

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS



WORLD
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Agenda Item 9

CX/NASWP 00/9

JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX COORDINATING COMMITTEE FOR NORTH AMERICA AND THE SOUTH WEST PACIFIC

Sixth Session

Perth, Australia, 5 - 8 December 2000

REPORT ON CODEX AND OTHER INTERNATIONAL ORGANIZATION ACTIVITIES RELATED TO BIOTECHNOLOGY

PROGRAMME OF WORK

1. The 1st Session of the Codex Ad Hoc Intergovernmental Task Force on Biotechnology (March 2000) decided (ALINORM 01/34, paras. 27-34) that it would proceed with the elaboration of two major texts, namely:

- A set of broad general principles for risk analysis of foods derived from biotechnology including matters such as:
 - Science-based decision-making;
 - Pre-market assessment;
 - Transparency;
 - Post-market monitoring [including traceability]; and
 - Other legitimate factors as appropriate.
- Specific guidance on the risk assessment of foods derived from biotechnology including such matters as:
 - Food safety and nutrition;
 - “Substantial equivalence”;
 - Potential long-term health effects; and
 - Non-intentional effects.

2. The Task Force agreed that in the preparation of these texts preference should be given to guidance that was applicable to all foods derived from biotechnology, however should it be necessary to prioritise the work, first priority should be given to foods of plant origin, followed by micro-organisms used directly in foods and then foods of animal origin. It was noted however, that early attention may have to be given to fish.

3. The Task Force also agreed that consideration should be given to the development of guidelines for transparency in decision-making and the participation of all stake-holders in the decision-making process. It was noted that the approach of establishing over-arching general principles would allow the development of further, detailed explanatory guidelines on specific issues if these were required and if time allowed.

4. It was agreed that careful attention should be paid to the development of adequate and appropriate definitions, drawing on definitions already developed and agreed to in other texts (such as the Cartagena Protocol) or by other bodies (such as the Codex Committee on Food Labelling).

5. Concerning the issues of *Traceability* and *Familiarity* raised by several delegations, the Task Force noted that a better understanding of these concepts and their implications was required before they could be included definitively in either of the main texts to be developed. It therefore agreed that discussion papers should be prepared on these issues as soon as possible. In the meantime, any reference to these issues in the main texts under development would remain in square brackets.

6. The Task Force agreed that a list of available analytical methods including those for the detection or identification of foods or food ingredients derived from biotechnology should be prepared, and that this list should indicate the performance criteria and status of the validation of each method. It was further agreed that the list of methods, once finalized, should be transmitted to the Codex Committee on Methods of Analysis and Sampling for endorsement.

7. The Task Force recognized that the work programme outlined above was very substantial taking into account the time-limited mandate assigned by the Codex Alimentarius Commission, and that it did not cover all of the items proposed for consideration. Nevertheless, there was a general consensus that the above issues had the highest priority and should be achievable within the time-frame allowed. It agreed that this programme of work should be reported to the Executive Committee for approval as new work at Step 1 of the Uniform Codex Procedure for the Elaboration of Standards and Related Texts.

8. Noting that finalization of its work programme would require the resolution of questions regarding labelling, the application and use of precautionary approaches, and consideration of legitimate factors other than science in decision-making, the Task Force called upon the Codex Committees on Food Labelling and on General Principles for an early resolution of these matters.

ESTABLISHMENT OF AD HOC WORKING GROUPS

9. In order to develop the programme of work as quickly as possible, the Task Force decided (ALINORM 01/34, paras. 35-36) to establish two ad hoc Working Groups open to the participation of all Members and Observers participating in the present session and other Members and international organizations that might later indicate their interest. The first of these Working Groups, to be chaired by the Delegation of Japan, was charged with the development of the proposed draft general principles and guidelines. This Working Group would also develop draft definitions. It would also review the discussion papers on traceability and familiarity if they became available in time. The Delegation of Japan indicated that it was its intention for the Working Group to meet twice before the Second Session of the Task Force, probably in July and November 2000, after which proposed draft texts would be sent to Member governments and interested international organizations for comment at Step 3.

10. The second *ad hoc* Working Group, to be chaired by the Delegation of Germany, would compile a list of appropriate analytical methods for consideration by the Task Force, together with their performance characteristics and the status of their validation. To facilitate this work it was agreed that a Circular Letter would be sent to Members and interested international organizations requesting information and that the information received would be compiled by the Delegation of Germany for review by the Working Group at a one-half day meeting to be held immediately prior to the next Session of the Task Force.

MATTERS REQUIRING EXPERT ADVICE

11. The Task Force welcomed (ALINORM 01/34, paras. 37-38) the initiative of FAO and WHO to convene an Expert Consultation to support the scientific aspects of its work. In support of the programme of work outlined above, it requested advice on the five specific questions as contained in Appendix III to this report.

12. It requested FAO and WHO to make the results of the Consultation available as soon as possible to all interested parties and that responses to the questions contained in Appendix III be made available to the *ad hoc* Working Group chaired by Japan.

CONVENTION ON BIOLOGICAL DIVERSITY: CARTAGENA PROTOCOL ON BIOSAFETY

13. The 47th Session of the Executive Committee noted (ALINORM 01/3, paras. 27-29) the adoption of the Cartagena Protocol by the Parties to the Convention on Biological Diversity at their special session in Montreal, Canada in January 2000. The Executive Committee noted the adoption of this international

instrument that provided rules in relation to the safe transfer, handling and use of living modified organisms resulting from modern biotechnology with reference to the conservation and sustainable use of biological diversity, taking also into account risks to human health and that focussed on transboundary movements.

14. While noting that in general there was little overlap between the work of Codex and the content of the Protocol, the Executive Committee noted that consultations were about to begin between relevant international organizations on the need for and modalities of developing standards with regard to identification, handling, packaging and transport practices as foreseen under Article 18.3 of the Protocol (Handling, Transport, Packaging and Identification). It was of the view that linkages may exist between this work and the work being developed by the Task Force on Foods Derived from Biotechnology in relation to "traceability". It also noted that linkages may exist to FAO and WHO work on safety assessment in relation to risk assessments from a food safety point of view, as foreseen in Annex III of the Protocol.

15. The Executive Committee requested the Secretariat to be kept informed of developments in the application of the Protocol.

ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT (OECD)

Biotechnology and Other Aspects of Food Safety

16. The 47th Session of the Executive Committee noted (ALINORM 01/3, paras. 31-32) the activities being carried out by the OECD at the request of the G-8 Economic Summit held in Cologne, Germany in June 1999. It noted that in general the findings of the OECD were favourable to the position of the Codex Alimentarius Commission at the primary reference point for food safety recommendations to governments. It also noted that for the moment that was no immediate duplication of work, but expressed concern at the possibility of this in the future. It also noted the limited membership of the OECD and the importance of the Codex Alimentarius Commission as the international body representing world-wide interests for the protection of consumers' health and for ensuring fair practices in the food trade world-wide. The Executive Committee was informed that FAO had provided an information note to the "sherpas" of the forthcoming Economic Summit in Japan in July 2000, on the work of the Commission and FAO and WHO in relation to biotechnology and other aspects of food safety.

17. The Executive Committee requested the Codex Secretariat to monitor developments arising from the OECD reports and the G-8 Summit and report to the next session of the Executive Committee.