to Recommendation #11) to submit a “strategic plan for standards development” at two-yearly intervals on a rolling basis could address this issue as the Codex strategic plan may be too high level for this purpose.

Recommendation #2: It is recommended that Codex should not take on additional work in non-health related areas.

19. This recommendation appears to be partly in contradiction with Recommendation #3.

20. Commodity standards continue to be an important part of Codex work. Many countries consider work on commodity standards useful to improve their market access and in preventing food trade impediments.

21. The establishment of the CCSCCH was not without controversy and has also led to the present review. With the decision to establish a new commodity committee Codex went against recommendation #16 (i.e. use of time bound task forces).

Recommendation #3: In determining its standard-setting work programme, Codex should prioritize as follows:

- 1) standards having an impact on consumer health and safety;
- 2) commodity standards responding to the expressed needs of developing countries;
- 3) commodity standards responding to the expressed needs of developed countries; and
- 4) informational labelling relating to non-health and non-safety issues.

22. Consumer health and safety continue to be the first priority for Codex; new work is decided on the basis of the Critical Review.

23. For deciding on new commodity standards, guidance in the Procedural Manual does not address/recognise the importance of a commodity for developing countries.

24. Informational labelling relating to non-health and non-safety issues is not a priority for Codex, however, it remains a fundamental part of commodity work, contributing to the mandate of Codex to ensure fair trade practices.

25. These four priorities overall reflect current Codex work that is presently driven mainly by Members requests rather than by the Critical Review or an overall strategy.

Recommendation #4 It is important that a comprehensive and clear mandate be developed for Codex and ratified by the FAO Conference and the World Health Assembly. The mandate should be quite simple, for example:

"The formulation and revision of international standards for food, in collaboration with other appropriate international organizations, with priority to standards for the protection of consumer health while taking into full account the needs of developing countries."

26. The Codex mandate has not been changed. No proposals for amendment were submitted to FAO/WHO governing bodies. There is an explicit recognition of Codex food safety work in the WTO/SPS Agreement and an implicit recognition in the WTO/TBT Agreement.

2.2 Management of the Codex Programme and links to FAO/WHO

Recommendation #5: FAO and WHO should define how formal recommendations of Codex for consideration by FAO and WHO Governing Bodies may be brought to their attention (for example in FAO through one of the Committees of the Council).

27. Codex standards are mainly used by its membership. FAO and WHO also promote use of Codex standards and guidelines through food and nutrition policy development and capacity development programmes (as well as supporting enhanced participation in Codex).

28. There seems to be sufficient interaction between the Codex Secretariat and FAO and WHO to create synergies and enhance each other's work. On a more general level in accordance with Article 5 of the statutes of Codex, CAC "*shall make recommendations to the FAO Conference and the appropriate body of WHO through their respective Directors-General*" however this does not seem to be the case regularly. Despite this provision, Codex matters are not a standing item in the FAO Conference or in the World Health Assembly.

29. Codex related matters are not regularly reported to WHO Governing bodies. Amongst Codex-related bodies, only JECFA outcomes are regularly reported to the World Health Assembly through the WHO Executive Board.

30. FAO Governing Bodies regularly state their support for Codex and related activities of FAO.

31. In the other direction there exist different interpretations on the extent to which Codex can/should support FAO and WHO policies and strategies and how much these should/could guide or direct the work of Codex (e.g. alcoholic beverages; follow-up formula; WHO Global Strategy on Diet, Physical Activity and Health; ICN2 follow-up etc.).

Recommendation #7: Codex should remain within FAO and WHO but should have more independence, authority and responsibility over priority setting and management of its work programme. FAO and WHO Governing Bodies should endorse the overall Codex programme of work and the budget on a biennial basis.

32. Codex as an Article VI body of the FAO constitution enjoys a certain degree of autonomy, but not as much independence as Article XIV bodies (such as IPPC).

33. There is a need for a more rigorous work planning and budgetary process for Codex work to justify the financial support from FAO and WHO. The new planning process should be pro-active and facilitate integrating the Codex budget planning with the relevant FAO and WHO processes. Senior officials of FAO and WHO discuss Codex management matters at least once a year (and as often as needed) with the Codex Secretary. These meetings can be the mechanisms to facilitate streamlining of the budgetary planning. The change in the schedule of the FAO Conference (from December to June) facilitates coordination with WHO whose World Health Assembly is in May.

Recommendation #13: The Codex secretariat should be able to carry out managerial, strategic and communication functions. To attract someone of the calibre needed to provide continuing executive leadership and support in Codex and manage and motivate the enhanced secretariat, a senior person should be appointed as Executive Secretary. The overall seniority of the secretariat staff should also be raised.

34. In the secretariat the D-1 mainly fulfils executive functions of the Secretariat with the support of 2 P-5 officers who also assist in committee work but have other functions (work planning, communication etc.) in addition. Thus the bulk of the Committee work needs to be ensured by the two P-4 and 2 P-3 food standard officers.

35. Experience has shown that four fully proficient food standards officers are needed to efficiently provide the Secretariat to Codex subsidiary bodies. If only one is missing or not yet fully proficient (an average of

three years is needed to work independently), then senior officers need to take on substantively more committee work at the detriment of their other functions.

36. In the past, recruitment of officers to fill vacated positions, including internal promotion, has led to extended periods of vacancies within the Codex Secretariat. As of December 2014, for the first time since 2009, the Secretariat (P level) is fully staffed with a mix of longstanding staff members and relatively new ones.

37. Experience should be gained with this situation and a review of the professional structure of the Secretariat could be considered in two or three years time.

38. Apart from the human resources of the Codex Secretariat, effective operation of the Codex programme heavily depends on the staff resources of FAO and WHO, in technical and scientific advice and managerial oversight (food safety, nutrition, environmental health), in the administration of the Codex Trust Fund, in Codex-related capacity development and in legal services. The salaries of and travel costs for attendance of Codex meetings by the staff involved are usually not covered or reimbursed by the Codex budget, and the manpower in FAO and WHO is very much limited.

Recommendation #15: As a matter of priority more human and financial resources must be put into the Codex secretariat to enable it adequately to perform existing functions and meet expanding demands.

39. The Codex budget has been “protected” during this period while other programmes of FAO and WHO have suffered important reductions.

40. While the current budget allows meeting regular activities of Codex, demand for additional resources should be justified by specific needs and detailed plan of activities. As mentioned in the comments to recommendation #7 there is a need for a more transparent budgeting and work-planning process to better allow FAO and WHO to ensure adequate funding.

41. It is important to recall the importance of sustained and adequate funding to other programmes (e.g. Scientific advice) for the functioning of the “Codex standard setting machinery. The issue of funding should be seen holistically.

2.3 Strategic governance within Codex - “Executive Board”

Recommendation #9: The Executive Committee should be replaced with an Executive Board, meeting every six months, charged with strategic and managerial responsibility but without the authority to consider standards. The function of the board would be to improve speed and efficiency by assisting the Commission in strategic planning, budgeting and monitoring, including:

- preparation of the work plan and budget and the medium-term plan;
- make recommendations to improve management and working procedures in Codex, including its committees and task forces; and
- monitor and take corrective action for the delivery of the programme of work.

Recommendation #10: The Executive Board should be small and include:

- 2-3 observer representatives for consumers, industry and perhaps primary producers;
- formal participation of the Secretary of Codex and FAO and WHO.

42. An Executive Board was never established. Instead CAC26 decided to:

- Retain the Executive Committee as a Strategic and Standards Management Body, on the basis of the support expressed by majority of countries. A few delegations preferred retaining it as a strategic Management Body only, expressing a concern not to overburden the Executive Committee. (ALINORM 93/41, para 156); and
- Enlarge the Executive Committee by appointing the Regional Coordinators as Members. A number of countries questioned the effectiveness of an enlarged committee as a strategic management body and it was noted that the respective roles of the regional coordinators and the regional members may require clarification. (ALINORM 93/41, para 158).

43. The size and working modalities (agenda, working documents etc) of the CCEXEC rather resemble those of a restricted CAC (a mini CAC). As both Members elected and Coordinators come from specific regions there is continuous confusion between their distinct roles. This was already feared by a number of countries in CAC26 and subsequently the CCGP clarified that the members elected should act in the interest of the Commission as a whole and the coordinators bring in regional aspects however in practice the role confusion continued.

44. The possibility of Members to be accompanied by up to two advisors who are chosen by the member further increased the number of participants and confusion about roles and regional position taking. The possibility to invite observers was never studied seriously and implemented.

45. The new tasks given to the Executive Committee after the evaluation are the critical review and the review of observer applications. Specific tasks such as the development of the draft strategic plans was delegated to sub-committees.

46. The standards management function (critical review) is further discussed under recommendation #11. The discussion of observer applications which in any case need to be cleared by the legal services of FAO and WHO did not add value.

47. The decision of CAC regarding the revised functions and composition of the CCEXEC has not shown a significant positive impact. Rather than giving directions there is often repetition of discussions between CCEXEC and CAC and especially the CCEXEC discussions on critical / controversial issues often show the same split of opinions as in CAC without proposing creative solutions.

48. Even if the CCEXEC sacrifices the representativeness of CAC, it is still big enough to be split into different positions and therefore is not able to function as a strategic advisory body to CAC.

49. After the Evaluation the CCEXEC started to meet every six months but ceased to do so in 2012. Since then it is meeting every 12 months, during the week preceding a CAC session. This means that after the renewal of the CCEXEC membership, it will not meet for almost one year later.

50. The CCEXEC's generally recognised role, to prepare a ground and advice for the CAC, is somehow linked to the timing of its pre-CAC meeting as prescribed in Rule V.6 of the Rules of Procedure. This timing does not give much room for CCEXEC to assist in the timely follow-up to the decisions taken by a CAC session.

51. Sub-committees of the CCEXEC and informal meetings between the Chair and the Vice-Chairs of the Commission and the Secretariat have proven useful to identify and address specific issues and advice the CCEXEC and the CAC.

Recommendation #11: The standards development management function should receive much greater attention in Codex and should be delegated from the Commission to a smaller body. In this context, consideration should be given to the creation of a Standards Management Committee to perform functions that otherwise would need to be undertaken in the Executive Board.

52. A standards management committee was never created and CCEXEC started its Critical Review function in 2006, which consists of looking at new work, adoption of standards and monitoring of standard development, based on documents prepared by the Codex Secretariat in cooperation with the Codex Committee chairs.

53. Only very few recommendations were made by CCEXEC to speed up work, to discontinue work, not to approve new work or not adopt standards.

54. The CCEXEC performed this task looking at individual pieces of work rather than from strategic point of view which would look at the overall work and strategy of the committee and CAC as a whole.

55. The proposed biennial strategic plan for standard setting which could have assisted the CCEXEC in its advisory role on standard development was never implemented though it is included in the Procedural Manual in the *Procedures for the Elaboration of Codex Standards and related Texts, Part1. Strategic Planning Process*. This could have included guidance to committees on how to identify emerging issues (Objective 1.2 of the overall Codex Strategic Plan).

56. Any improvement in the speed of standard setting seems to be more related to the annual meetings of the CAC and better management of the committees themselves rather than to the strategic management function of CCEXEC.

57. Possible reasons for this situation are:

- The current composition of CCEXEC may not allow its members to consider tough decisions in the overall interest of the membership (as outlined also in the comments under Recommendations #9 and #10).
- Decisions coming out of the critical review need to be supported by a thorough analysis of proposals for new work and ongoing work. The present format of the pre-session documentation and the discussion during the CCEXEC may not have been fulfilling this need.

- The meeting frequency, timing, format of discussion and duration offered by the CCEXEC may not support the conduct of a thorough critical review and standards management.

Recommendation #12: It is desirable that the Codex Alimentarius Commission meets every year, but if the Executive Board and possibly Standards Management Committee perform their functions effectively it might be possible to reduce costs by continuing to hold meetings every two years.

58. Annual meetings of CAC:

- Have significantly increased the workload of the secretariat, leaving less time for to stop and think and process the outcome of the commission and properly communicate about it.
- May have improved the efficiency of the work of certain Committees at certain times but overall effects are not apparent.
- Have contributed to timely and prompt start of new work
- Have contributed to raise awareness on the work of Codex and related issues;
- Have reduced the need for meetings of the CCEXEC in its current form which repeats to a large extent the agenda of the CAC; and
- Have narrowed the time window for scheduling committee meetings as no committee meetings should be scheduled two months before and after a CAC.

59. While the increase of the meeting frequency for the Commission seems to have had overall positive effects on Codex productivity, the recent reduction of the frequency of the meetings of CCEXEC did not have a noticeable effect. The possibility of different agendas for different commission years (one full and one reduced commission is examined under a different recommendation).

60. The format, frequency, timing and length of meetings of an executive body that would assist the Commission should be commensurate to its strategic role.

Recommendation #18: All committee and task force work should be time-bound. It is proposed that no standard be permitted more than 5 years' work before decision by the Commission on whether further work is justified.

61. A study conducted by the Codex Secretariat showed that the average overall speed for Codex work was 4.2 years and for food safety matters was 3.5 years.³ The limit of five years has not been enforced and is not realistic for those committees meeting only every two years.

62. Projects that go beyond the 5 year limit are rare and the reasons for the delays are diverse. Rather than a strict time limit it would be preferable if an effective management process can address issues affecting the progress of a particular project before delays become unreasonable. The critical review has until now not noticeably influenced the speed of the standard setting.

Recommendation #27: Codex should review its principles and procedures for observer status as required by the Procedural Manual and:

- a) should consider applying stricter criteria to ensure that observers are genuinely international. New rules should apply to existing observers as well as future 'applicants' and the credentials of Codex observers should be approved individually by the Executive Board;
- b) observers should be represented on the Executive Board and the Standards Management Committee (if established).

63. The process for applications was already commented on under the Executive Board Proposal 3. Stricter criteria were developed but it is not clear if this has led to more representative observers.

64. There are many inactive observers some of which genuinely may not have any work to comment on for some years and others who may not have any further interest in participating in Codex but who maintain the link to raise their own profile. The Codex Secretariat should review the participation of observers in line with the guidance given in the Procedural Manual depending on available resources.

65. The regular participation of observers in the Executive Board is not recommended as due to the diversity of observers there would have to be several delegates. It could be imagined to invite observers on a case by case basis to address specific technical questions.

³ [CX/EXEC 09/63/8](#)

2.4 Structure of Codex Subsidiary Bodies

Recommendation #16: Codex should undertake a review, including a detailed study by consultants of the work of general subject and commodity committees as soon as possible, and thereafter on a fixed schedule, with a view to rationalization where appropriate. The review should in particular examine:

- the existing committee mandates with a view to rationalization;
- any need for redistribution of tasks and responsibilities between committees; and
- any need to split committees.

Also:

- a) commodity work should be handled through time bound task-forces;
- b) no new committee should be established even in a horizontal area of work until the possibilities for progress and the need for continuing work have been established through a task force;
- c) the treatment of health issues in commodity committees should be reduced to the essential minimum and wherever possible handled through a task force with the relevant horizontal committee.

66. Not all recommendations of the review of Codex committees (carried out in 2005) and in particular those related to commodity committees have been implemented. There was no major restructuring of Codex work on commodities.

67. A new Committee on Spices and Culinary Herbs (CCSCH) was established in 2012.

68. A number of commodity committees was adjourned *sine die*, e.g. CCNMW, CCCP, CCMMP.

69. Commodity committees are generally adjourned when they have completed their work. They can be reactivated to address specific requests, e.g. CCMMP and CCS.

70. Most of the work on commodity committees focuses on quality provisions of standards. Safety provisions of commodity standards make reference to texts developed by general subject committees, e.g. CCFH, CCPR, CCRVDF, CCFA. Work of commodity committees is now generally on group standards rather than on individual commodities.

71. A number of Task Forces have been established and dissolved after successful completion of their work.

72. Codex Committee on Food Additives and Contaminants (CCFAC) was split into CCFA and CCCF; the CCMH was adjourned *sine die* and some of its tasks assigned to CCFH.

2.5 Efficiency of Committee Work

Recommendation #21: Although Codex is very effective in producing and agreeing full meeting reports before the end of meetings, the trend towards action-oriented reports of meetings, which focus on decisions and not discussion, should be further reinforced. Such reports facilitate a task-orientation as well as freeing up meeting time for more productive use than report writing.

73. The main purpose of meetings reports, especially those of subsidiary bodies, is to inform CCEXEC and CAC the outcome of their work. They also provide critical information to member countries, whether they were present or not in the meeting, and the Secretariat on the decisions taken and follow up actions to take.

74. The Secretariat strives to work towards outcome oriented reports with clear conclusions. Audio recording has been introduced in CAC and CCEXEC to address the need of Member to have discussions to be recorded in detail.

75. The Procedural Manual and CAC decisions provide guidance on the meeting report.

Recommendation #23: The present 8-step procedure should be simplified to a 5-step procedure for all standards. At Step 5, the Commission should not amend the standard but be required to:

- adopt the standard;
- refer the standard back to the committee to explore certain changes; or
- cancel or suspend work on the standard.

76. The Commission adopts the majority of standards at Steps 5/8, thus omitting Steps 6 and 7. This may be partly due to the increased use of working groups, which allow members to comment extensively and

thus reduce the need for a second round of comments and discussions. The success of Working groups however has led to their proliferation caused a heavy workload for members/FAO/WHO and Codex Secretariat which could be further evaluated.

77. The accelerated procedure is rarely used and even when used has not always resulted in a faster standards setting.

78. The possibility to hold a draft standard at step 8 is not mentioned in the recommendation/proposals.

Recommendation #24: Wherever possible, decisions should be made by consensus. Codex should define consensus for decision-making purposes in committees and the Commission. We propose ‘no formal objection by more than one member present at the meeting’; and:

- a) committees should, as the norm, achieve consensus before passing on standards to the Commission for adoption;
- b) facilitators working between meetings should help to reach consensus and should be systematically used to assist in overcoming deadlock at any stage of the standard setting process);
- c) in cases of ‘near-consensus’, proposed standards should be passed on by committees to the Commission for consideration. A consultative postal-balloting system should be considered as a way of ensuring inclusiveness and legitimacy;
- d) if no better than ‘near-consensus’ could be reached in the Commission, voting should take place but should require at least a two-thirds majority of those present and voting for a standard to be adopted.

79. Codex never defined “consensus” in order not to limit the consensus building process of the chairperson.

80. Codex also never changed the voting mechanism for adoption of standards to a qualified majority rather than simple majority as at present because of the fear that this may lead to more votes.

81. In the last 10 years there have been two situations, which led to a vote for a standard adoption and on one occasion the decision was taken by one vote.

82. This result has been divisive for the Commission and impacted negatively on the work in other areas.

Recommendation #26: Committees should be encouraged to appoint co-chairs of equal status, one of which would be from a developing country. Host countries should also hold meetings in the co-chair’s country.

Recommendation #28: Clear criteria to be met in becoming a host country should be developed, including the resource requirements. Host countries should be required to commit to the minimum level of support including that for:

- between session work; and
- meetings being held in the co-chair’s country;

Shared hosting of committees could be explored by host countries as an option in meeting increased commitments.

83. Co-hosting has proven particularly effective in increasing awareness and high-level policy commitment at country level.

84. This process does not usually lead to a sharing of costs and the continued interest of host countries to enter into co-hosting arrangements shows their commitment to promote Codex work and increase commitment in emerging countries.

85. Criteria for host countries do not seem necessary as the change of host countries is rare in particular because of the important financial implications.

86. However the current distribution of host countries is not even and co-hosting can address this issue only partially

87. Assistance to new hosts has been provided by the Codex Secretariat and previous hosts where applicable.

88. Co-chairing is often done in combination with co-hosting and has resulted in increased exposure of developing countries to the work of Codex.

89. The issue of co-chairing on a more stable basis could be considered. Such an arrangement has been used as a mechanism to facilitate the smooth rotation of hosting responsibility to other countries (Example: CCFAC ->CCFA and CCPR to China).

Recommendation #20: The emphasis in Codex should switch from writing standards in meetings to developing standards through a consultative process between meetings. Much greater use should be made of consultants/facilitators to progress work between committee sessions, with the cost borne by host countries. As well as speeding up work, greater inclusiveness would be ensured by full consultation including, where appropriate, the organization of local workshops and:

- written comments should be fully taken into account;
- where between-session working groups are used they should be electronic, not generally physical meetings which are not inclusive in possible participation;
- greater use should be made of knowledgeable NGOs in preliminary standard development.

90. The experience with electronic and physical working groups has been overall positive.

91. There is a trend to reduce the number of physical working groups meeting between sessions to reduce financial implications for members.

92. The impact of working groups and the workload that these groups cause for members and FAO/WHO Codex Secretariat could be evaluated in the future.

93. Electronic platforms and other tools may further increase the efficiency of electronic working groups in the future.

94. There is a growing number of emerging countries leading working groups which can benefit from a mentoring approach.

Recommendation #19: Codex must continue to strive for a clearer separation of the risk management and risk assessment functions to ensure transparency, the usefulness of scientific advice and the speed of decision-making.

95. Principles of risk analysis of Codex and Codex committees highlight the functional separation of risk management and risk assessment while strengthening the need for clear communication.

96. Adequate funds should be allocated to risk assessment bodies to ensure timely advice to Codex and avoid delays.

97. There is an on-going process of exchanging experiences of “good practice” among committees, which has led to some improvement, however there still seem to be differences in application of risk analysis principles by different Committees.

98. The process led by CCGP to review procedures applied by the various committees is expected to further provide further information about the situation. In addition FAO and WHO may wish to review how different Committees use risk analysis frameworks in practice and report areas for improvements.

2.6 No further action recommended at this moment

Recommendation #6: Codex, supported by FAO/WHO independent expert advice, should intensify efforts to develop guidelines on determination of acceptable levels of protection (ALOP) for use by risk assessors in giving scientific advice to committees and to reduce the scope of disputes in the WTO.

99. It should be noted that a definition of ALOP, consistent with the definition of the WTO/SPS, is included in a number of Codex texts, such as: *Guidelines for Food Import Control Systems* (CAC/GL 47-2003); *Guidelines on the Judgement of Equivalence of Sanitary Measures associated with Food Inspection and Certifications Systems* (CAC/GL 53-2003); *Guidelines for Risk Analysis of Foodborne Antimicrobial Resistance* (CAC/GL 77-2011).

Recommendation #8: Codex and OIE should intensify their collaboration to minimize overlaps and avoid gaps in standard setting with:

- a) delineation of work and specific modalities of collaboration should be defined by Codex and OIE within the near future and formalized in a memorandum of understanding;
- b) where work is in both Organizations' interest it should be pursued through joint task forces.

Continued close collaboration between Codex and IPPC should also be maintained.

100. Collaboration with OIE is continuously strengthened through secretariat exchanges and participation in meetings. Recent CCGP Guidance has been approved.

101. The proposal for formalizing a procedure for Joint OIE/Codex standards was discussed but not supported by the Codex membership.

102. MOUs with OIE were established/revised by FAO and WHO to address their collaboration with OIE. There are also regular tripartite meetings dealing with issues of strategic interest to the three organisations.

103. Collaboration with IPPC at this moment is limited to a number of subjects, e.g. electronic certification, as well as at the level of facilitating communication with respective membership (joint development of tools and systems).

Recommendation #14: The secretariat would better achieve the independent identity, high status and authority it needs by becoming a separate FAO unit rather than continue under the Food and Nutrition Division. The secretariat would continue to report to FAO and WHO but in line with plans to give Codex more independence, the appointment of the secretary would be carried out in consultation with Codex.

104. Previously located within the FAO Nutrition and Consumer Protection Division, the Codex Unit (Codex Secretariat) is now located in the office of the Assistant Director General of the FAO Agriculture and Consumer Protection Department. The Codex Secretary participates together with the other Unit Chiefs and Division Directors in departmental management meetings. Other secretariats such as IPPC have been moved in the same context which has created synergies.

105. However, while the integration into a big organization such as FAO brings advantages in many areas, some administrative rules may make less sense for Codex than for other units because of the specific nature of work. This could be further examined. The decision on the institutional location of the Codex Secretariat within FAO should be left to FAO Senior management on condition that the institutional arrangement should facilitate and in no way hamper the functioning of the Codex Secretariat in relation to its ability to propose and execute its work programme and budget.

106. The practice mentioned in the FAO management Response “whereby all job descriptions are prepared jointly, and Secretariat staff selected jointly, by FAO and WHO” needs to be consistently adhered to for all Secretariat staff recruitment.

107. There is no consultation with the Commission regarding any appointment in the Secretariat and this does not seem necessary. CAC and CCEXEC are annually informed of the staffing situation.

Recommendation #17: Codex should undertake a review of the mandate and work of regional committees within the next two years.

108. A formal review of the mandate and role of regional committees was not done.

109. The issues related to their work (e.g. development of regional standards), their effectiveness and their geographical distribution remain unsolved.

110. The Secretariat jointly with FAO and WHO, have recently launched an initiative to revitalise RCCs with a view to strengthen their contribution to Codex, FAO and WHO activities and to respond to the needs of food safety professionals in the regions, thus optimising the considerable resources and time invested in their activities.

111. A more thorough review of the RCCs might still be needed but is not recommended at this moment as it may benefit on the discussions and outcome of the revitalisation process.

Recommendation #22: In order to improve the performance and ensure greater consistency among committee chairs, explicit criteria for selection of chairs should be drawn up and chairs should be confirmed by the Executive Board. More emphasis should be placed on training and assessment of chairs and the explicit role of the Codex secretariat in supporting effective chair-personship should be fully recognized..

112. Criteria for selection of Chairs are included in the Procedural Manual. The activities organised by the Secretariat as well as the informal meetings of chairs have been useful to Codex chairs to discuss issues of common interest e.g. how to facilitate consensus building.

113. These activities should continue with support from Codex chairs and host governments.

114. The responsibility for naming the Chair rests with the host governments.

Recommendation #25: Groups of countries with common interests should be encouraged to coordinate their positions and present these as positions of the group at committee meetings.

115. CCGP25 confirmed that coordinating committees might define regional positions, however, there is confusion as to how these positions should be considered by other bodies.⁴

⁴ ALINORM 09/32/33, para. 103

116. While the views and needs of as many countries as possible should be brought to the attention of Codex committees or the CAC, countries who cannot attend these sessions can still have their voice heard by sending written comments. The setting of strict positions by a group of countries may lead to building of blocks and reducing room for negotiation and consensus building.

117. Members have successfully cooperated on writing joint documents and proposals or working together in working groups, which seems more appropriate than setting positions.

Recommendation #29: Resources should be put into upgrading the Codex web-site as a matter of urgency.

118. The Codex website is being upgraded on an ongoing basis and is becoming more interactive.

Recommendation #30: FAO and Codex review the possibilities for establishment of a database of national standards of importance in trade, including their application and methods of analysis.

119. Online databases have been developed for GFSA, pesticide residues and veterinary drugs. Further work could be undertaken with regards to contaminants and methods of analysis.

120. FAO continues to promote regular updating and use of the GM-Platform and to report on this to the CAC. No action is required.

3 PROPOSALS

121. As reported at CAC32 (2009) most of the proposals addressing the recommendations of the 2002 Evaluation have been implemented. However, when examining the outcomes of the implementation of the proposals, several areas for improving the management of Codex have been identified on which proposals are made in the following sub-sections. Some of these are practical and could be implemented quickly if there is agreement others will require further evaluations, development of further options and in-depth discussions.

3.1 Mandate and priorities

3.1.1 *Examine the amount of Codex resources spent on health-related vs. other work*

122. It is likely that health-related Codex work represents far over 50% of the Codex resources spent, however this was never explicitly checked and the Codex Secretariat could examine this more in detail.

3.1.2 *Evaluate the use made of Codex standards and their impact in protecting the health of consumers and ensuring fair practices in the food trade*

123. In order to assess what are the issues that should be strategically addressed by Codex it may be necessary to know whether Codex standards are used, and by whom (countries, private sector, bilateral or multi lateral trade agreements etc.), and if so, what the impact of current Codex work is and what is the main contributor to this impact. It is main impact through the standards developed or through the process of developing them and the resulting joint learning and building of international networks.

124. Uptake of Codex standards by governments and other parties is also related to the institutional or legislative mechanisms the governments have in place to link the Codex standards with enforceable texts. It is also related to the capacity of members to implement standards. The ongoing development of a Codex communication strategy could help this evaluation.

125. The scope of this work could also be limited to look in particular at the impact of Codex commodity standards and their format.

3.1.3 *Develop effective mechanisms to strategically identify and include emerging issues in the programme of work*

126. This would be in line with the Codex Strategic Plan 2014-2019 (Strategic Goal 1). It would also address in a more generic manner some of the issues mentioned explicitly in the 2002 Evaluation, e.g. is it necessary that Codex increases work on nutrition related aspects, packaging material or processing agents. The question of the biennial strategic plan for standards development that was proposed but never implemented is related to this (see recommendation #11).

127. Codex works as a member-driven organization; however, more strategic guidance based on international strategies and policies, which could be established by FAO and WHO, could be useful (as has happened in the case of the Global Strategy on Diet, Physical Activity and Health and is expected for the follow up of ICN2). This issue will also be touched on under 3.2.

128. The results from the evaluation under 3.1.2 should ideally be taken into account in developing these mechanisms.

3.2 Management of the Codex Programme and links to FAO/WHO

3.2.1 Examine what processes could be used so that the Codex Alimentarius Commission can give appropriate input to FAO/WHO governing bodies and how FAO/WHO can best give strategic and policy guidance/direction/input to Codex

129. CAC (through the Secretariat) should report to FAO/WHO governing bodies about its work through appropriate mechanisms and also get input into its work while maintaining adequate autonomy. This will increase the visibility of Codex and foster better cooperation between national delegations to Codex and to the FAO/WHO governing bodies. On the other hand the roles of FAO/WHO in the strategic guidance of Codex should be clarified.

3.2.2 Develop a clear, transparent budget planning process for Codex that will continue to give security to the Secretariat to organize and implement the relevant Codex meetings and FAO and WHO to justify and provide adequate funding

130. The Codex budget contains fixed items that can and should be planned years in advance (e.g. costs for Commission, Executive Committee; Coordinating Committees; core staff and travel costs). Beyond this there are costs for secretariat projects such as publications; promotion and outreach and assistance to Codex contact points; communication; systems etc. as well as special ad hoc projects such as Codex evaluation, and digitization of archives.

131. The Codex budget could be dynamically linked to the Strategic Plan with annual reporting and request for allocation of funds every two years. The Strategic Plan could be aligned with the strategic planning and budget years of FAO and WHO.

3.2.3 Explore the best modalities to incorporate FAO and WHO input to Codex work at different levels (Commission, Committee and working groups)

132. It could be reviewed what could be done to ensure that FAO and WHO can support Codex meetings in the most effective way and if such support should be included in the Codex budget for transparency.

3.2.4 Review process followed for observer applications

133. Presently at least six months pass before observers that were recommended by the CCEXEC get accredited by the DGs of FAO and WHO even though the screening of the Legal offices has usually already taken place before the application is submitted to the CCEXEC. Under 3.3 it is already proposed that this process only be handled by the Codex Secretariat in cooperation with the Legal offices of FAO and WHO but the process to be followed after legal clearance should in addition be reviewed so the most applications would ideally not take longer than 6 months from first contact to conclusion.

3.3 Strategic governance within Codex - "Executive Board"

3.3.1 Consider replacing the Executive Committee with a Codex Executive Board (CX-EB)

134. It is the opinion of the Codex Secretariat that the following observations support the consideration to replace the CCEXEC with a smaller CX-EB:

- (i) It is essential that the Commission is supported strategically by a smaller body that acts in the interest of the Commission as a whole. This body does not need to take decisions on behalf of the Commission (if the Commission continues to meet annually) but prepares draft strategies, manages the standard setting process, discusses and recommends actions and ways forward in "stuck" situations to the Commission and may discuss financial and budgetary matters. CX-EB is expected to work in a transparent way and fully communicate with Members and other Codex subsidiary bodies to obtain the best information.
- (ii) The present Executive Committee has not shown itself fully capable to fulfil the functions described under (i) above in a satisfactory way. The reasons for this seem to lie in its structure and ways of working which replicate the Commission rather than creating an out-of-the box mechanism that is able to give strategic advice.
- (iii) The 2002 Evaluation was correct in principle in proposing a smaller strategic body rather than a Committee, however it is likely that the recommendation seemed too radical to the eyes of Codex Members at the time. This recommendation thus merits reconsideration today, especially in the light of

the experience gained with annual sessions of the Commission and with the practical application of the critical review.

- (iv) In the follow-up to the 2002 Evaluation the CCGP tried to amend some of the issues in the enlarged CCEXEC. However, even though new rules for clarifying the distinctive roles of member vs. coordinators were written, their roles continued to be confusing. In addition, advisors to a geographically elected member are nominated at the will of the member without any transparent process and their role has also not been clear. The issue of different interpretations of Rule V.1 (not more than one delegate from one country can be member of the CCEXEC) was settled by the Commission in 2014, but the general issue of representativity may remain in the current, enlarged Executive Committee.

3.3.2 Examine what could be elements of the mandate for a Codex Executive Board (CX-EB)

135. The CX-EB mandate could include:

- *Standards management/ critical review:* The process could be maintained as it is and monitored by the CX-EB itself.
- *Urgent strategic issues:* CX-EB could discuss urgent, strategic issues and recommend actions to the Commission.
- *Standards development plan:* Already mentioned in the Procedural Manual such a plan could cover six years as the Codex Strategic Plan and be developed and renewed by CX-EB on a rolling basis every 2 years in cooperation with the relevant Codex Committees and provide a link between the Codex Strategic Plan and the Critical Review. This item is related to the outcome of the evaluation under Proposal 3.1.2 and the process under 3.1.3.
- *Codex Strategic Plan:* The plan could be aligned to cover 3 budget periods. Similar to what has so far been done by the sub-committee of CCEXEC, CX-EB would prepare a draft plan that would then go through different consultations and be adopted by the Commission.
- *Budget planning:* CX-EB could support the Commission in the use of a more efficient and transparent budget planning process as mentioned in Proposal 3.2.
- *Observer applications:* CX-EB should not handle observer applications. These could be handled by FAO/WHO legal offices in cooperation with the Codex Secretariat. The process followed by FAO and WHO could be reviewed to ensure timeliness of *processing* of application (presently at least 6 months after the CCEXEC recommendation). The Commission will be invited to comment on the decisions taken.

3.3.3 Develop and evaluate different proposals for the composition of CX-EB

136. The board should be a small team with members from different regions who would be expected to act in the interest of the Commission as a whole – not constrained by country or regional positions. While there should be some representation from all regions, ideally the total number of members, including the chair, participating in a CX-EB meeting should be less than 10.

137. Ideas for the composition of the CX-EB could be for example (in addition to the institutional presence of the Codex Secretariat, FAO and WHO):

- a. A regionally representative, enlarged group of Chair and Vice-Chairs in which case the members of the CX-EB could be individuals and could all be called Vice-Chairs of the Commission (thus the number of Vice-Chair positions would increase).
- b. A regionally representative group of countries elected by the Commission, which will designate a person sit in a given meeting of CX-EB (comparable to FAO council or WHO EB).

138. Election modalities, terms, re-eligibility etc. would have to be developed taking into account the new roles in the CX-EB.

139. The CX-EB would be serviced by the Codex Secretariat and receive guidance from FAO and WHO.

140. The Chairperson of the CX-EB could also be Chairperson of the Commission (present model) or the roles could be given to different persons. The Chairperson of the Commission could continue to be elected by the Commission, or from within the CX-EB. The same options exist for the CX-EB chair in case it is a different person.

141. All options may have pros and cons which need to be examined in more detail:

Option a. would address in addition the issue that the present group of one Chairperson and three Vice-Chairpersons is not regionally representative which has led to the fact that some regions have not been represented in the bureau for many years. The fact that each of the elected members would also be an officer of the Commission could help guarantee that all members act in the board in the interest of the Commission as a whole.

Option b. would avoid the issue that seats in the CX-EB remain vacant due to the fact that members are not available and avoid re-elections in case the person moves to a different position in- or outside their government.

142. The CX-EB could be given the right to invite non-members such as chairpersons of committees and representatives of observers to give technical advice.

3.3.4 Develop a modus operandi for CX-EB

143. The agenda of meetings of the CX-EB should be simple and flexible, thus allowing meetings as frequent as necessary and allowing sufficient time for discussion. If possible there should be no need for lengthy reports, translation or interpretation. The meeting schedule could be directly before and after the Commission and once in between sessions of the Commission.

3.4 Structure of Codex Subsidiary Bodies

3.4.1 Review the recommendations of the 2002 and 2005 evaluations with regards to the Codex committee structure

144. This paper does not go into the detail of this issue but it seems that the way Codex works through subsidiary bodies, especially with commodities committees, could be improved and some of the proposals made at the time e.g. super-commodity committee that coordinates all commodity work could be revisited.

145. In 2013 the Commission created a new committee (spices) for the first time since CCFICS and CCNEA in the 1990s. This was in direct contradiction to Recommendation #16 on the use of time-bound task forces, however it was the wish of Codex members.

146. Commodity committees could be abolished as they finish their tasks and for any specific requests in their area a task force could be created or a working group of the super-commodity committee as the case may be.

147. This area is closely related to decisions taken with regards to Codex standards management and should be considered in the light of decisions taken on this topic in particular with regards to the work on quality standards.

3.5 Efficiency of Committee Work

3.5.1 Review the way Codex reports are drafted and the use made of current audio recordings

148. Reports should ideally be short and outcome oriented – this reduces translation costs and frees up secretariat time. However short reports may not fulfil the need of the readers to fully understand the debate. It could be considered to supplement short outcome oriented reports with the audio recordings of the full session.

149. This would achieve the goal to have concise reports while also allowing members and observers to review the whole proceeding whenever needed. It would also allow those who could not attend the meeting to get a better impression of the discussions held and serve for training purposes.

150. The review should find out what the needs of members, FAO, WHO are with regards to Codex reports and make recommendations based on these findings.

151. Presently the Codex Secretariat posts of audio recordings of the Commission and CCEXEC sessions on the Codex website. The use made by visitors to the website could also be reviewed. At the same time it could be reviewed if there is an interest in the audio recordings of Codex committee sessions and if these could be seen as a complement to shorter reports.

3.5.2 Simplify the present 8-Step procedure to have only 5 steps

152. Nothing will be lost if the present procedure is simplified. New work is approved at step 1, initially drafted at step 2 then go for a first round of comments and discussion at steps 3 and 4. If redrafting is needed they can be sent back to step 2 and if not the standard can be presented for adoption.

153. Present Codex procedures are complex and difficult to understand for outsiders and new participants. More clarity can simplify and speed up discussions.

3.5.3 Continue striving for consensus and examine to what extent voting could assist Codex in case of blockages without being divisive

154. Consensus should be the main way of taking decisions in Codex using all possible tools such as facilitation, mediation etc. A definition of consensus is not proposed. However, it is necessary to continue working with the group of Codex Chairs to ensure that equivalent approaches are followed across different committees including the use of different means to reach consensus, while allowing some flexibility for chairs.

155. Votes could be part of the democratic Codex process rather than be seen as divisive as at the moment. As the evaluation recommended they could be based on a 2/3 majority and only happen in the Commission. However, they should be used with caution as Codex is attempting to create global public goods, which need to have the vast support of members to be of value.

156. If attempts to find consensus fail the Executive Board may recommend a vote to be taken in the Commission at a qualified majority.

3.5.4 Explore ways to ensure a more equal geographical distribution of countries chairing committees while not obstructing the standard setting process

157. A rotation system would give giving more countries the opportunity to host and chair a Codex committee. However, it takes resources and experience to become an efficient host country to Codex committees, to ensure proper functioning and reduce the burden of the Codex secretariat. Imposing a strict limit on the number of years or sessions a country can host and chair the same committee could thus be counter-productive if not at the same time a new host country is already trained and has mobilised resources. In theory host countries are designated every year by the Commission however practically there is very little change. It could be considered to set a time period (e.g. 6-8 years) after which a Committee would be coming up for rotation but the present host could also apply to continue hosting. Stable co-hosting/ co-chairing of two countries for one committee could be explored.

158. The effectiveness of the guidance given to host countries on how to select the Chairperson of a Codex Committee or Task forces could be reviewed.

3.5.5 Review the effectiveness of working groups

159. Without doubt working groups are a very well used tool by Codex committees; often over 50 groups are working in parallel. What is the workload of developing countries as well as on FAO, WHO, and Codex Secretariat to cope with WGs? Is there a need to revise the current guidelines?

3.5.6 Consider to review how different Committees use risk analysis frameworks in practice and report areas for improvements

160. In addition to the on-going process of exchanging experiences of “good practice” among committees and the process led by CCGP to review procedures applied by the various committees is expected to further provide further information about the situation, FAO and WHO may wish to review how different Committees use risk analysis frameworks in practice and report areas for improvements.

Section 4 – Suggested steps forward

161. Capturing the overall theme to the issues and possible proposals developed under section 3 in a simple question could read: “Is Codex setting the right standards to achieve its mandate (proposal 3.1.2) and is it doing it in the most efficient way? (all other proposals)”.

162. Implementation of proposal 3.1.2 would lead to an external evaluation about Codex impact and use made of Codex standards.

163. The information gained from this evaluation would be a strategic driver for the future of Codex work in general or related to commodities should the Commission decide to limit the scope of this evaluation to this part of Codex work.

164. For all other areas in the table below an attempt was made to assign responsibilities and the way forward for the internal further evaluation or direct implementation.

165. The costs would be expected high for the external evaluation and for the other proposals relatively low and depending on if consultants are used to assist the work. It was also attempted to estimate the staff resources input needed from the Codex Secretariat, FAO and WHO. At this moment no attempt was made to

prioritise the proposals as this should be done in light of the discussions in CCGP and CCEXEC and the decisions of the Commission.

TABLE 1: Overview of proposals

Proposal	Responsible	Recommended action	External cost	FAO/WHO/Codex staff resources
3.1 Mandate and Priorities				
3.1.1 Examine the amount of Codex resources spent on health-related vs. other work.	Codex Secretariat	Report to CAC	none	minor
3.1.2 Evaluate the use made of Codex standards and their impact in protecting the health of consumers and ensuring fair practices in the food trade.	FAO/WHO evaluation offices, Codex Secretariat, FAO/WHO, Members	Develop discussion paper for CAC - External Evaluation decided by CAC	major	major
3.1.3 Develop effective mechanisms to strategically identify and include emerging issues in the programme of work.	Codex Secretariat, FAO/WHO, Members	Discussion paper for CAC	minor	minor
3.2 Management of the Codex Programme and links to FAO/WHO				
3.2.1 Examine what processes could be used so that Codex can give appropriate input to FAO/WHO governing bodies and how FAO/WHO can best give strategic and policy guidance/direction/input to Codex	Codex Secretariat, FAO/WHO	FAO/WHO continue consultations and report progress to CAC	none	minor
3.2.2 Develop a clear, transparent budget planning process for Codex that will continue to give the security to the Secretariat to organize and implement the relevant Codex meetings and FAO and WHO to justify and provide adequate funding.	Codex Secretariat, FAO/WHO	FAO/WHO continue consultations and report progress to CAC	none	minor
3.2.3 Explore the best modalities to incorporate FAO and WHO input to Codex work at different levels (Commission, Committee and working groups)	Codex Secretariat, FAO/WHO	FAO/WHO continue consultations and report progress to CAC	none	minor
3.2.4 Review process followed for observer applications	Codex Secretariat, FAO/WHO Legal	Report to CAC	none	minor
3.3 Strategic governance within Codex - "Executive Board" (CX-EB)				
3.3.1 Consider replacing the Executive Committee with a Codex Executive Board(CX-EB)	Codex Secretariat, FAO/WHO, Legal	Discussion paper for CAC	minor	major
3.3.2 Examine what could be elements of the mandate for a Codex Executive Board (CX-EB)	Codex Secretariat, FAO/WHO, Legal, consultant		See 3.3.1	
3.3.3 Develop and evaluate different proposals for the composition of CX-EB	Codex Secretariat, FAO/WHO, Legal, consultant		See 3.3.1	
3.3.4 Develop a modus operandi for CX-EB	Codex Secretariat, FAO/WHO, Legal, consultant		See 3.3.1	

Proposal	Responsible	Recommended action	External cost	FAO/WHO/Codex staff resources
3.4 Structure of Codex Subsidiary Bodies				
3.4.1 Review the recommendations of the 2002 and 2005 evaluations with regards to the Codex committee structure	Codex Secretariat, FAO/WHO, Members, consultant	Discussion paper for CAC	minor	minor
3.5 Efficiency of Committee Work				
3.5.1 Review the way Codex reports are drafted and the use made of current audio recordings	Codex Secretariat, FAO/WHO, Members, Consultant	Discussion paper for CAC	minor	minor
3.5.2 Propose to simplify the present 8-Step procedure to have only 5 steps.	Codex Secretariat, Legal	Prepare proposal for CAC	minor	minor
3.5.3 Continue striving for consensus and examine to what extent voting could assist Codex in case of blockages without being divisive	Codex Secretariat, Legal; consultant	Discussion paper for CAC	minor	minor
3.5.4 Explore ways to ensure a more equal geographical distribution of committees while not obstructing the standard setting process.	Codex Secretariat, FAO/WHO, members, consultant	Discussion paper for CAC	minor	minor
3.5.6 Review the effectiveness of working groups	Codex Secretariat, FAO/WHO	Discussion paper for CAC	minor	minor
3.5.7 Consider to review how different Committees use risk analysis frameworks in practice and report areas for improvements.	Codex Secretariat, FAO/WHO	Discussion paper for CAC	minor	minor

Appendix 1

Status of Implementation of the 31 Recommendations related to Codex of the 2002 Joint FAO/WHO Evaluation

FAO Management Response / Comments by DG in WHO DG Report to EB (ALINORM 03/25/3-Add.1)	CAC 25 Decision (ALINORM 03/25/5)	CAC26 Decision (ALINORM 03/41) (related to the 38 proposals)	Implementation Status by 2009 (reports of CAC27 to CAC32)	Later events after 2009
CODEX				
<p>Recommendation 1: The scope of Codex should fully cover health-related aspects of food standards. It will, therefore, need (subject to availability of resources for Codex and expert scientific advice and prioritization on the basis of expert scientific advice as to the importance of alternative risks) to :</p> <ul style="list-style-type: none"> • strengthen work on foods for special dietary uses, health claims and nutrient addition; and • undertake new work on packaging materials; and on industrial processing agents and bioagents in foods. <p>(Primary Responsibility: Codex)</p>				
<p><u>Recommendation 1</u> FAO Management appreciates Recommendation 1, that Codex give high priority to food safety and health. Regarding health-related issues, it acknowledges the need to gradually increase work on the role of diet and nutrition in the prevention of chronic, non-communicable diseases. This work would be supported by FAO's ongoing programmes on good agricultural, manufacturing and veterinary practices within a food chain approach (para. 6).</p> <p><u>Recommendation 1</u> <u>Recommendation 2</u> <u>Recommendation 3</u> FAO Management accepts the priority accorded to the health and safety aspect, bearing in mind the expectation of members that international food trade issues also need to be given due consideration as required by the existing WTO agreements, particularly TBT. In this respect, it notes that certain aspects of Codex work on product descriptors and informational labelling would need to continue, and recommends that those aspects of trade that require international regulation but cannot be established</p>			<p>The consolidation of GSFA and GSCTF as well as the use of a uniform format for commodity standards has contributed to concentrating responsibilities for food safety issues to selected general subject committees.</p>	<p>A new commodity committee (CCSCH) was established in 2013, instead of a Task Force or enlarging the mandate of an existing committee.</p>

FAO Management Response / Comments by DG in WHO DG Report to EB (ALINORM 03/25/3-Add.1)	CAC 25 Decision (ALINORM 03/25/5)	CAC26 Decision (ALINORM 03/41) (related to the 38 proposals)	Implementation Status by 2009 (reports of CAC27 to CAC32)	Later events after 2009
by the trading partners alone should be addressed by Codex (para. 7).				
<p>Recommendation 2: It is recommended that Codex does not take on additional work in non-health related areas. (Primary Responsibility: Codex)</p>				
See Rec. 1 above				<p>Codex continued to pick up new commodity work including regional standards; CCSCH was established in 2013</p> <p>Since 2009, 25 new commodity standards have been adopted, including 11 regional standards developed by CCASIA (6), CCNEA (3) and CCLAC(2).</p> <p>The Critical Review process has been effective in checking if proposal for new work on commodity standards presented by regional Coordinating Committees were for products moving in global trade.</p>
<p>Recommendation 3: In determining its standard-setting work programme, Codex should prioritize as follows:</p> <ol style="list-style-type: none"> 1) standards having an impact on consumer health and safety; 2) commodity standards responding to the expressed needs of developing countries; 3) commodity standards responding to the expressed needs of developed countries; and 4) informational labelling relating to non-health and non-safety issues. <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 38: "Criteria for the establishment of work priorities" (ALINORM 03/26/11 Add.4, paras 53-54)</p> <p>j) Option 38.1 - Revision of the Criteria for the establishment of work priorities</p> <p>The Commission may wish to instruct the body responsible for implementing the procedural review to redraft the Criteria for the Establishment of Work Priorities to reflect the current priorities of the Commission. The revised criteria should provide explicit judgment tools for assessing work proposals against priorities.</p> <p>k) Option 38.2 - Inclusion of the priorities in the Procedures for the Elaboration of Codex Standards and Related Texts</p> <p>The Commission may wish to instruct the body responsible for implementing the procedural review to include a statement reflecting its priorities in the introductory paragraphs of the Procedures for the Elaboration of Codex Standards and Related Texts and delete the Criteria for the Establishment of Work Priorities from the Procedural Manual. Also in this case, the criteria should provide explicit judgment tools for assessing work proposals against priorities.</p>				
See Rec. 1 above	<p><u>Recommendation 3</u></p> <p>CAC25 reasserted that the first priority in the development of Codex standards was the protection of consumers' health and food safety and noted that the other priorities would require further discussion in the</p>	<p><u>Proposal 38</u></p> <p>CAC26 requested CCGP to redraft the Criteria for Work Priorities to reflect the current priorities of the Commission and in a manner that would provide explicit judgment tools for assessing work proposals against priorities. (para. 182)</p>		<p>Project documents for new work include an entire section on assessment of the proposal against the <i>Criteria for the establishment of work priorities</i>.</p> <p>In 2010, CAC33 adopted amendments to the <i>Criteria for the Establishment of Work Priorities</i> (addition of two additional criteria related to the amenability of the proposal to standardisation and to the global magnitude of the problem) and the <i>Guidelines on the application of the</i></p>

FAO Management Response / Comments by DG in WHO DG Report to EB (<u>ALINORM 03/25/3-Add.1</u>)	CAC 25 Decision (<u>ALINORM 03/25/5</u>)	CAC26 Decision (<u>ALINORM 03/41</u>) (related to the 38 proposals)	Implementation Status by 2009 (reports of CAC27 to CAC32)	Later events after 2009
	future. (<i>para. 15</i>)			<i>Criteria for the establishment of work priorities applicable to commodities for inclusion in the Procedural Manual. (ALINORM 10/33/REP para. 11)</i>
<p>Recommendation 4: It is important that a comprehensive and clear mandate be developed for Codex and ratified by the FAO Conference and the World Health Assembly. The mandate should be quite simple, for example:</p> <p>"The formulation and revision of international standards for food, in collaboration with other appropriate international organizations, with priority to standards for the protection of consumer health while taking into full account the needs of developing countries."</p> <p>(Primary Responsibility: FAO/WHO)</p> <p>This recommendation was dealt by the following:</p> <p>Proposal No. 24: "Amendment of the Codex Mandate" (ALINORM 03/26/11 Add.4, paras 9-10)</p> <p>c) Option 24.1 - Amendment of the mandate (Article 1 of the Statutes)</p> <p>The Commission may wish to invite the body responsible for implementing the procedural review to propose a revision of Article 1 of the Commission's Statutes with a view to submitting a formal proposal for consideration of the Governing Bodies of the parent organizations in 2005.</p> <p>d) Option 24.2 - Retention of the current mandate</p> <p>The Commission may wish to decide not to change the current mandate but to work within the priorities determined by the Strategic Framework and the Medium-Term Plan. Such a decision should not prejudice the possibility of taking the matter up at a future date.</p>				
<p><u>Recommendation 4</u></p> <p>FAO Management shares the Evaluation's view that a comprehensive and clear mandate needs to be developed for Codex. It considers that this mandate should be developed by the Codex Alimentarius Commission and submitted to the Governing Bodies of FAO and WHO for decision. (<i>para. 3</i>)</p>	<p><u>Recommendation 4</u></p> <p>CAC25 agreed that the current mandate should be retained but that it might be discussed in the future. (<i>para. 14</i>)</p>	<p><u>Proposal No. 24</u></p> <p>CAC26 decided that the current Codex Mandate as expressed in Article 1 of the Statutes of the Commission, should be retained but that it might be discussed in the future. (<i>para. 170</i>)</p>		
<p>Recommendation 5: FAO and WHO should define how formal recommendations of Codex for consideration by FAO and WHO Governing Bodies may be brought to their attention (for example in FAO through one of the Committees of the Council).</p> <p>(Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 5</u></p> <p>FAO Management notes that the decisions of the Commission, which is a joint body of FAO and WHO, are reported, as necessary, to the respective Governing Bodies of these organizations through their Directors-General - in the case of FAO, to the Conference. FAO Management is of the view that while this hierarchy of reporting</p>			<p>Codex matters were discussed at FAO/WHO governing bodies only in the following instances since 2003.</p> <p>WHA56 (2003) - Report on the Codex Evaluation (Resolution WHA56.23 adopted)</p> <p>33rd FAO Conference (2005) - Amendments to Codex Statutes (Amendments approved)</p> <p>WHA59 (2006) – Amendments to Codex</p>	<p>Occasionally reports on Codex and food safety issues were presented at WHA and FAO Council.</p> <p>FAO COAG and Council (2014) – Concerns of the Commission regarding adequate and sustainable support to scientific advice to Codex and the importance of continued strengthening of developing country participation in Codex.</p>

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does not necessarily need to be changed, ways of improving the efficiency and transparency of the process should be explored. In order to ensure that the implications for other FAO work related to food standards be appropriately addressed, the FAO Conference could decide that certain types of issues/recommendations contained in reports of Codex be regularly considered by appropriate specialized FAO Committees. (para.8)			Statutes (Resolution WHA59.16 adopted).	
<p>Recommendation 6: Codex, supported by FAO/WHO independent expert advice, should intensify efforts to develop guidelines on determination of acceptable levels of protection (ALOP) for use by risk assessors in giving scientific advice to committees and to reduce the scope of disputes in the WTO.</p> <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 4: “Acceptable Level(s) of Protection” (ALINORM 03/26/11, para. 33)</p> <p>In view of the comments received, the Secretariat proposes that no action be taken at this time.</p>				
		<p><u>Proposal 4</u></p> <p>CAC26 decided to take no further action at this stage, with the understanding that the issue might be considered again in the future if required. (para. 153)</p>	Although no attempts have been made to “define” ALOP within Codex, Codex has streamlined its risk analysis process by adopting general risk analysis principles and sector-specific documents.	
<p>Recommendation 7: Codex should remain within FAO and WHO but should have more independence, authority and responsibility over priority setting and management of its work programme. FAO and WHO Governing Bodies should endorse the overall Codex programme of work and the budget on a biennial basis.</p> <p>(Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 7</u></p> <p>FAO Management also agrees that Codex should continue to be “housed within FAO and WHO” (para. 3)</p>	<p><u>Recommendation 7</u></p> <p>CAC25 agreed that it should have greater independence, within the overall structure of FAO and WHO, for proposing and executing its work programme and budget, once approved by the two parent organizations. (App.II, para. 7)</p>		<p>In terms of priority setting Codex had always had responsibility for priority setting. The process was made more formal and transparent through the elaboration of the <i>Criteria for the Establishment of Work Priorities</i>.</p> <p>Since 2002, the Codex programme has become a separate programme entity within the FAO programme of Work and Budget. .</p> <p>The Codex Secretary was upgraded to D-1 and given is “Budget Holder” responsibility for the for the implementation of Codex</p>	<p>From 2013, the Codex Secretariat has been placed within the Office of the Assistant Director General, Agriculture and Consumer Protection Department, following the dissolution of the FAO Food and Consumer Protection Division.</p> <p>The head of the Codex Secretariat is administratively reporting directly to the ADG of FAO in charge of the Department of Agriculture and Consumer Protection.</p>

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<p>Recommendation 8: Codex and OIE should intensify their collaboration to minimize overlaps and avoid gaps in standard setting with:</p> <p>a) delineation of work and specific modalities of collaboration should be defined by Codex and OIE within the near future and formalized in a memorandum of understanding;</p> <p>b) where work is in both Organizations' interest it should be pursued through joint task forces.</p> <p>Continued close collaboration between Codex and IPPC should also be maintained. (Primary Responsibility: Codex/OIE)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 37: "Relations with OIE" (ALINORM 03/26/11 Add.4, para. 49)</p> <p>The Commission may wish to endorse the recommendation in principle, noting the on-going work on modalities of cooperation with other international intergovernmental standards-setting bodies.</p>				
<p><u>Recommendation 8</u></p> <p>FAO Management agrees that Codex and OIE should intensify collaboration to minimize overlaps and avoid gaps in standard setting relating to food safety and animal health. (<i>para. 9</i>)</p>		<p><u>Proposal No. 37</u></p> <p>CAC26 endorsed the recommendation of the Evaluation Team and Panel that Codex and OIE should intensify their collaboration to minimize overlaps and avoid gaps in standard setting, so as to ensure a farm-to-fork approach to the safety of foods of animal origin. (<i>para. 181</i>)</p>	<p><u>Proposal No. 37</u></p> <p>CAC28 adopted the <i>Guidelines for Cooperation with International Intergovernmental Organizations</i>.</p> <p>In accordance with and applying the above Guidelines, CAC28 endorsed the following recommendation related to the collaboration between Codex and OIE:</p> <ul style="list-style-type: none"> - OIE be encouraged to continue to participate actively in the standard-setting work of the Commission, namely through the work of relevant subsidiary bodies of the Commission; - OIE be invited to regularly submit, to relevant Codex subsidiary bodies, reports on its activities relevant to the work of these subsidiary bodies, while these subsidiary bodies continue to seek ways to improve cooperation with OIE in their respective area of work and inform CCEXEC of their decisions/recommendations accordingly; and - OIE be invited to submit a summary report to the regular sessions of the Commission on its activities of relevance to the work of the Commission, including the outcome of the OIE Working Group on Animal Production Food Safety. (<i>ALINORM 05/28/41 paras 43-44 and 200-203</i>) <p>The Codex Secretary participates as a member of the OIE Working Group on Animal Production Food Safety</p>	<p>CAC37 (2014) endorsed the guidance to promote collaboration between Codex and OIE as proposed by CCGP28. (<i>REP14/CAC, para. 104</i>)</p> <p>Both Codex Strategic Plans (2008-2013 and 2014-2019) includes goals aiming at promoting collaboration between Codex and relevant international organizations and include specific activities related to the cooperation and interactions with OIE and IPPC.</p>

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			<p>(APFSWG) since its first meeting in 2002. APFSWG was established to coordinate animal production food safety activities of OIE and advise the OIE Director-General and the OIE Terrestrial Animals Code Commission ("Code Commission") on technical matters. The APFSWG has also a mandate to: consider all foodborne hazards arising from animal before slaughter; identify gaps and duplication in the OIE and Codex texts and ensure their harmonisation; and strengthen the collaboration between the OIE and Codex.</p> <p>The FAO/OIE and the WHO/OIE Cooperation Agreements, mentioning Codex, were both updated in 2004. According to FAO and WHO legal opinion an MOU between Codex and OIE was possible. The strengthened framework for collaboration among FAO, WHO and OIE (see comments) facilitates collaboration in the context of Codex work.</p>	
<p>Recommendation 9: The Executive Committee should be replaced with an Executive Board, meeting every six months, charged with strategic and managerial responsibility but without the authority to consider standards. The function of the board would be to improve speed and efficiency by assisting the Commission in strategic planning, budgeting and monitoring, including:</p> <ul style="list-style-type: none"> • preparation of the work plan and budget and the medium-term plan; • make recommendations to improve management and working procedures in Codex, including its committees and task forces; and • monitor and take corrective action for the delivery of the programme of work. <p>(Primary Responsibility: Codex, FAO/WHO)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 7: "Strategic and Managerial Functions" (ALINORM 03/26/11 Add.2, paras 10-12)</p> <p>The Executive Committee/Board should make recommendations to the Commission in the following areas:</p> <ul style="list-style-type: none"> • strategic planning over a period of 5-7 years; • medium-term planning over a period of 3 years; • monitoring the implementation of the strategic and medium-term plans. <p>As part of its function of monitoring and implementation, it should have the ability to make recommendations directly to Codex Committees concerning the organization of work.</p> <p>The Executive Committee/Board should also be consulted by the Secretariat in the preparation of its annual work plans.</p> <p>Proposal No. 8: "Budgetary, Planning and Programming Functions" (ALINORM 03/26/11 Add.2, paras 8-9)</p> <p>The Executive Committee/Board should be consulted by the Secretariat during the formulation of the biennial programmes of work and budgets to be presented to the Governing Bodies of FAO and WHO. Programming and budget proposals should include the budget(s) available for the provision of expert scientific advice to the Commission.</p> <p>The Executive Committee/Board, together with the Secretariat, should prepare annual work plans based on the biennial programme and the available budget, that will ensure the adequate delivery of the Commission's programme of work (including the need for scientific advice) and submit these to the Commission for approval.</p>				

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<p>Proposal No. 9: "Executive Committee" (ALINORM 03/26/11 Add.2, paras 19-20)</p> <p>Option 9.1 – Retention of the Executive Committee as a Strategic Management Body</p> <p>The Executive Committee should be retained as described in Article 6 of the Statutes of the Codex Alimentarius Commission. The Executive Committee should assist the Commission in implementing its programme of work by:</p> <ul style="list-style-type: none"> • making recommendations on strategic and medium-term planning; • advising on budget and work plans; • monitoring the implementation of the strategic and medium-term plans; and • monitoring expenditures and the status of agreed work plans. <p>Option 9.2 – Retention of the Executive Committee as a Strategic and Standards Management Body</p> <p>As above, together with the responsibility for critical review of proposals to undertake work, and monitoring progress of standards development.</p> <p>Proposal No. 10: "Additional functions of the Executive Committee" (ALINORM 03/26/11 Add.2, paras 21-22)</p> <p>The Executive Committee should no longer have the power to establish Codex Committees and Task Forces under Rule IX.1.(b)(i) or to designate Host Governments for these Committees, as these functions have never been used. The Rules of Procedure should be amended accordingly.</p> <p>Except for its role as a standards management body the Executive Committee should not have the authority to consider standards and the Uniform Procedures for the Elaboration of Codex Standards and Related Texts should be amended accordingly.</p>				
<p><u>Recommendation 9</u></p> <p><u>Recommendation 10</u></p> <p>FAO Management agrees to the proposed replacement of the Codex Executive Committee by a Codex Executive Board (Rec. 9 and 10) charged with more strategic and managerial responsibilities. It agrees that the Executive Board should not have the authority to adopt standards. FAO Management agrees to the proposed composition of the Executive Board but suggests that the participation of observers would need to be addressed by the Commission. (para. 10)</p>		<p><u>Proposal No. 7</u></p> <p><u>Proposal No. 8</u></p> <p>CAC26 decided that the Executive Committee should work together with the Secretariat for both activities. The need to consider the development of performance measures for both itself and the Executive Committee at a future session was noted. (para. 155).</p> <p><u>Proposal No. 9</u></p> <p>CAC26 decided to retain the Executive Committee as a Strategic and Standards Management Body, on the basis of the support expressed by majority of countries. (para. 156).</p> <p><u>Proposal No. 10</u></p> <p>CAC26 decided that the Rules of Procedure should be amended to remove the obsolete functions of the Executive Committee (para. 157).</p>	<p><u>Proposal No. 7</u></p> <p>CAC27 adopted the following texts developed by CCGP:</p> <ul style="list-style-type: none"> - <i>Criteria for the appointment of Chairpersons</i> - <i>Guidelines to Host Governments of Codex Committees and ad hoc Intergovernmental Task Forces</i> - <i>Guidelines on the Conduct of Meetings of Codex Committees and ad hoc Intergovernmental Task Forces</i> - <i>Guidelines to Chairpersons of Codex Committees and ad hoc Intergovernmental Task Forces.</i> <p>CAC27 endorsed the decision of the CCEXEC53 to discontinue the elaboration of the Medium-Term Plan, with the understanding that its elements would be used as a basis for a list of programmes/activities to be incorporated into the new Strategic Plan 2008-2013. In the absence of a Medium-Term Plan, CAC27 agreed that CCEXEC would exercise its critical review functions, closely coordinate work between different Codex Committees and monitor the</p>	

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			<p>progress of standards development in accordance with the current Strategic Framework and the <i>Criteria for the Establishment of Work Priorities</i> (ALINORM 04/27/41 paras 10-14 and 120-123)</p> <p>CAC29 adopted the following texts:</p> <ul style="list-style-type: none"> - Amendments to the <i>Procedures for the Elaboration of Codex Standards and Related Texts</i> including the guide to the consideration of standards at Step 8; consideration of any statement relating to economic impact; and <i>Guide to the Procedure for the Revision and Amendment of Codex Standards</i>. - Consequential Amendments to the Guidelines on the <i>Conduct of Meetings of Codex Committees and Ad hoc Intergovernmental Task Forces</i> (ALINORM 05/28/41 paras 21-25) <p><u>Proposals Nos. 8, 9 and 10</u></p> <p>CAC28 adopted the amendment to Rule V.2, concerning the enlargement of the Executive Committee and the functions of the Executive Committee and consequential amendments to current Rule X, as submitted by CCGP (ALINORM 05/28/41 paras 21-25)</p>	
<p>Recommendation 10: The Executive Board should be small and include:</p> <ul style="list-style-type: none"> • 2-3 observer representatives for consumers, industry and perhaps primary producers; • formal participation of the Secretary of Codex and FAO and WHO. <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 11: "Executive Committee – Membership" (ALINORM 03/26/11 Add.2, paras 32-35)</p> <p>Option 11.1 – Enlarged Executive Committee</p> <p>The Executive Committee should be enlarged by appointing the Regional Coordinators as Members. Meetings would be open to observers.</p> <p>Option 11.2 – Restricted participation in the Executive Committee</p> <p>Participation in meetings of the Executive Committee should be limited to one delegate representing the Members.</p> <p>Option 11.3 – Establishment of a Sub-Committee on Programming, Budget and Planning</p> <p>A Sub-Committee on Programming, Budget and Planning of the Executive Committee consisting of the Vice-Chairpersons of the Commission and the seven Members elected on a Regional basis should be established. Meetings of the Sub-Committee should be held in private. The Sub-Committee should be chaired by the Vice-Chairpersons on a rotational basis. The Sub-Committee should report to the</p>				

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<p>Executive Committee.</p> <p>Option 11.4 – Funding the participation of members of the Executive Committee</p> <p>The budget of the Codex Alimentarius Commission should make provisions for the funding of participation of members of the Executive Committee and its Sub-Committee on Programming, Budget and Planning at meetings of these bodies.</p> <p>Proposal No. 12: “Participation of observers in the Executive Committee” (ALINORM 03/26/11 Add.2, para. 36)</p> <p>Members of the Commission that are not Members of the Executive Committee and interested international organizations should be invited to meetings of the Executive Committee. They should have the right to submit papers on matters before the Executive Committee but should not have the right to speak unless invited by the Chairperson to do so.</p>				
<p>See Rec. 9 above</p>		<p><u>Proposal No. 11</u></p> <p>a) Enlarged Executive Committee CAC26 decided that the Executive Committee should be enlarged by appointing the Regional Coordinators as Members. A number of countries questioned the effectiveness of an enlarged committee as a strategic management body and it was noted that the respective roles of the regional coordinators and the regional members may require clarification. The Commission deferred a discussion of the presence of observers to its discussion of Proposal 12.</p> <p>b) Restricted participation in the Executive Committee CAC26 did not achieve a consensus on the proposal to limit participation in meetings of the Executive Committee to one delegate representing the Members.</p> <p>c) Establishment of a Sub-Committee on Programming, Budget and Planning CAC26 decided that the Executive Committee should have the flexibility to establish subcommittees from among its members. It was noted that any proposed new body would be subject to analysis of costs and that there would only be a limited number. It was noted that a sub-committee could be established for programming, budget and planning.</p> <p>d) Funding the participation of</p>	<p><u>Proposal No. 11</u></p> <p>CAC28 (2005) adopted the amendment to Rule V.2, concerning the enlargement of the Executive Committee and the functions of the Executive Committee and consequential amendments to current Rule X, as submitted by CCGP. (ALINORM 05/28/41 paras 21-25)</p> <p><u>Proposal No. 12</u></p> <p>CAC28 recalled that CCGP had agreed not to proceed with the consideration of the active participation of Observers in the CCEXEC, but to consider the possibilities of publicizing the proceedings using Internet facilities. The Secretariat informed the Commission that it was currently studying the feasibility of making the audio recording of the proceedings of the Commission available on the Codex website on an experimental basis. When all financial and practical aspects had been solved, the extension of these arrangements to the recording of the Executive Committee's proceedings could be considered (ALINORM 05/28/41 para. 122)</p> <p>CAC30 (2007) noted that recent sessions of CCEXEC had been audio-recorded and the audio-recording posted on the Codex website on an experimental basis. In view of the positive outcome of this arrangement which allowed publicizing of the proceedings of CCEXEC, CAC30 recommended that the current arrangements for audio-recording and web-posting of the sessions of CAC and CCEXEC be implemented on an ongoing</p>	<p>Meetings of the Chair and vice-Chairs of the Commission (“bureau”), Codex Secretariat and FAO, WHO have been held regularly since 2009.</p>

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		<p>members of the Executive Committee CAC26 decided that budget of the Codex Alimentarius Commission (not the FAO/WHO Trust Fund) should make provisions for the funding of the participation of members of the Executive Committee at its meetings. A number of countries considered that this should be limited to members from developing countries. (paras 158-160)</p> <p><u>Proposal No. 12</u></p> <p>A majority of members of the Commission agreed to the participation of Members of the Commission that are not members of the Executive Committee and recognized international organizations as observers in Executive Committee meetings with limited clearly defined rights to address the Committee. A few members expressed in principle objections to the presence of observers at Executive Committee meetings. It was also decided by the Commission that the exact modalities of this participation needed further elaboration and consultation with FAO and WHO. (para. 161)</p>	basis. (ALINORM 07/30/REP para. 140)	
<p>Recommendation 11: The standards development management function should receive much greater attention in Codex and should be delegated from the Commission to a smaller body. In this context, consideration should be given to the creation of a Standards Management Committee to perform functions that otherwise would need to be undertaken in the Executive Board.</p> <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 13: "Strategic Planning" (ALINORM 03/26/11 Add.3, paras 10-12)</p> <p>A strategic plan for Standards Development should be submitted to the 27th Session of the Commission (2004) and subsequently at two-yearly intervals on a rolling basis.</p> <p>Option 13.1 – Secretariat</p> <p>The Secretariat should submit a draft Strategic Plan for consideration by the Executive Committee and subsequently by the Commission.</p> <p>Option 13.2 – Sub-Committee of the Executive Committee</p> <p>The Sub-Committee on Programming, Budget and Planning of the Executive Committee should submit a draft Strategic Plan for consideration by the Executive Committee and subsequently by the Commission.</p> <p>Proposal No. 14: "Critical review of proposals to undertake work" (ALINORM 03/26/11 Add.3, paras 15-16)</p> <p>A critical review process should ensure that draft standards submitted to the Commission for adoption meet the strategic priorities of the Commission and can be developed within a reasonable period, taking into account the requirements of scientific expert advice. The critical review should therefore include:</p>				

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<ul style="list-style-type: none"> • examination of proposals for development/revision of standards, taking into account the strategic priorities of the Commission and the required supporting work of independent risk assessment; • identifying the standard setting needs of developing countries; • advice on establishment and dissolution of committees and task forces, including ad hoc cross-committee task forces (in areas where work falls within several committee mandates); and • assessment of the need for expert scientific advice and the availability of such advice from FAO, WHO or other relevant expert bodies. <p>Each major standard or revision of a major standard approved for development should have a small project document on purposes of the standard, why it was important, the main aspects to be covered and the time-line envisaged for the work. Monitoring can then take place against the time line revised as necessary and revisions in the coverage of the standard etc. would need to be specifically endorsed.</p> <p>Proposal No. 15: "Monitoring progress of standards development" (ALINORM 03/26/11 Add.3, para. 17)</p> <p>The critical review process should also ensure that progress of the development of standards is consistent with the envisaged time frame, that draft standards submitted to the Commission for adoption have been fully considered at Committee level, and that they are technically and legally sound. This should therefore include:</p> <ul style="list-style-type: none"> • monitoring of progress in developing standards and advising if corrective action should be taken or work suspended due to lack of progress; • examining proposed standards from Codex committees for coherence with basic texts and other international legal instruments ; technical consistency with General Standards and similar texts ; format and presentation; conformity with major decisions of the Commission ; and lingual consistency; before they are submitted to the Commission for adoption. <p>Proposal No. 16: "Responsibility for Standards Management" (ALINORM 03/26/11 Add.3, paras 20-24)</p> <p>Option 16.1 – Standards Management Committee</p> <p>Should the Commission wish to establish a Standards Management Committee, it may wish to consider the following membership for the Committee:</p> <ul style="list-style-type: none"> • Twenty Members elected on a regional basis (three from each region except North America (2)); and • Five Chairpersons of Codex Committees/Task Forces established under Rule IX.1.(b) appointed on a rotating basis. <p>The Committee should be established under Rule IX.1(a) and meet on an annual basis, not less than six weeks before the commencement of any Commission session and should report to each Commission session. The Committee should elect its own Chairperson. The Committee should have the power to invite Chairpersons of Committees/Task Forces, not members of the Committee to attend its sessions. The Committee should be open to participation of international intergovernmental and non-governmental organizations as observers.</p> <p>The functions of the Committee would be to undertake the critical reviews of new work and the monitoring of progress in standards development as described above.</p> <p>Option 16.2 – Executive Committee</p> <p>Under this option, the Executive Committee would undertake the critical reviews of new work and the monitoring of progress in standards development as described above and report its findings to the Commission.</p> <p>Option 16.3 – Executive Board</p> <p>Same as Option 16.2 in the case that the Commission decides to establish an Executive Board in place of the Executive.</p> <p>Proposal No. 17: "Time-bound decision-making" (ALINORM 03/26/11 Add.3, para. 30)</p> <p>At the time of deciding to undertake new work on a standard (including preparation of so-called "discussion papers"), the Commission shall indicate the time frame for the work to be carried out, normally not more than five years from the date of the decision. At the end of this time frame, the body responsible for standards management shall automatically review the status of the work and report its findings to the Commission. The body responsible for standards management may propose an extension of the time frame; cancellation of work; or propose that the work be undertaken by a Committee other than the one to which it was originally entrusted.</p> <p>Proposal No. 25: "Revision of the Rules and working procedures governing the Executive Committee to enhance overall management" (ALINORM 03/26/11 Add.4, para. 13)</p> <p>The Commission should request the body responsible for implementing the procedural review to draft amendments and additions to the Rules of Procedure on the above matters as a matter of priority, with a view to their adoption by the Commission in 2004.</p> <p>Proposal No. 26: "Subsequent revision of the Rules and working procedures of the Executive Committee" (ALINORM 03/26/11 Add.4, para. 14)</p> <p>The Commission should request the body responsible for implementing the procedural review to draft amendments and additions to the Rules of Procedure dealing with the remaining issues contained in ALINORM 03/26/11: Part 2 with a view to their adoption by the Commission in 2005.</p>				

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<p><u>Recommendation 11</u></p> <p>FAO Management supports in principle the proposal for the establishment of a Standards Management Committee, which would facilitate the Commission's work with regard to priority setting and work planning for standards development. Its proposed functions and composition would need further consideration by the Commission. (para. 11)</p>	<p>CAC25 requested the Secretariat to analyze comments dealing with standards management and the procedures for standards development, including the establishment of priorities recommended by developing Member Nations, and recommend strategies for the early implementation of more efficient and effective processes, providing options for consideration by the Commission at its next Regular Session. (App.II, para. 13)</p>	<p><u>Proposal No. 13</u></p> <p>CAC26 decided that the Secretariat should work with the Executive Committee in the preparation of strategic planning documents. It was noted that the strategic planning process in the Executive Committee should consider the special needs of developing countries. (para. 162)</p> <p><u>Proposal No. 14</u></p> <p><u>Proposal No. 15</u></p> <p>CAC26 decided to endorse the critical review process, including the preparation of project documents for major standards, as proposed as well as the closely related proposal to revise the Criteria for the Establishment of Work Priorities (Proposal No. 38) in order to ensure the relevance of Codex standards at the international level. (para. 163)</p> <p><u>Proposal No. 16</u></p> <p>CAC26 recalled that there had been no support for the establishment of a Standards Management Committee at the 25th Session of the Commission. The current session did not support the establishment of such a Committee and decided that the Executive Committee be the body to undertake the critical review of new work. CAC26 did not favour the replacement of the Executive Committee with an Executive Board. (para. 164)</p> <p><u>Proposal No. 17</u></p> <p>CAC26 decided that the body responsible for standards management (i.e. the Executive Committee) should review the status of development of draft standards at the end of a specified time-frame, normally not more than five years, and report its findings to the Commission.</p>	<p><u>Proposals Nos. 14 and 15</u></p> <p>CAC27 adopted the amendments to the <i>Procedures for the Elaboration of Codex Standards and Related Texts</i> (ALINORM 04/27/41, para. 13)</p> <p><u>Proposals Nos. 25 and 26</u></p> <p>CAC28 adopted the amendment to Rule V.2, concerning the enlargement and the functions of CCEXEC and consequential amendments to current Rule X, as submitted by CCGP. (ALINORM 05/28/41 paras 21-25)</p>	<p>Information on discussion papers was added to the Critical Review from 2011.</p> <p>The Codex Strategic Plan 2014-2019 includes Objective 1.2 to proactively identify emerging issues and member needs and where appropriate develop relevant food standards</p>

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		<p>The time-frame could be less than five years, where this was appropriate or had been established during the critical review process for new work. (<i>para. 165</i>)</p> <p><u>Proposal 25</u> <u>Proposal 26</u></p> <p>CAC26 decided to request CCGP when reviewing the Procedural Manual to:</p> <ul style="list-style-type: none"> - draft amendments and additions to the Rules of Procedure as described in Proposal 25 as a matter of priority, for adoption by the Commission in 2004/77, and - draft amendments and additions to the Rules of Procedure dealing with the remaining issues contained in ALINORM 03/26/11: Part 2 for adoption by the Commission in 2005. (<i>para. 171</i>) 		
<p>Recommendation 12: It is desirable that the Codex Alimentarius Commission meets every year, but if the Executive Board and possibly Standards Management Committee perform their functions effectively it might be possible to reduce costs by continuing to hold meetings every two years.</p> <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 1: "Annual meetings of the Commission" (ALINORM 03/26/11, para. 10)</p> <p>It is proposed that the Commission meet on an annual basis and the Executive Committee biannually. Commission sessions would alternate between sessions devoted to standards development (almost exclusively) and mixed sessions dealing with both standards issues, general direction of work and policy matters. These meetings could be 4 days and 5-6 days in length respectively. Regional Committees would continue to meet biennially and would report to the mixed standards/policy meeting.</p>				
	<p><u>Recommendation 12</u></p> <p>CAC25 supported the idea of holding annual meetings but noted the relationship between annual meetings and the operation of the Trust Fund, as it was essential to facilitate developing country participation if the Commission met annually. (<i>para. 19</i>)</p>	<p><u>Proposal No. 1</u></p> <p>CAC26 decided that each session would consider the timing for the following session and the general nature of the agenda in order to achieve the appropriate balance between standards issues, general direction of work and policy matters, and taking into account the resources available for adequate participation. (<i>para. 150</i>)</p>	<p>CAC has been meeting annually since CAC27 (2004).</p> <p>CAC agenda is essentially the same every year. The alternating (longer and shorter) agenda of CAC has not been studied or implemented by the secretariat.</p> <p>CCEXEC started to meet biannually since 2003 with two sets of alternating agendas, with the one focusing on the monitoring of standards development and the other on the critical review of new work proposals; CCEXEC no longer adopts draft standards at Step 5 although it is still legally capable</p>	<p>Biannual meetings of CCEXEC were held until 2010, then reduced to three times per biennium and since 2013 to annual meetings in conjunction with CAC.</p>

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			of doing it.	
<p>Recommendation 13: The Codex secretariat should be able to carry out managerial, strategic and communication functions. To attract someone of the calibre needed to provide continuing executive leadership and support in Codex and manage and motivate the enhanced secretariat, a senior person should be appointed as Executive Secretary. The overall seniority of the secretariat staff should also be raised.</p> <p>(Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 13</u> FAO Management acknowledges the Evaluation's appreciation of the Codex Secretariat's effective and member-oriented work. It agrees with the observation that resources and manpower available to it are insufficient compared to the steadily increasing workload, which is resulting in "certain functions as being inadequately served". In this regard, FAO Management notes the proposed upgrading of the post of Secretary to the Commission to Executive Secretary. While the rationale given is appreciated - the complexity of Codex work, the technical and managerial expertise required, and the need for international visibility - FAO Management feels that, in view of the recent upgrading, it would be premature to further upgrade the post at this time. (para. 12)</p>	<p><u>Recommendation 13</u> CAC25 strongly supported the recommendation that the Secretariat be expanded and that the seniority and composition of its staff should match the Commission's increased requirements. (App.II, para.8)</p>		<p>After the 2002 Evaluation, Codex became an independent Service, first in ESN and from 2006 in AGN.</p> <p>The posts of Secretary (D-1) and Senior Officer (communication) (P-5) were created and another post were upgraded (1 P-2 to P-3), thus resulting in a Secretariat with one D-1, two P-5, two P-4 and two P-3.</p> <p>The number of General Service staff has remained unchanged (total of seven GS), with some changes in the level of seniority (one G-4 was upgraded to G-5 and three G-3 to G-4).</p> <p>Since late '90s Japan and the Republic of Korea have supported the Codex Secretariat through the secondment of professional staff.</p> <p>USA has seconded a professional officer in 2005.</p>	<p>In 2013 the Codex Secretariat has become a Unit ("Codex unit") in the office of the ADG of the FAO Agriculture and Consumer Protection Department.</p>
<p>Recommendation 14: The secretariat would better achieve the independent identity, high status and authority it needs by becoming a separate FAO unit rather than continue under the Food and Nutrition Division. The secretariat would continue to report to FAO and WHO but in line with plans to give Codex more independence, the appointment of the secretary would be carried out in consultation with Codex.</p> <p>(Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 14</u> FAO Management: - is of the view that the current location is appropriate, given that ESN remains the principal area of relevant expertise in FAO and that relations with other expertise in FAO can be reinforced by other means. - notes the proposal that "the appointment of the Secretary would be carried out in consultation with Codex", but would need to examine</p>			<p><i>See Recommendation 13</i></p> <p>Since 2002, the Codex programme has become a separate programme entity within the FAO Food and Nutrition Division (later renamed as FAO Food and Consumer Protection Division) and the head of the Codex Secretariat has been granted the role of "Budget Holder" in the implementation of the FAO Programme of Work and Budget.</p> <p>The appointment of the Codex Secretary has been made jointly by FAO and WHO</p>	<p><i>See Recommendation 13</i></p> <p>From 2013, the Codex Secretariat has been placed within the Office of the ADG of the FAO Agriculture and Consumer Protection Department, following the dissolution of the Food and Consumer Protection Division.</p> <p>The head of the Codex Secretariat is administratively reporting directly to the ADG of FAO in charge of the Department of Agriculture and Consumer Protection.</p>

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<p>specific procedures in order to consider this proposal further. It recalls that the appointment of the Secretary is the prerogative of the Directors-General of FAO and WHO</p> <p>- agrees that employment of part of the Secretariat by WHO would be "administratively cumbersome" (para. 105) and supports the current practice whereby all job descriptions are prepared jointly, and Secretariat staff selected jointly, by FAO and WHO. It would be pleased to consider any additional measures that would make this "joint nature" of the Secretariat still more visible and effective.(paras 13-15).</p>			in 2003, 2009 and 2014.	
<p>Recommendation 15: As a matter of priority more human and financial resources must be put into the Codex secretariat to enable it adequately to perform existing functions and meet expanding demands. (Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 15</u></p> <p>FAO Management is fully aware of the increasing demands being placed upon Codex and of the need to increase the current staff and financial resources. In this context, and as recognized by the Evaluation, attention is drawn to the current Joint FAO/WHO Programme budget in which the FAO share is about 75 percent. (para. 16)</p>			See Recommendation 13	Since 2000-2001, the Codex biennial budget has increased by approximately 75% (from 5,068,000 to 8,756,000 USD). The share of WHO increased in 2013 but has never exceeded 20%.
<p>Recommendation 16: Codex should undertake a review, including a detailed study by consultants of the work of general subject and commodity committees as soon as possible, and thereafter on a fixed schedule, with a view to rationalization where appropriate. The review should in particular examine:</p> <ul style="list-style-type: none"> • the existing committee mandates with a view to rationalization; • any need for redistribution of tasks and responsibilities between committees; and • any need to split committees. <p>Also:</p> <ol style="list-style-type: none"> a) commodity work should be handled through time bound task-forces; b) no new committee should be established even in a horizontal area of work until the possibilities for progress and the need for continuing work have been established through a task force; c) the treatment of health issues in commodity committees should be reduced to the essential minimum and wherever possible handled through a task force with the relevant horizontal committee. <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p>				

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<p>Proposal No. 5: "Review of the mandates of Codex Committees and Task Forces" (ALINORM 03/26/11 Add.1, paras 13-14)</p> <p>The Commission may wish to instruct the Secretariat to recruit a small team of consultants to undertake a detailed review, based on the recommendations of the Evaluation Report and the above discussion, that would report through the Executive Committee to the next Regular Session of the Commission. The review should concentrate on the following:</p> <ul style="list-style-type: none"> • adequacy of the current structure of general subject committees to meet member countries' needs in a flexible and timely manner; • areas of overlap and areas where coverage of the subject matter is inadequate; • adequacy of the current structure of commodity committees to meet member countries' needs in a flexible and timely manner; • areas of overlap and areas where coverage of the subject matter is inadequate; and • relations between commodity and general subject committees (task forces). <p>The report to the Commission should also take into account the ability of all member countries to participate in the standards development process and therefore concentrate on the sustainability of the subsidiary body structures and their work programmes.</p>				
<p>Recommendation 16</p> <p>FAO Management agrees that Codex should undertake a review of General Subject and Commodity Committees. With regard to the suggested possible reduction of the treatment of health-related work in the commodity committees/task forces, it would emphasize that such a reduction should not lead to a decline in scientific soundness of standards which would still require the input of commodity-specific expertise, including that for best practices. (para. 17)</p>		<p>Proposal No. 5</p> <p>CAC26 decided that all the Committees and Task Forces would be reviewed together, based on the proposals set out in the working paper, bearing in mind the objective of reducing the number of meetings while also keeping them short and focused. The key role of Regional Coordinating Committees was recognized, as well as the importance of ensuring that Codex Committee chairs were able to provide input to the review process. (para. 154)</p>	<p>Proposal No. 5</p> <p>CAC27 endorsed the TOR for review of Codex Committees and Task Forces. CAC27 agreed that the recruitment of a small team of consultants would be initiated after CAC in order that recommendations could be submitted to CAC28 (ALINORM 04/27/41, para. 132).</p> <p>CAC28 endorsed a number of recommendations (see ALINORM 05/28/41 paras 136-159)</p> <p>The Committee on Food Additives and Contaminants (CCFAC) was split into CCFA and CCCF; the Committee on Meat Hygiene (CCMH) was adjourned <i>sine die</i> and some of its tasks assigned to the Committee on Food Hygiene (CCFH).</p> <p>A number of commodity committees was adjourned <i>sine die</i>, e.g. Committees on Natural Mineral waters (CCNMW), Cocoa Products and Chocolate (CCCP), Milk and Milk Products (CCMMP).</p>	<p>A new Committee on Spices and Culinary Herbs (CCSCH) was established in 2013. Most of the work of commodity committees focuses on quality provisions of standards. Safety provisions of commodity standards make reference to texts developed by general subject committees, e.g. CCFH, CCPR, CCRVDF, CCFA.</p>
<p>Recommendation 17: Codex should undertake a review of the mandate and work of regional committees within the next two years. (Primary Responsibility: Codex)</p> <p>This recommendation was dealt by the following:</p> <p>Proposal No. 6 "Review of the Regional Coordinating Committees" (ALINORM 03/26/11 Add.1, para. 15)</p> <p>The Commission may wish to instruct the Secretariat to provide a report to the next Regular Session of the Commission with proposals for the review of the Regional Coordinating Committees. These proposals should be discussed by the Regional Coordinating Committees and final proposals made to the next following session of the Commission.</p>				
		<p>Proposal No. 6</p> <p>CAC26 decided that all the Committees and Task Forces would</p>	<p>Proposal No. 6</p> <p>CAC27 agreed to issue a CL to invite comments. RCC would consider</p>	<p>the FAO/WHO/Codex secretariats prepared proposals for revitalization of Regional Coordinating Committees for discussion in the</p>

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		<p>be reviewed together, based on the proposals set out in the working paper, bearing in mind the objective of reducing the number of meetings while also keeping them short and focused. The key role of Regional Coordinating Committees was recognized, as well as the importance of ensuring that Codex Committee chairs were able to provide input to the review process. (<i>para. 154</i>)</p>	<p>comments and report to CAC28 (<i>ALINORM 04/27/41, paras 135-136</i>).</p> <p><u>Role of Regional Coordinating Committees in furthering the objectives of the Codex Alimentarius</u></p> <p>CAC28 agreed to reassert the important role the Coordinating Committees play in furthering the objectives of the Commission and encourage countries to participate more actively and effectively in the work of Coordinating Committees. CAC28 further agreed to encourage Coordinating Committees to consider any particular items regarding problems arising from food control, food safety concerns and approaches for strengthening food regulatory systems, in accordance with the terms of reference of the Committees and preferably in consultation of the Regional Offices of FAO and WHO.</p> <p><u>Terms of reference of the Regional Coordinating Committees as set out in the Procedural Manual, including the relevance of developing regional standards</u></p> <p>CAC28 agreed to refer the proposed amendment to the terms of reference of the CCLAC and its possible extension to the other Coordinating Committees to CCGP for further consideration.</p> <p>CAC28 agreed that Coordinating Committees were invited to keep under review their programme of work, taking into account priorities of Committees' work.</p> <p><u>Membership of Regional Coordinating Committees, including their current geographic coverage</u></p> <p>CAC28 agreed that no further action needed to be taken on this matter.</p> <p><u>Effectiveness of Regional Coordinating Committees in respect of country participation record and of venues and meeting intervals</u></p>	<p>2014-15 cycle of RCCs (Ref. CX/NASWP 14/13/4)</p>

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			<p>CAC28 agreed to retain the current periodicity of meetings of Coordinating Committees and invited Coordinating Committees to consider the use of complementary mechanisms which would improve regional and/or sub-regional communication and coordination.</p> <p><u>Respective roles of the Regional Coordinator as ex officio Chairperson of the Regional Coordinating Committee and the Member(s) of the Executive Committee elected on a geographic basis</u></p> <p>CAC28 recognized the need for clarification of the respective roles of the Coordinator and the Member elected on a geographical basis, especially in view of the new status of the Coordinator as Member of CCEXEC. The Commission therefore agreed to recommend that CCGP consider this issue at its next session and develop proposals for consideration by the 29th Session of the Commission.</p> <p>CAC28 agreed to encourage Regional Coordinators, FAO and WHO to consider organizing relevant regional events such as seminars or workshops in conjunction with the sessions of Coordinating Committees. (<i>ALINORM 05/28/41 paras 129-135</i>)</p>	
<p>Recommendation 18: All committee and task force work should be time-bound. It is proposed that no standard be permitted more than 5 years' work before decision by the Commission on whether further work is justified. (Primary Responsibility: Codex)</p>				
		See Recommendation 11		
<p>Recommendation 19: Codex must continue to strive for a clearer separation of the risk management and risk assessment functions to ensure transparency, the usefulness of scientific advice and the speed of decision-making. (Primary Responsibility: Codex, FAO/WHO)</p>				
				<p>All relevant Committees completed the revision of the respective risk analysis principles. CCGP29 will consider a document (CX/GP15/29/5) on the consistency of the risk analysis texts across the relevant committees, prepared by the Codex Secretariat.</p>

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<p>Recommendation 20: The emphasis in Codex should switch from writing standards in meetings to developing standards through a consultative process between meetings. Much greater use should be made of consultants/facilitators to progress work between committee sessions, with the cost borne by host countries. As well as speeding up work, greater inclusiveness would be ensured by full consultation including, where appropriate, the organization of local workshops and:</p> <ul style="list-style-type: none"> • written comments should be fully taken into account; • where between-session working groups are used they should be electronic, not generally physical meetings which are not inclusive in possible participation; • greater use should be made of knowledgeable NGOs in preliminary standard development. <p>(Primary Responsibility: Codex)</p> <p>This recommendation was dealt by the following:</p> <p>Proposal No. 19: "Use of facilitators" (ALINORM 03/26/11 Add.3, paras 34-35)</p> <p>At any time in the process of elaboration of standards, a Codex Committee or the body responsible for standards management, should have the ability to appoint a facilitator to help parties to reach consensus. The role of the facilitator would be to consult among members and to develop re-drafts for further consideration by committees. A main part of the function of facilitators would be to understand dissenting views, including all written comments, and facilitate the development of consensus. This could have very positive benefits both in terms of ensuring greater inclusiveness and in speeding up work, provided facilitators have the clear function of consulting members widely. Facilitators should report to the Committee entrusted with development of the draft standard. The facilitator's report should explicitly show how the written comments received on draft standards have been addressed.</p> <p>This proposal could be implemented immediately, without changes to the Procedures for the Elaboration of Codex Standards and Related Texts in the Procedural Manual, but in the longer term it would be preferable to amend these Procedures especially to define the role of facilitators. In the interim, the Secretariat suggests that facilitators could be appointed on an experimental basis</p> <p>Proposal No. 20: "Establishment of electronic working groups" (ALINORM 03/26/11 Add.3, para. 36)</p> <p>Codex Committees, when deciding to undertake work between sessions, should give the first priority to the establishment of electronic working groups to be coordinated by the Host Government Secretariat. Such working groups should be open to all members of the Commission and interested international organizations as observers providing comments. The terms of reference and the expected output of the Working Group should be explicitly stated. Such working groups should be disbanded once their specific task has been achieved.</p> <p>Proposal No. 21: "Establishment of physical working groups" (ALINORM 03/26/11 Add.3, paras 37-38)</p> <p>If Codex Committees decide to undertake work between sessions by means of physical working groups, such working groups should be representative of the membership of the Commission. It is therefore proposed that the membership of such working groups be limited to two or three members from each of the Commission's regions. Interested international organizations may be invited to participate as observers, provided that the number of observers does not exceed one half the number of countries participating as members. The composition of the working group should be explicitly defined, as should its terms of reference and the expected output. Such working groups should be disbanded once their specific task has been achieved.</p> <p>The options concerning working groups could be implemented immediately, but in the longer term it would be preferable to amend the Guidelines for Codex Committees so as to clarify the role of working groups.</p>				
		<p><u>Proposal No. 19</u> <u>Proposal No. 20</u> <u>Proposal No. 21</u></p> <p>CAC26 agreed in principle to all three proposals but decided that the modalities would require clarification by the body responsible for reviewing the Procedural Manual. With respect to electronic working groups, the Commission noted that these were an avenue for exchanging views and not for decision making. Physical working groups should be ad hoc, open to all members, take account the problems</p>	<p><u>Proposal No. 19</u></p> <p>CAC28 supported the conclusion of the CCPG21 that Committees consider the use of facilitators on an experimental basis. (ALINORM 05/28/41, para. 122)</p> <p><u>Proposals Nos. 20 and 21</u></p> <p>CAC28 adopted the <i>Guidelines on Physical Working Groups and the Guidelines on Electronic Working Groups</i> (ALINORM 05/28/41, para. 41)</p> <p>CAC26 (2003) adopted <i>Measures to facilitate consensus</i> .</p>	<p>A facilitated session was held by CCFL to solve the issue of GM labelling.</p> <p>A "Friends-of-the-Chair" approach was used to address the issue of the MRL for ractopamine.</p>

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		of developing country participation and only be established where there is consensus in the Committee to do so and other strategies have been considered. (para. 167)		
<p>Recommendation 21: Although Codex is very effective in producing and agreeing full meeting reports before the end of meetings, the trend towards action-oriented reports of meetings which focus on decisions and not discussion, should be further reinforced. Such reports facilitate a task-orientation as well as freeing up meeting time for more productive use than report writing. (Primary Responsibility: Codex)</p> <p>Proposal No. 35: "Conduct of meetings: Reports" (ALINORM 03/26/11 Add.4, para. 43)</p> <p>The Commission may wish to ask the body responsible for implementing the procedural review to take into account the opinions of the countries that have commented on this matter when drafting the text dealing with reports.</p>				
		<p>Proposal No. 35 CAC26 agreed in principle to [all] of the proposals. (para. 178)</p>	<p>Proposal No. 35 CAC28 agreed that no further revision was recommended to the Procedural Manual. (ALINORM 05/28/41, para. 126)</p> <p>The length of reports and timely availability of documents has been discussed on several occasions in CCEXEC, CCGP and other committees.</p> <p>In 2008, CCEXEC61 made specific recommendations on the length and content of the Session reports of the Codex Alimentarius Commission and its Subsidiary Bodies (ALINORM 08/31/3A, para. 26), which were endorsed by CAC31 (ALINORM 08/31/REP, para. 9).</p> <p>CAC32 agreed that Chile supported by other countries would prepare a discussion paper including recommendations on ways to approach the timely and simultaneous distribution of documents and the length and content of reports taking into account concerns raised at the present Session and those from the FAO/WHO Coordinating Committee for Latin America and the Caribbean, for consideration by the next session of the CCGP (ALINORM 09/32/REP, para. 194)</p>	<p>Following CAC32 the length of reports and timely availability of documents continued to be discussed on several occasions in CCEXEC, CCGP, CCLAC and other committees.</p> <p>CAC37 noted a preliminary analysis on the timely distribution of documents and recommended immediate and incremental action to ensure that documents are prepared in a timely manner in all languages (REP14/CAC para. 118)</p>
<p>Recommendation 22: In order to improve the performance and ensure greater consistency among committee chairs, explicit criteria for selection of chairs should be drawn up and chairs should be confirmed by the Executive Board. More emphasis should be placed on training and assessment of chairs and the explicit role of the Codex secretariat in supporting effective chairpersonship should be fully recognized. (Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p>				

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<p>Proposal No. 29: "Chairpersons of Codex Committees and Task Forces" (ALINORM 03/26/11 Add.4, paras 26-27)</p> <p>Option 29.1 - Confirmation of Chairpersons by the Executive Committee</p> <p>The Commission may wish to request the body responsible for implementing the procedural review to draft a new rule to provide for the confirmation of chairpersons by the Executive Committee.</p> <p>Option 29.2 - Status quo, but with Criteria for the appointment of Chairpersons</p> <p>The Commission may decide to maintain the status quo in regard to the appointment of chairpersons by host countries, but may wish to request the body responsible for implementing the procedural review to develop criteria for the appointment of chairpersons.</p> <p>Proposal No. 33: "Criteria for the selection of chairpersons" (ALINORM 03/26/11 Add.4, para. 39)</p> <p>The Commission may wish to ask the body responsible to develop draft criteria for the appointment of chairpersons of Codex Committees and Task Forces and to submit these for consideration by the Commission at its next Regular Session (2004). The criteria should recognize the right of the host country to appoint a chairperson.</p>									
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<p>Recommendation 23: The present 8-step procedure should be simplified to a 5-step procedure for all standards. At Step 5, the Commission should not amend the standard but be required to:</p> <ul style="list-style-type: none"> • adopt the standard; • refer the standard back to the committee to explore certain changes; or • cancel or suspend work on the standard. The present 8-step procedure should be simplified to a 5-step procedure for all standards. <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 18: "Simplified procedures for standards development" (ALINORM 03/26/11 Add.3, para. 32)</p> <p>The current Uniform and Accelerated Procedures for the Elaboration of Codex Standards and Related Texts should be revised to encourage Committees to submit standards to the Commission as soon as consensus on them is reached. This could be achieved by:</p> <ul style="list-style-type: none"> • Removing the qualification of two-thirds majority when deciding on an accelerated procedure or the omission of steps; • Re-drafting the Elaboration Procedures to provide for a normal 5-Step procedure and an extended 8-step procedure, the latter being subject to endorsement by the body responsible for standards management and subsequent approval by the Commission. <p>Proposal No. 22: "Adoption of Codex Standards" (ALINORM 03/26/11 Add.3, paras 43-46)</p>									

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<p>Option 22.1 – Decision to adopt without amendment</p> <p>At the adoption step, the Commission should not amend the standard but shall either:</p> <ul style="list-style-type: none"> • adopt the standard; • refer the standard back to the Committee to explore certain changes; or • cancel or suspend work on the standard. <p>The decision taken shall be reported clearly in a manner that focuses on decisions and not on discussion.</p> <p>Option 22.2 – Decision to adopt with amendment</p> <p>At the adoption step, the Commission may decide to amend the standard in the light of written comments but shall limit such amendments to considerations that have not previously been raised in Committee and which are not of a nature affecting the technical content of the standard. Otherwise, the Commission shall either:</p> <ul style="list-style-type: none"> • adopt the standard; • refer the standard back to the Committee to consider the proposed amendment(s); or • cancel or suspend work on the standard. <p>The decision taken shall be reported clearly in a manner that focuses on decisions and not on discussion.</p>									
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<p>Recommendation 24: Wherever possible, decisions should be made by consensus. Codex should define consensus for decision-making purposes in committees and the Commission. We propose 'no formal objection by more than one member present at the meeting'; and:</p> <ol style="list-style-type: none"> a) committees should, as the norm, achieve consensus before passing on standards to the Commission for adoption; b) facilitators working between meetings should help to reach consensus and should be systematically used to assist in overcoming deadlock at any stage of the standard setting process); c) in cases of 'near-consensus', proposed standards should be passed on by committees to the Commission for consideration. A consultative postal-balloting system should be considered as a way of ensuring inclusiveness and legitimacy; d) if no better than 'near-consensus' could be reached in the Commission, voting should take place but should require at least a two-thirds majority of those present and voting for a standard to be adopted. <p>(Primary Responsibility: Codex)</p> <p><u>This recommendation was dealt by the following:</u></p> <p>Proposal No. 34: "Determination of consensus" (ALINORM 03/26/11 Add.4, para. 41)</p> <p>In view of the divergence of opinions on this matter the Commission may wish to maintain the status quo in this matter. It may wish to advise the body responsible for implementing the procedural review that resolution of the question of consensus in regard to decision-making is a matter of importance and that efforts should be made to develop appropriate guidance for Codex Committees and Task Forces. In view of the diversity of opinions currently held on this matter, the Commission may wish to request a progress report on the issue at its Regular Session in 2005.</p>									

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		<p><u>Proposal No. 34</u> CAC26 agreed in principle to [all] of the proposals. (para. 178)</p>	<p><u>Proposal No. 34</u> CAC28 had agreed to consider proposals from the Delegation of India that included the definition of consensus at its next session. (ALINORM 05/28/41, para. 125) CCGP21 agreed not to undertake new work on the definition of “consensus”. (ALINORM 05/28/33 paras 9-10) CCGP25 (2009) reviewed an extensive discussion paper prepared by the Secretariat on the basis of the inputs if the chairpersons of the Codex subsidiary bodies on the matter and especially their experiences with the application of the Measures to Facilitate Consensus. CCGP25 agreed to the following: (a) The Secretariat would continue work on a brochure for chairs which will be in the public domain as a work in progress; (b) Problematic cases could be addressed by the informal meeting of chairs and CCEXEC; (c) The Secretariat would continue to convene an informal meeting of chairs in conjunction with the session of the Commission. (d) To amend the <i>Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces</i> with a modification to the effect that the choice of the facilitator should be agreed upon by the committee concerned. CAC32 (2009) adopted the amendment on the use of facilitators to the <i>Guidelines to Chairpersons of Codex Committees and ad hoc Intergovernmental Task Forces</i>. (ALINORM 09/32/REP, paras 18-19).</p>	<p>CAC33 (2010) adopted a further amendment to the <i>Guidelines to Host Governments of Codex Committees and Ad Hoc Intergovernmental Task Forces</i> regarding sustained opposition. (ALINORM 10/33/REP para. 14)</p>
<p>Recommendation 25: Groups of countries with common interests should be encouraged to coordinate their positions and present these as positions of the group at committee meetings. (Primary Responsibility: Codex Regional Committees) <u>This recommendation was dealt by the following:</u> Proposal No. 36: “Conduct of meetings: Country groupings” (ALINORM 03/26/11 Add.4, para. 45) The Commission may wish to ask the body responsible for implementing the procedural review to consider how the opinions of groups of countries, especially smaller developing countries unable to be</p>				

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represented fully at Codex meetings, could best be taken into account.				
		<p><u>Proposal No. 36</u> CAC26 asked CCGP to examine this issue by 2006. (para. 180)</p>	<p>The European Community (later European Union) became a member organization in 2003. Since then, the EU presents before each Codex meeting a division of competence according to Rule of Procedure II paragraph 5 of the Codex Alimentarius Commission.</p> <p><u>Proposal No. 34</u> CAC28 agreed that no further revision was recommended to the Procedural Manual. (ALINORM 05/28/41, para. 126)</p>	
<p>Recommendation 26: Committees should be encouraged to appoint co-chairs of equal status, one of which would be from a developing country. Host countries should also hold meetings in the co-chair's country. (Primary Responsibility: Codex/ Host Countries) <u>This recommendation was dealt by the following:</u> Proposal No. 32: "Co-chairmanship" (ALINORM 03/26/11 Add.4, para. 37) The Commission may wish to ask the body responsible to develop guidelines for the co-chairing of Codex Committees and Task Forces, including the cost implications.</p>				
		<p><u>Proposal No. 32</u> CAC26 referred the work to CCGP, requesting it to develop appropriate guidelines and explore further the question of co-chairpersons. (para 178)</p>	<p><u>Proposal No. 32</u> CAC28 agreed that co-chairmanship should be tested on a case-by-case basis and encouraged committees to consider this practice. The Commission noted some positive outcomes of co-chairmanship experienced at the latest session of the Committee on Food Hygiene (co-hosted by the United States and Argentina) and of the Committee on Fish and Fishery products (co-hosted by Norway and South Africa). (ALINORM 05/28/41, para. 124)</p>	<p>CAC33 (2010) adopted an amendment to the <i>Guidelines to Host Governments of Codex Committees and Ad Hoc Intergovernmental Task Forces</i> regarding co-hosting arrangements. (ALINORM 10/33/REP, para. 13) Guidance for Co-hosting Arrangements of Codex Sessions is included in the Codex website (http://www.codexalimentarius.org/meetings-reports/co-hosting-meetings/en/) An analysis of Co-hosting arrangements was presented at CAC32. (ALINORM 09/32/9B Part III)</p>
<p>Recommendation 27: Codex should review its principles and procedures for observer status as required by the Procedural Manual and:</p> <ul style="list-style-type: none"> a) should consider applying stricter criteria to ensure that observers are genuinely international. New rules should apply to existing observers as well as future 'applicants' and the credentials of Codex observers should be approved individually by the Executive Board; b) observers should be represented on the Executive Board and the Standards Management Committee (if established). <p>(Primary Responsibility: Codex) <u>This recommendation was dealt by the following:</u> Proposal No. 28: "Observer Organizations" (ALINORM 03/26/11 Add.4, paras 19-21) Option 28.1 - Review of the status of observer organizations by FAO and WHO The Commission may wish to request FAO and WHO to prepare a report on the status of the current international organizations in "Observer Status" with the Commission and submit the report to the</p>				

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<p>Commission's next Regular Session.</p> <p>Option 28.2 - Revision of Rule VII.5</p> <p>The Commission may wish to invite the body responsible for the procedural review to revise Rule VII.5 so that the Executive Committee provides an opinion to the Directors-General on the status of the international organizations in "Observer Status" or requesting such status, and submit its proposals to the Commission in 2004.</p> <p>Option 28.3 - Revision of Principles governing international organizations in "Observer Status"</p> <p>The Commission may wish to invite the body responsible for the procedural review to revise the Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission and to complete the guidelines on the relations between the Commission and international intergovernmental organizations in a manner that is consistent with the revised Rule VII.5. This work should be completed by 2005.</p>				
		<p><u>Proposal No. 28</u></p> <p>CAC26 decided to:</p> <p>(•) request FAO and WHO to prepare a report on the status of the current international organizations in "Observer Status" with the Commission and submit the report to the Commission's next Regular Session;</p> <p>- request FAO and WHO Legal Counsels and the Secretariat to prepare a preliminary paper on Rule VII.5 for consideration by CCGP.</p> <p>CAC26 also requested the CCGP to:</p> <p>- revise Rule VII.5 on the basis of the paper to be presented by the Legal Counsels of FAO and WHO, and submit its proposals to the Commission in 2004, if possible; and</p> <p>- revise the Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission and to complete the guidelines on the relations between the Commission and international intergovernmental organizations in a manner that is consistent with the revised Rule VII.5, by 2005. (<i>paras 174-175</i>)</p>	<p><u>Proposal No. 28</u></p> <p>CAC28 adopted the amendment to Rule VIII.5 Observers and revised Principles concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission. (<i>ALINORM 05/28/41 paras 26 and 42</i>).</p>	<p>A review of the participation of observers in Codex work was carried out which resulted in the discontinuation of a number of observers.</p> <p>WHO has started to review the framework rules regarding its relations with non-State actors, including the granting of official relations with WHO. This will have an impact on the implementation of section 4.1 of the Principles Concerning the Participation of International Non-Governmental Organizations.</p>
<p>Recommendation 28: Clear criteria to be met in becoming a host country should be developed, including the resource requirements. Host countries should be required to commit to the minimum level of support including that for:</p> <ul style="list-style-type: none"> • between session work; and • meetings being held in the co-chair's country; 				

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<p>Shared hosting of committees could be explored by host countries as an option in meeting increased commitments. (Primary Responsibility: Codex/ Host Countries)</p> <p>This recommendation was dealt by the following:</p> <p>Proposal: No.31: "Separation of advice to Host Governments and advice on the conduct of meetings" (ALINORM 03/26/11 Add.4, para. 35)</p> <p>The Commission may wish to instruct the body responsible for implementing the procedural review to develop two separate texts dealing with these matters separately. These texts should be presented to the Commission for consideration not later than 2005, but in the case of delay the document dealing with the conduct of meetings should have priority. Within these texts, however, the criteria for the selection of chairpersons could be developed separately and as a matter of high priority (submission in 2004).</p>				
		<p><u>Proposal No. 31</u> CAC26 agreed in principle to [all] of the proposals. (para. 178)</p>	<p><u>Proposals No. 31</u> CAC27 adopted <i>Guidelines to Chairpersons of Codex Committees and ad hoc Intergovernmental Task Forces</i> (ALINORM 04/27/41 para. 14).</p>	<p>Guidance on co-hosting committees were developed and included in the Procedural Manual and the Codex website. An analysis of the effectiveness of co-hosting arrangements was done as part of the Strategic Plan implementation in 2010.</p>
<p>Recommendation 29: Resources should be put into upgrading the Codex web-site as a matter of urgency. (Primary Responsibility: FAO/WHO)</p>				
<p><u>Recommendation 29</u> FAO Management concurs with the Evaluation's analysis of risk communication. It draws attention to the fact that communication of risk to the public (consumers) requires further consultation between FAO and WHO and other partners concerned to formulate a common strategy on risk communication. (para. 18)</p>				
<p>Recommendation 30: FAO and Codex review the possibilities for establishment of a database of national standards of importance in trade, including their application and methods of analysis. (Primary Responsibility: FAO/WHO)</p>				
<p>See Rec. 29 above</p>			<p>The International Portal for Food Safety, Animal and Plant Health (IPFSAPH) was set up by FAO in 2004 to facilitate simplified access by member countries to relevant official information on plant health, animal health and food safety. The portal was widely used by FAO members until 2009.</p> <p>In 2008, CAC31 requested FAO to house a portal by which Codex members could access information on safety assessment of foods derived from recombinant-DNA plants that were assessed in accordance with the Codex "Guideline for the conduct</p>	<p>The use of the IPFSAPH declined as there are many other specific initiatives and databases developed featuring trade-related information about food safety, animal and plant health. After careful evaluation, it was decided that IPFSAPH would be discontinued and that the information on safety assessment would be housed in a separate dedicated portal. This new platform (FAO GM Platform) was launched in 2013.</p>

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			<i>of food safety assessment of foods derived from recombinant-DNA plants (CAC/GL 45-2003). This was to facilitate implementation of annex III of the Codex Guidelines. This information was incorporated within IPSAPH.</i>	
<p>Recommendation 31: FAO and WHO should make a detailed calculation of the incremental cost increases for the Codex secretariat of implementing the agreed recommendations and provide the necessary increased core funding. (Primary Responsibility: FAO/WHO)</p>				

Other Recommendations of the 2002 Joint FAO/WHO Evaluation related to Risk Assessment and Expert Advice and Capacity Building

RISK ASSESSMENT AND EXPERT ADVICE
<p>Recommendation 32: In light of the growing importance of microbiological hazards, JEMRA should be ratified as a permanent committee and resources allocated to increase its output. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 33: There should be a clear budget and human resource allocation for scientific advice and risk assessment. The major part of this allocation should be available for prioritization by Codex. A small proportion of the budget should be retained for use by FAO and WHO to meet their own needs, particularly in relation to emerging issues. FAO and WHO should make proposals for discussion at the July 2003 session of the Codex Alimentarius Commission on how this may be achieved. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 34: The increased funding of risk assessment is a top priority. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 35: A high priority for WHO and FAO is to support the collection of data covering a much wider range of diets and production processes, including the essential capacity building. Furthermore, FAO and WHO should increase their role in defining data requirements for risk assessment and guaranteeing good quality data. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 36: Budgetary provision should be made to pay independent experts undertaking risk assessments. At the same time, strict deadlines and quality requirements should be put in place. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 37: Building on the findings of this evaluation, a consultancy study should be immediately undertaken of expert advice and risk assessment and this should be followed by an expert consultation and discussion in Codex.</p> <p>The elements to be included in the study, in line with the discussion above, should include:</p> <ol style="list-style-type: none"> a) new methods of working, including the use of meta-analysis techniques; b) any requirement for redistribution of tasks in existing expert committees or for splitting the committees; c) definition of the form in which risk assessments can be most usefully provided to risk managers for standard setting; d) re-definition of basic requirements for global standards, including the minimum of essential dietary intake data for each major region and tropical performance data for GAP, GMP, GHP, etc.; e) funding and possibilities of payment for services when reviewing proprietary products; f) ways in which non-technical consumer representatives could contribute to the work of providing scientific advice and risk assessment; g) best practice procedures for communication between risk assessors and managers to ensure that scientific advice is given in its most useful form; and h) options, necessary communication expertise and resource implications of alternative risk assessment communication strategies. <p>(Primary Responsibility: FAO/WHO)</p>

<p>Recommendation 38: A Scientific Committee should be established by FAO/WHO. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 39: We recommend that a post of Joint Coordinator be established and located in WHO. The joint secretaries of existing scientific committees would continue to be under the current units of their two Organizations. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 40: FAO and, in particular WHO are recommended to markedly increase their contribution to health risk assessment and expert advice to feed into Codex. In addition to the immediate direct resource requirements referred to above:</p> <ul style="list-style-type: none"> • WHO should develop data on health risks from food around the world to better determine priorities; • FAO should develop work on good handling and manufacturing practices for additives, packaging, processing agents, etc.; and • both Organizations should develop dietary data for the developing regions. <p>(Primary Responsibility: FAO/WHO)</p>
CAPACITY BUILDING
<p>Recommendation 41: It is recommended that the two Organizations agree on principles for coordination and delineation of responsibilities for capacity building and ensure that these principles are communicated to regional and national offices. The Codex Alimentarius Commission should be informed on progress on this agreement at its July 2003 session. (Primary Responsibility: FAO/WHO)</p>
<p>Recommendation 42: With a view to mobilizing funds for capacity building, it is recommended to further expand the existing FAO/WHO Codex trust fund in line with its wider objectives into a major multi-donor trust fund for capacity-building of national systems, with flexible arrangements to allow donors who wish to do so to earmark funds for a particular purpose. This will have to be done against clear delineation of capacity-building responsibilities between the two Organizations. (Primary Responsibility: FAO/WHO)</p>

Other Decisions of CAC26 (related to the Joint FAO/WHO Evaluation) regarding the current Uniform Procedure for the Elaboration of Codex Standards and Related Texts

<p>Subsequent Procedure Concerning Publication and Acceptance of Codex Standards STATUS CAC28 adopted amendments to the Procedural Manual. (ALINORM 05/28/41 paras 29-36) The 33rd FAO Conference and the 59th World Health Assembly endorsed the amendment to the Statutes.</p>
<p>Guide to the Consideration of Standards at Step 8 STATUS CAC29 adopted amendments to the Procedural Manual (ALINORM 06/29/41 paras 22-23); CCGP24 confirmed that no more action was needed. (ALINORM 07/30/33 paras 7-12)</p>
<p>Guide to the Procedure for the Revision and Amendment of Codex Standards STATUS CAC30 adopted amendments to the Procedural Manual. (ALINORM 07/30/REP paras 24-27)</p>
<p>Arrangements for the Amendment of Codex Standards Elaborated by Codex Committees which have Adjourned <i>sine die</i>. See above</p>

Other Proposals not directly linked to the recommendations of the 2002 Evaluation

Proposal No. 2: "Implementation of the Evaluation" (ALINORM 03/26/11, paras.14-15)

Option 2.1 – Task Force

The follow up and monitoring of the implementation of the Evaluation recommendations should be entrusted to a Task Force composed of FAO, WHO representatives and the chairperson and vice-chairpersons of the Commission.

Option 2.2 – Executive Committee/Board

The follow up and monitoring of the implementation of the Evaluation recommendations should be entrusted to the Executive Committee/Board.

STATUS

CAC26 decided that the responsibility for following up and monitoring progress in the implementation of the recommendations from the Evaluation Report would be entrusted to the Executive Committee. Twice-yearly sessions of the Committee would be scheduled in order to absorb the additional workload, and provision had been made in the Codex budget to provide support for members from countries experiencing financial difficulties in attending. (ALINORM 03/41, para. 151)

Proposal No. 3: "Priorities for Implementation" (ALINORM 03/26/11, para. 17)

Taking this into account, the Secretariat proposes the following order of priorities:

- Processes for standards management;
- Functions and composition of the Executive Committee, including the participation of observers in the Executive Committee and Executive Committee procedures;
- Review of Rules and Procedures including guidelines for Codex Committees;
- Review of the Committee structures and mandates (including Regional Committees).

STATUS

CAC26 concluded that all four priorities were of equal importance, and that the ranking was made on the grounds of speed of potential progress. It was noted that in all cases where processes for standards management were reviewed, the standard-setting needs of developing countries should be recognized and appropriate capacity-building activities by FAO, WHO and other international organizations should be promoted (e.g. to facilitate access to Internet). The Commission decided that the priorities should be:

- a) Processes for standards management, with due regard to the special needs of developing countries.
- b) Functions and composition of the Executive Committee, including the participation of observers in the Executive Committee and Executive Committee procedures.
- c) Review of the Committee structures and mandates (including Regional Committees).
- d) Review of Rules and Procedures including guidelines for Codex Committees. (ALINORM 03/41, para. 152)

Proposal No. 23 "Responsibility for the Procedural Review" (ALINORM 03/26/11 Add.4, paras 5-6)

Option No. 23.1 – Specialized Task Force on Procedures

In order to provide the immediate impetus for the procedural review while allowing CCGP to continue with its current work, the Commission may wish to establish a specialized Task Force under Rule IX.1(b)(i) of the Commission's Rules of Procedure to draft the required changes to the Procedural Manual, and to submit them to the Commission for consideration not later than 2005. Proposed draft Terms of Reference for the Task Force on Codex Procedures have already been presented in Annex 4 of ALINORM 03/25/3-Add.2.

Option No. 23.2 - Additional meetings of CCGP.

In order to provide the immediate impetus for the procedural review while allowing CCGP to continue with its current work, the Commission may wish to request that Committee to hold one or more special

sessions to draft the required changes to the Procedural Manual, and to submit them to the Commission for consideration not later than 2005.

STATUS

On the basis of the views expressed by a clear majority of members and noting that only France had offered to host the meetings, CAC26 decided that the procedural review would be undertaken by CCGP, at special sessions and under a limited time-frame. The Commission agreed that the Committee would need clear instructions, terms of reference from the Commission and support from the Codex Secretariat. *(ALINORM 03/41, para. 169)*

Proposal No. 27 "Right to address the Chair" *(ALINORM 03/26/11 Add.4, para. 16)*

The Commission may wish to ask the body responsible for the procedural review to consider a new rule, based on a comparable Rule of the World Health Assembly to the effect that "In plenary meetings the chief delegate may designate another delegate who shall have the right to speak and vote in the name of his delegation on any question. Moreover, upon the request of the chief delegate or any delegate so designated by him the President [Chairperson in the case of Codex] may allow an adviser to speak on any particular point."

STATUS

CAC26 decided to ask CCGP to consider a new Rule, based on a comparable Rule of the World Health Assembly to the effect that "In plenary meetings of the Commission, the chief delegate may designate another delegate who shall have the right to speak and vote in the name of his or her delegation on any question. Moreover, upon the request of the chief delegate or any delegate so designated the Chairperson may allow an adviser to speak on any particular point". *(ALINORM 03/41, para. 173)*

CAC28 adopted the Amendment to current Rule V. Sessions on the right to address the Chair *(ALINORM 05/28/41, para. 27)*

Proposal No. 30: "Revision of Rule XI.4" *(ALINORM 03/26/11 Add.4, para. 29)*

Rule XI.4 should be revised to allow for participation under the FAO/WHO Trust Fund for the Participation of Developing Countries and Countries in Transition in the Work of the Codex Alimentarius Commission and also to take into account the Commission's decision concerning funding of participation of Members of The Executive Committee from the Codex budget (See ALINORM 03/26/11: Add.2, Option 11.4). The body responsible for the procedural review should submit a proposal to the Commission in 2004 on this matter.

STATUS

CAC26 decided to ask CCGP to submit a proposal to the Commission by 2004 to revise Rule XI.4 to remove the possible impediments to the participation of recipients of funding from the FAO/WHO Trust Fund for the Participation of Developing Countries and Countries in Codex Standard Setting Procedures in the Work of the Codex Alimentarius Commission. It also requested that the revised Rule should take into account the Commission's decision concerning funding of participation of Members of the Executive Committee from the Codex budget. *(ALINORM 05/28/41, para. 177)*

CAC28 adopted the Amendments to current Rules III and IV.1 concerning the enlargement of the Executive Committee and to current Rule XII on matters related to budget and expenses. allowing the participation of the Coordinators as Members in the Executive Committee. *(ALINORM 05/28/41 para. 20).*