



**Food and Agriculture
Organization of
the United Nations**



**World Health
Organization**

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Agenda Item 2

CX/NASWP 10/11/2 Add.2

September 2010

JOINT FAO/WHO FOOD STANDARDS PROGRAMME
FAO/WHO COORDINATING COMMITTEE FOR NORTH AMERICA
AND THE SOUTH WEST PACIFIC

Eleventh session

Nuku'alofa, Tonga, 28 September - 1 October 2010

**COMMENTS AND INFORMATION ON MATTERS REFERRED FROM THE 64TH SESSION OF
THE EXECUTIVE COMMITTEE AND THE 33RD SESSION OF THE COMMISSION**

(replies to CL 2010/33-NASWP and CL 2010/41-NASWP of the United States of America)

I. STRATEGIC PLAN 2008-2013

(1) Activity 4.5 Promote interdisciplinary coordination at the national and regional level

The United States has established effective mechanisms nationally and internationally to ensure that horizontal communication occurs between delegates to various food standards related international organizations. This includes regular consultations between the U.S. delegates to Codex and the delegates to other organizations such as the WTO, IPPC, OIE, OECD. While the mechanism in place has proven to be effective, the United States is continuously striving to improve its processes and frequently reviews its procedures to ensure that they are effective.

(2) Activity 5.5 Enhance participation of non-governmental organizations at international, regional and national levels

The United States has well established procedures for inclusion of all interested parties in Codex matters. These start with consultations by our delegates with consumer groups and industry representatives during the drafting process of the U.S. position and are followed by public meetings prior to each Codex Committee session that solicit input on the draft U.S. position from the public at large. These public meetings which are notified via the Federal Register, press releases and the U.S. Codex website, are open to all interested parties. They also afford the opportunity for those who cannot physically attend to participate via telephone.

Nongovernmental organizations in the United States are encouraged to participate in Codex work at a national, regional, and international level. This is an ongoing process of engagement and inclusion, together with participation in Codex meetings either as an observer organization or as a part of the U.S. delegation.

II. PRIVATE STANDARDS

The United States appreciates the experiences raised by Members during the recent Codex meetings, including the 33rd Session of the CAC in July 2010. We believe that Members should help ensure that Codex standard setting is efficient and addresses the needs of Members so that Codex standards are available for their use. With this in mind, we encourage Members to identify gaps in Codex standards and channel suggestions for new work consistent with the mandate and procedures of Codex through the appropriate Codex committee(s). The United States also encourages Codex Members to meet with private sector standards developing organizations and encourage them to take Codex standards into account in their work.

III. PROCESSED CHEESE

(i) The need for a standard on processed cheese and the rationale for such a standard i.e. whether there is a problem or potential problem in the trade of these products.

The United States does not support the development of International or Regional Codex standards for processed cheese. The key differences that exist with processed cheese were extensively deliberated in CCMMP without resolution, and as a result the only possible outcome was to discontinue work on this issue. The United States does not believe a Codex Standard for Processed Cheese is needed for the following

reasons:

- The Codex Committee on Milk and Milk Products (CCMMP) deliberated this issue for more than 10 years. CCMMP discussed this at numerous sessions and established several working groups that met between sessions to try to reach consensus on numerous unresolved issues concerning processed cheese. After long and laborious efforts to resolve the controversial issues facing the development of a standard, CCMMP decided to discontinue work on the subject and to recommend to the Commission that the three existing standards for processed cheeses be rescinded.
- CCMMP considered the three existing Codex standards for named varietal processed cheese, processed cheese, and processed cheese product to be outdated and not reflective of current products in the marketplace.
- CCMMP recognized that great diversity exists in processed cheese production methods, permitted ingredients, additives, composition, and nomenclature used to distinguish products in the marketplace.
- CCMMP compiled information on country legislation and confirmed that significant differences existed in how individual countries define and regulate the various types of processed cheeses.
- CCMMP and the working groups extensively debated several key differences in an effort to resolve and reconcile the diverse views. Central to these differences was cheese content, but other significant issues including ingredients, additives, and nomenclature were never resolved during the deliberations.
- When CCMMP considered trade implications, the committee acknowledged that no known or potential impediments to trade existed and that international trade was freely taking place for products existing on the market.
- Given the diversity of existing product characteristics, composition, and nomenclature it was apparent that international trade could be negatively impacted unless a very inclusive standard was developed. We believe that an all inclusive standard holds little meaning in the global market, could become an impediment to future international trade, and could confuse consumers.
- Processed cheese has global production and consumption. Therefore, regional standards would not reflect the differences in product currently in the market and would result in trade impediments.

(ii) The scope of such a standard i.e. compositional aspects of the products to be covered by the standards.

Great diversity exists in process cheese production methods, permitted ingredients, additives, composition, and nomenclature used to distinguish products in the marketplace. The cheese content of processed cheese was central to the issue, but it was only one of several key issues that required resolution. CCMMP was not able to present a draft revised standard that was able to achieve consensus on key controversial issues facing the committee. The U.S. therefore considers it not possible to specify the scope of a standard for processed cheese.

IV. PREPARATION OF THE REVISED STRATEGIC PLAN FOR 2013 – 2018

a) Are the current five goals still relevant? What changes would you propose (if any)?

The United States believes that all of the existing goals are relevant for the current circumstances. However the actions to achieve the objectives will need to be reviewed to take into account the challenges and priorities of future work.

b) The 2003-2007 Framework did not include measurable indicators, as does the current Strategic Plan. Should the next Strategic Plan include measurable indicators? Is the current “table” format useful or would you suggest changes? For example, is it useful to track “ongoing” activities?

The United States would not change the current format, as it is useful for monitoring performance as part of the critical review process by the Executive Committee. It assists the Executive Committee and the Commission to review if progress is achieved against the objectives in a timely manner.

c) What are the most significant challenges facing Codex? What goals/activities should be included in the next plan to insure that these challenges get the necessary attention?

The workload of the Commission and its subsidiary Committees is the most significant challenge currently facing Codex. While the United States applauds work that has been done on revised criteria for new work, further fine tuning is required on the critical review and prioritization to prevent prolonged work on items on which consensus cannot be reached in a timely manner.

Also, it may be useful to consider separately the types of standards that have food safety as their primary purpose (e.g., MRLs) versus other types of standards (e.g., commodity standards), in terms of whether consensus can be asserted when the expert bodies have evaluated all the relevant scientific data and made recommendations.

d) Given the fact that developing country participation in the work of Codex is presently a major issue, what goals/activities should be included in the next plan to insure that this issue gets necessary attention in 2013-2018?

The United States is a strong supporter of the participation of developing countries in Codex. We encourage the Commission to continue its support of the Trust Fund and to assist developing countries in submitting work of relevance to them. An example of which is the table maintained by CCRVDF of MRL's requested by developing countries & efforts to include other species.

e) Do current Codex structures and procedures adequately meet present needs of members (i.e., various "step procedure" options, critical review by CCEXEC, etc.)? What changes might be considered?

In recent years, there has been significant progress on enhancing the Codex process, namely the accelerated 5-8 step procedure. However, the current critical review and prioritization process does not, in the view of the United States, meet members' needs as items continue to be introduced that bog down the Commission, because consensus cannot be reached or because they attempt to address trade problems that do not in actuality exist.

f) The Commission operates in an environment of change and technological advancement. Should issues such as the food safety consequences of climate change, and new production technologies such as nanotechnology, etc., be reflected in the new Strategic Plan? If so, how?

The U.S. believes that the Committees should address such issues when matters arise that are relevant to that Committee.