

CODEX ALIMENTARIUS COMMISSION

E



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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REPORT

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EXECUTIVE SUMMARY

The Commission:

- a) Adopted new and revised food quality and safety standards and related texts for application by Governments and
- b) Adopted amendments to texts in the Codex Procedural Manual
- c) Approved items for new work, including priority lists for pesticides for evaluation or re-evaluation by JMPR.
- d) Approved proposals for discontinuation of work and proposals for revocation of existing standards and related texts.
- e) Agreed to establish an Ad Hoc Intergovernmental Task Force on Antimicrobial Resistance (TFAMR) to be hosted by the Republic of Korea.
- f) Agreed to discontinue discussion on the ToR of the internal Secretariat-led review and requested the Secretariat to regularly review Codex work management as part of the monitoring of the Codex Strategic Plan and regularly inform both CCEXEC and CAC on the findings and recommended actions.
- g) Took note of the report on expenditure for the biennium 2014-15 and of the budget proposal for the biennium 2018-19 and adopted the new work plan and budget for the biennium 2016-17. Expressed appreciation for the contributions of host governments and governments seconding staff to the Codex Secretariat.
- h) Thanked FAO and WHO for their continued support to develop national capacities to plan for, assess, and manage food safety and consumer protection issues.
- i) Expressed appreciation to FAO and WHO for the scientific advice provided and reaffirmed its trust in the scientific rigor and independence of the FAO/WHO scientific advice as the preeminent scientific support to the work of Codex; requested FAO to further protect the budget for scientific advice and to WHO to find suitable mechanisms to secure a higher level of funding for its scientific advice programme within the regular budget; and called on Members to provide additional resources in such a way that would increase the funding of the scientific advice programme in a predictable manner until a long-term solution is found.;
- j) Reiterated appreciation to FAO/WHO and the CTF Secretariat for the effective management of CTF1 during 2004-2015, and acknowledged the important financial and in-kind contributions made by the CTF1 donors and noted the report received regarding CTF2 initial activities and acknowledged the work being undertaken.
- k) Re-elected as Chairperson Mrs Awilo Ochieng Pernet (Switzerland), and as Vice-Chairpersons: Mr Guilherme Antonio da Costa Jr. (Brazil), Ms Yayoi Tsujiyama (Japan) and Mr Mahamadou Sako (Mali).
- l) Adjourned sine die the Committee on Fish and Fishery Products expressing its gratitude to Norway.
- m) Proposed that CCEXEC73 further discuss the document on relations between FAO and WHO policies, strategies and guidelines and Codex work; and agreed to consider at its next session issues related to the change of domain of the Codex webpage.

INTRODUCTION

1. The Codex Alimentarius Commission (CAC) held its Thirty-ninth Session in Rome, Italy, from 27 June to 1 July 2016. Mrs Awilo Ochieng Pernet (Switzerland), Chairperson of the Commission, presided over the session, assisted by the Vice-Chairpersons Dr Guilherme Antonio da Costa Jr. (Brazil), Dr Yayoi Tsujiyama (Japan) and Mr Mahamadou Sako (Mali). The session was attended by delegates from 123 Member countries and one Member Organisation, and observers from 38 international governmental and non-governmental organizations, including UN agencies. A list of participants, including FAO, WHO and the Codex Secretariat, is given in Appendix I.

OPENING

Welcome addresses by FAO and WHO¹

2. Director General of FAO Dr José Graziano da Silva, opened the meeting by welcoming all participants and in particular the latest Codex Members South Sudan and San Marino. The Director General acknowledged the importance of the Codex Alimentarius in the context of the 2030 Agenda for Sustainable Development. The Director General informed the participants about a Symposium on Nutrition to be held at FAO in December 2016 and expressed his appreciation for the recently launched Decade of Action on Nutrition. The Director General recalled the emphasis placed on the urgent need to address Antimicrobial Resistance (AMR) at the recent G7 meeting in Japan and welcomed the fact that this issue was prominently featured on the CAC39 agenda. He stressed that a reinforcement of the scientific basis for Codex texts on AMR was vital for ensuring a credible and effective response to the complex causes of this issue of global magnitude and that more capacity building and expertise in the area of AMR was needed to help prepare countries at all levels of development.
3. The Director General invited the Commission to also consider how Codex could enhance its work on animal protein (e.g. through the establishment of a dedicated Committee) underlining that access to sustainably produced animal protein was a challenging area in need of visionary action. He highlighted the importance of securing funding for scientific advice to support the work of Codex and also noted the value of consensus in Codex work, stressing that timely decisions were imperative to prevent the proliferation of private standards. Lastly, the Director General informed delegates about the strengthened collaboration between WTO and FAO on food safety matters and thanked all those who provided support in the effort to guarantee safe and nutritious food.
4. Dr Bruce Aylward, Deputy Director General of WHO, Executive Director *ad interim* of Outbreaks and Health Emergencies and Special Representative of the Director General for the Ebola Response, welcomed the participants, on behalf of WHO Director General Dr Margaret Chan, and stated that WHO considered Codex one of the most unique joint ventures of the entire UN system. He identified four recent major developments of great importance to WHO and its Member States: (i) the opportunity created by the publication by WHO in December 2015 of the estimates of the global burden of foodborne diseases to mainstream food safety in the political agenda and catalyse resource mobilization for lowering the disease burden worldwide; (ii) the need to ensure sustainable funding for the Codex Trust Fund successor initiative (CTF2) that entered into being in January 2016; (iii) the adoption by the World Health Assembly (WHA) in May 2015 of a Global Action Plan to combat antimicrobial resistance which called upon Codex to consider new work in this area; and (iv) the support Codex could make to reduce malnutrition in all its forms and promote food safety in the framework of the Decade of Action on Nutrition of the United Nations in line with relevant WHA resolutions. Dr Aylward also stressed the urgency for all Codex members to ensure sustainable financial support to the scientific advice jointly provided by WHO and FAO for Codex.
5. Dr Jane Ruth Aceng, Minister of Health of Uganda, expressed her deep appreciation and full support for Codex, which she would continue to promote on the national and regional level. She informed delegates about Uganda's efforts to streamline the national food control system and to create a national food and drug authority and, in conclusion, called upon all African countries to ensure adequate funding was allocated to work on Codex matters.

¹ Audio recordings available here: <http://www.fao.org/fao-who-codexalimentarius/meetings-reports/audio/en/>

6. The Chairperson stressed the importance for the Commission to finalize the Codex standards development process through the adoption of the relevant draft standards and related texts at this session and to focus discussions on the essential tasks before the Commission. She underlined the importance of scientific advice which is the backbone of Codex food standards as the Joint FAO/WHO Expert Committee on Food Additives (JECFA) celebrated its 60th anniversary. Noting that foodborne diseases are a global health concern and an important cause of morbidity and mortality as well as being a significant impediment to socio-economic development worldwide, the Chairperson appealed to all relevant stakeholders to contribute to ensuring food safety along the food chain: from primary production to consumption. Noting that foodborne diseases are preventable, the Chairperson appealed to Members to raise the profile of food safety worldwide by putting it high on the political agenda. Furthermore, she appealed to Members to increase the visibility of Codex and to raise awareness about the importance of ensuring food safety amongst all stakeholders. Finally, she encouraged Members to give financial support to CTF2.

Launching Ceremony of new FAO/WHO Codex Trust Fund

7. The new FAO/WHO Codex Trust Fund (CTF2) was officially launched. CTF2 replaced the former Codex Trust Fund in January 2016. Achievements of the former Codex Trust Fund were highlighted in a video. Ms Maria-Helena Semedo, FAO Deputy Director General, underlined the continuing importance of the Codex Trust Fund in ensuring that Codex standards were universally relevant and globally used. The Deputy Director General of WHO called attention to the large number of applications that had been submitted, which demonstrated the high interest in the initiative. The majority of applications were very robust, which was a good sign for the success of an increased number of strong applications in subsequent rounds. For all future applications to be supported within the 12-year life of CTF2, increased and sustained donor funding was critical.
8. The first countries in which implementation would take place were: Ghana, Kyrgyzstan, Madagascar and Senegal. Ghana and Senegal briefly shared with Codex members the outcomes they would like to see at the end of the three years of support from the Codex Trust Fund. The Chairperson of the Codex Alimentarius Commission thanked all donor countries, which have already shown continuing commitment, and called on all member countries to consider supporting the Codex Trust Fund.

Division of Competence²

9. The Commission noted the division of competence between the European Union and its Member States, according to paragraph 5, Rule II, of the Rules of Procedure of the Codex Alimentarius Commission, as presented in [CRD1](#).

ADOPTION OF THE AGENDA (Agenda Item 1)³

10. The Commission adopted the Provisional Agenda as its Agenda for the session with the following additions under Agenda Item 21:
- (i) Actions to promote the visibility of Codex (Proposal from Costa Rica);⁴
 - (ii) Late availability of working documents (Proposal from Uruguay);
 - (iii) Migration of Codex webpage to the FAO domain (Proposal from Chile).
11. The Commission noted further that:
- Agenda Item 8 would be discussed under the relevant standards from CCFFP in Agenda Item 3;
 - Agenda Item 20.1 would not be discussed as this document had not been distributed, and that the Islamic Republic of Iran would give an update on discussions on Food Integrity/Food Authenticity under Agenda Item 12 ([CRD26](#)).

² [CRD1](#) (Provisional Annotated Agenda Division of Competence)

³ [CX/CAC 16/39/1](#)

⁴ [CRD37](#) (Proposal from Costa Rica)

REPORT BY THE CHAIRPERSON ON THE 71st SESSION OF THE EXECUTIVE COMMITTEE (Agenda Item 2)⁵

12. In accordance with Rule V.7 of the Rules of Procedure, the Chairperson reported on the outcome of CCEXEC71, noting that the recommendations on specific items would be considered under the relevant agenda items. These included the critical review; reviewing Codex work management; antimicrobial resistance; financial and budgetary matters; relationship between Codex work and FAO/WHO policies; and CTF2.
13. CCEXEC71 had undertaken the critical review for the monitoring of standards development and made a number of recommendations to different committees. CCEXEC71 had also considered the implementation status of the Strategic Plan 2014-2019 and Communications Strategy 2015-2017, discussed the preparation of the next Strategic Plan and Communications Strategy, and had recommended that both activities should be based on the current ones.
14. CCEXEC71 also discussed applications from, and the status of, international non-governmental organizations for observer status in Codex and made relevant recommendations to the Directors General of FAO and WHO.

FINAL ADOPTION OF CODEX TEXTS AT STEPS 8, 5/8 AND 5A (Agenda Item 3)⁶

15. The Commission adopted the draft and proposed draft standards and related texts submitted by its subsidiary bodies at Step 8 (including those submitted at Step 5/8 with a recommendation to omit Steps 6 and 7), as well as other standards and related texts submitted for adoption as endorsed by the relevant general subject committees, taking into account the critical review of CCEXEC71 (Appendices II and III).
16. In addition to editorial corrections to the other language versions of the texts, the Commission noted the following comments and decisions.

Additional comments and decisions

Committee on Fresh Fruits and Vegetables (CCFFV)

Standard for Aubergines⁷

17. The Commission noted the recommendations of the CCEXEC71 critical review⁸.

Discussion

18. Delegations supporting the adoption of the proposed draft standard at Step 5 only, rather than at Step 5/8, expressed the following views:
 - (i) Having a tolerance for decay in “Extra” Class is not in line with the concept of “Extra” Class, where the products classified “Extra” must be of an exceptional nature;
 - (ii) With the same tolerance for decay (1%) in both “Extra” Class and Class I, there is no meaningful distinction between the two classes;
 - (iii) The general topic of allowing decay in “Extra” Class is under consideration in CCFFV and it is prudent to decide on this issue in the layout for Codex standards for fresh fruits and vegetables before including such tolerances in individual standards;
 - (iv) Discussions on the technical provisions concerning sizing and tolerances, allowances of mixtures of varieties / commercial types in the same container are still ongoing.
19. Delegations in favour of the adoption of the proposed draft standard at Step 5/8 expressed these views:
 - (i) Inclusion of allowances for decay in “Extra” class is realistic and reflected current industry and trade practices for fresh fruits and vegetables;

⁵ [REP16/EXEC](#)

⁶ [CX/CAC 16/39/2](#); [CX/CAC 16/39/2 Add.1](#); [CX/CAC 16/39/3](#) (Comments of Argentina, Brazil, Canada, Colombia, Costa Rica, Cuba, Dominican Republic, Egypt, El Salvador, European Union, Ghana; Indonesia, Japan, Kenya, Mexico, Morocco, Norway, Paraguay, Saint Lucia, International Dairy Federation); [CX/CAC 16/39/3 Add.1](#) (Comments of European Union, Kenya, Malaysia, Norway, Thailand); [CRD2](#) (Comments of European Union, India, Indonesia, Malaysia, Nigeria, Philippines, Senegal, Singapore); [CRD14](#) (Comments of African Union); [CRD16](#) (Comments of Mali); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD19](#) (Comments of Benin); [CRD21](#) (Comments of Ecuador); [CRD22](#) (Comments of Guinea); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone); [CRD29](#) (Comments of Guinea-Bissau)

⁷ [REP16/FFV](#), para. 51, Appendix III

⁸ [REP16/EXEC](#), para. 12

- (ii) The absence of allowances for decay in “Extra” class implies “0” tolerance (which is unrealistic for perishable products such as fruits and vegetables subject to transport and storage before reaching final destination) and might create a technical barrier to trade, contrary to the objective of Codex standards;
 - (iii) Inclusion of allowances for decay in the “Extra” class prevents rejection or downgrading of the whole lot which is consistent with the *Guidelines for Food Import Control Systems* (CAC/GL 47-2003);
 - (iv) The proposed tolerances for decay of 1% in “Extra” Class and 1% in Class I apply to different percentages of tolerances in the two classes for the whole lot and therefore, there is a distinction between the allowances for decay in “Extra” Class and Class I;
 - (v) All the technical issues had been thoroughly examined by CCFFV and the proposed draft standard is the compromise position.
20. Mexico, as host country of CCFFV, indicated that the technical issues should be submitted to CCFFV for further consideration.

Conclusion

21. The Commission noted that the proposed draft standard was ahead of schedule and there was still sufficient time to deal with the technical issues. The Commission agreed to adopt the standard at Step 5 and requested that all comments submitted at the present session should be re-submitted to CCFFV to finalize the text by the next session.

Committee on Fish and Fishery Products (CCFFP)

*Code of Practice for Processing of Fish Sauce*⁹

Conclusion

22. The Commission adopted the Code of Practice for Processing of Fish Sauce noting the following:
- The reservation of Peru with respect to the size of unviscerated fish used as raw material in fish sauce processing, which in their view should be *not greater than* 15 cm rather than 12 cm as indicated in the Code of Practice;
 - The view of the Russian Federation that the list of organisms used in the preparation of fish sauce should have been indicated in order to reduce risk.

*Code of Practice for Fish and Fishery Products (Section on Sturgeon Caviar)*¹⁰

23. The Commission noted the concerns of China on the use of hormones and the need for safety assessment before such use can be allowed. It was clarified that this matter had been discussed in CCFFP and that the Code of Practice had been aligned with the related *Standard for Sturgeon Caviar* (CODEX STAN 291-2010) which allowed for the use of hormones.

Conclusion

24. The Commission adopted the Section on Sturgeon Caviar.

*Amendments to Food Additive Provisions in Standards for Fish and Fishery Products (Standard for Canned Tuna and Bonito (CODEX STAN 70-1981) and Standard for Canned Crab Meat (CODEX STAN 90-1981))*¹¹

25. The Commission noted the clarification that the maximum level for disodium diphosphate (INS 450(i)) and phosphoric acid (INS 338) was 10 g/kg and not 10 mg/kg (see CX/CAC16/39/9). In view of this clarification, the Commission considered a proposal to amend the proposed level for the two food additives from 5 g/kg to 4 400 mg/kg as a more accurate conversion of P₂O₅ to phosphorous.

Conclusion

26. The Commission adopted an amended level of 4 400 mg/kg, as phosphorous.

⁹ [REP16/FFP](#), Appendix III

¹⁰ [REP16/FFP](#), Appendix V

¹¹ [REP16/FFP](#), Appendix VI

*Amendments to Section 7.4 Estimation of fish content of the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets – Breaded or in Batter (CODEX STAN 166-1989)*¹²

27. One delegation requested clarification from FAO on how it intended maintaining the table of nitrogen factors and how countries could participate in this process. The Representative of FAO clarified that FAO had recently launched a call for data to which very few replies were received and FAO intended relaunching this call for data. The table of nitrogen factors will continue to be updated through periodic calls for data using the Codex system as well as through FAO's fisheries networks.

Conclusion

28. The Committee adopted the amendments noting that FAO will maintain the table of nitrogen factors.

*Amendment to Section 11 – Processing of salted and dried salted fish of the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003)*¹³

29. One delegation proposed to extend the list of fish species in this amendment. It was clarified that the list of species had not been discussed in CCFFP. The amendment to Section 11 was the culmination of work on the *Code of Practice for Fish and Fishery Products* whereby a decision was taken to integrate those essential safety or quality aspects from various appendices into the main text of the Code of Practice. Furthermore, CCFFP had agreed to discontinue work on these appendices in light of the fact that optional trade specifications (or requirements contained in them) were an issue for agreement among trade partners and should not be part of a Codex text.

Conclusion

30. The Commission adopted the amendment.

Committee on Food Hygiene (CCFH)

*Guidelines for the Control of Non-typhoidal Salmonella spp. In Beef and Pork Meat*¹⁴

31. The Commission noted the concern of one delegation to the inclusion of certain substances, such as chlorine, without assessing the impact of such use. The Commission noted that the guidelines provided examples or options of measures to control non-typhoidal *Salmonella* which could be used by countries based on their national situation.

Conclusion

32. The Committee adopted the Guidelines.

*Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites*¹⁵

33. Norway, with reference to their comments in CX/CAC 16/39/3, expressed strong concerns with paragraph 43 under section 3.1 on environmental hygiene as the indicated measure was not based on sound science. Norway noted that the text covered wild-catch of seawater fish and it was commonly accepted that fishing grounds worldwide could normally not be considered free of parasites being of public health significance. In their view the reference to "infection" could imply any parasite larvae and therefore proposed to amend this paragraph to replace "infection" with "disease", to reduce the consequences for normal wild fish operations.
34. The Commission noted that this matter had been thoroughly discussed in CCFH. The Commission further noted that the Guidelines were flexible, consensus had been reached and there was support from other members of the Commission.

Conclusion

35. The Commission adopted the Guidelines noting the strong concerns of Norway to paragraph 43 for the reasons expressed above.

¹² [REP16/FFP](#), Appendix VII

¹³ [REP16/FFP](#), Appendix VIII

¹⁴ [REP16/FH](#), Appendix II

¹⁵ [REP16/FH](#), Appendix III

Annex I: “examples of microbiological criteria for low-moisture foods when deemed appropriate in accordance with the Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods (CAC/GL 21-1997)”¹⁶

36. Colombia, supported by Costa Rica proposed deletion of the microbiological criteria as such examples should not be part of a Codex text, but could be published as an information document on the Codex website. The delegation also asked for guidance on the use of examples in Codex texts to ensure consistency across different standards.
37. The European Union and its Member States, while supporting the adoption of the Annex, expressed their concerns with the inclusion of the examples of microbiological criteria for low-moisture foods since the relatively low risk of low moisture foods as compared to other foods did not justify microbiological criteria. Microbiological criteria would put a disproportionate burden on producers.
38. It was clarified that CCFH had had extensive discussion on the inclusion of the microbiological criteria examples noting that such examples could be useful for countries and should be an annex to the *Code of hygienic practice for low-moisture foods* (CAC/RCP 75-2015). It was also clarified that their inclusion in the annex did not make the microbiological criteria mandatory.

Conclusion

39. The Commission adopted Annex I noting the concerns of Colombia, Costa Rica and the European Union and its Member States.

Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

*Additional or Revised Nutrient Reference Values for Labelling Purposes in the Guidelines on Nutrition Labelling (CAC/GL 2-1985)*¹⁷

Vitamin E

40. Malaysia, supported by Indonesia, proposed to return the NRV for Vitamin E to Step 3 until the work on the related conversion factor was finalised. These delegations pointed out that there were divergent views and lack of consensus in CCNFSDU on whether to identify all forms of Vitamin E isomers or only alpha-tocopherols as exhibiting Vitamin E activity. They noted that work should proceed in a logical order and that the first part of the task should be to adopt the conversion factor for the vitamin before proceeding to adopt the NRV for Vitamin E. Returning the NRV to Step 3 would allow discussion on the NRV to be carried out in parallel with the discussion on the conversion factor. These delegations further proposed that JEMNU should be requested to look at the NRV for Vitamin E and its conversion factor.
41. Two observers also noted that the proposed NRV for Vitamin E was not based on the latest science; that Vitamin E was made up of eight isomers not only alpha tocopherol, and that the NRV should be higher than the proposed 9 mg level.
42. The Representative of FAO clarified that FAO would welcome requests for scientific advice, but that requests to JEMNU should come from the relevant technical committee.
43. The Chairperson of CCNFSDU clarified that at the last session of the Committee, the NRV had been extensively discussed and that CCNFSDU had agreed to submit the NRV for adoption while noting reservations from three countries. CCNFSDU had also agreed to postpone discussion on the conversion factor and dietary equivalents. However, noting the concerns expressed and that the conversion factor should be agreed first before finalising the NRV, the Chairperson proposed that the NRV be adopted at Step 5 as a compromise. The next session of CCNFSDU would then consider Vitamin E dietary equivalents and conversion factor and in this context could consider if there was an effect on the NRV value.

Conclusion

44. The Commission adopted the NRV for Vitamin E at Step 5 noting that any request for scientific advice from JEMNU should be sent through CCNSFDU.

¹⁶ [REP16/FH](#), Appendix IV

¹⁷ [REP16/NFSDU](#), Appendix II Part I

*Amendments to the Annex of CAC/GL 2-1985: definition for Recognised Authoritative Scientific Bodies (RASB)*¹⁸

Conclusion

45. The Commission adopted the amendments to the Annex, with the modifications recommended by CCEXEC71¹⁹.

Committee on Methods of Analysis and Sampling (CCMAS)

*Methods of analysis: Infant Formula and Formulas for Special Medical Purposes Intended for Infants*²⁰

46. The Commission noted that CCEXEC71 had supported the adoption of three methods of analysis in their critical review (methods of analysis for Vitamin A, total nucleotides and pantothenic acid), but that two other methods, which had also been endorsed by CCMAS, were inadvertently omitted from the critical review process and were ready for adoption. These were the methods of analysis for iodine, endorsed as Type II, and for chromium, selenium and molybdenum, endorsed as Type III. It was further noted that the proposed criteria for methods of analysis for chromium, selenium and molybdenum for consideration by CCNFSDU did not affect the endorsement of these methods by CCMAS.

Conclusion

47. The Commission adopted the methods of analysis as proposed by CCNFSDU and endorsed by CCMAS.

Committee on Food Additives (CCFA)

*Specifications for the Identity and Purity of Food Additives*²¹

48. The European Union and Norway reiterated their general reservation expressed at CAC36 and CAC37 on including references in the specifications to food additives used in food additives (i.e. secondary additives) as in their view the specifications should be related to the substances themselves and not to the preparations.

Conclusion

49. The Commission adopted the Specifications and noted the general reservations of the European Union and Norway.

*Revision of the GSFA food category 01.1 "Milk and Dairy Based Drinks" (renamed "Fluid milk and milk products") and its consequential changes*²²

50. The Commission noted several editorial comments to the Spanish version of the document, e.g. translation of "plain", "ultra-high temperature". The Commission noted the concerns expressed by Ecuador as detailed in [CRD21](#).
51. With regard to the comments made by one delegation on the descriptors of several food categories (FC) of the GSFA, the Chairperson of CCFA clarified that CCFA48 had agreed that all products in FC 01.1 were for further processing; that concentrated and evaporated milks were included in FC 01.3.1 and therefore did not need to be included in FC 01.1.2; that "composite milk product" was defined in the *Standard for the Use of Dairy Terms* (CODEX STAN 206-1999); and that there was no indication that buttermilk was UHT-processed.

Conclusion

52. The Commission adopted the revision of the GSFA food category 01.1 and noted that the editorial comments to the Spanish version of the document would be addressed when publishing the revision of the GSFA.

*Food additive provisions of the General Standard for Food Additives (GSFA)*²³

Conclusion

53. The Commission adopted the food additive provisions and noted:
- (i) The reservation of the European Union and Norway for lauric arginate ethyl ester (INS 243) and nisin (INS 234) due to potential intake concerns;

¹⁸ [REP16/NFSDU](#), Appendix II part II

¹⁹ [REP16/EXEC](#), para. 17

²⁰ [REP16/NFSDU](#), Appendix V Part II

²¹ [REP16/FA](#), Appendix III, Part A

²² [REP16/FA](#), Appendix XII

²³ [REP16/FA](#), Appendix VII, Parts A-F

- (ii) The concern of the European Union and Norway that the ML of 250 mg/l for benzoates in FC 14.1.4 was still excessive and therefore a further discussion on the appropriate ML for benzoates in this food category was necessary;
- (iii) The concern of other delegations that the ML for benzoates in FC 14.1.4 was too low and higher levels might be necessary to effectively preserve products in FC 14.1.4 in order to take account of different climatic and transport conditions in different regions of the world in addition to considering a grace period for reformulation.

Revision of Sections 4.1.c and 5.1.c of the General Standard for the Labelling of Food Additives When Sold as Such (CODEX STAN 107-1981)²⁴

Conclusion

54. The Commission adopted the revision of the General Standard and noted the reservation of Argentina with regard to the use of the term “artificial” which in their view was not consistent with the *Guideline for the Use of Flavourings* (CAC/GL 66-2008) and did not improve consistency among Codex texts.

Revised food additives section of the Standards for Cocoa Butter (CODEX STAN 86-1981), Chocolate and Chocolate Products (CODEX STAN 87-1981), Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake (CODEX STAN 141-1983) and Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars (CODEX STAN 105-1981)²⁵

55. One delegation noted that the provisions for gold (INS 175) and silver (INS 174), which were originally included in the *Standard for Chocolate and Chocolate Products* (CODEX STAN 87-1981), had not been included in the GSFA when aligning the provisions of the standard with the relevant provisions of the GSFA.
56. With regard to gold and silver, the Commission noted that JECFA had come to the conclusion that the use of gold would not represent a hazard due to its small amount likely to be ingested and that JECFA had not been able to complete the evaluation of silver due to insufficient data.

Conclusion

57. The Commission adopted the revised food additive sections of the standards for chocolate and cocoa products and agreed to request CCFA to examine the use of gold (INS 175) and silver (INS 174).

Committee on Contaminants in Food (CCCF)

Maximum level for inorganic arsenic in husked rice²⁶

58. The Commission noted different views on the adoption of an ML of 0.35 mg/kg for inorganic arsenic in husked rice.
59. Delegations in favour of an ML lower than 0.35 mg/kg indicated that the proposed ML would not result in a significant reduction of the intake of inorganic arsenic and would not be coherent with the ML for polished rice.
60. Delegations in favour of an ML of 0.35 mg/kg indicated that rice was an internationally traded commodity and a staple food in many countries/regions. Therefore, there was a need to establish an ML for inorganic arsenic in this commodity to ensure public health and fair trade practices. These delegations also indicated that the ML was based on data currently available; provided a good balance between reducing exposure to inorganic arsenic, protection of consumer health, and minimum impact on trade (availability of husked rice); was consistent with the ML for polished rice; and reflected current production practices.
61. India indicated that more data should be sought before deciding on an ML for inorganic arsenic in husked rice (especially from different seasons) to have a more complete picture of the variation of the concentrations of arsenic in rice. This would avoid the establishment of a stringent ML that could have the potential to become a technical barrier to trade. The Delegation further indicated that India had submitted data on arsenic contamination in rice to CCCF, however not all the concentration data, that could have supported a less stringent ML, had been taken into account.
62. Sri Lanka reserved its position on the adoption of the ML, as they would have preferred a lower ML as rice was a staple food in their country. Philippines also reserved its position, as there was a need to have more geographically representative data to support a worldwide-based ML.

²⁴ [REP16/FA](#) Appendix XV

²⁵ [REP16/FA](#) Appendix V

²⁶ [REP16/CF](#) Appendix II

63. The Chairperson of the Commission noted that this matter had been extensively discussed at CCCF for several sessions. The Chairperson further noted that the proposed ML was a compromise solution between those delegations favouring a higher or lower ML and that the alternative option was discontinuation of work. It was noted, however, that discontinuation of work had not been supported by the Committee as an ML for inorganic arsenic in husked rice was necessary to ensure consumer health protection and fair trade practices. The Chairperson also reminded the Commission that the proposal had been made by CCCF on the understanding that the Committee would revisit the ML following implementation of the Code of Practice for the Prevention and Reduction of Arsenic Contamination in Rice to be finalized at the next session of CCCF in 2017.
64. Two observers expressed their views that the proposed ML did not represent a compromise solution, as the ML did not represent the middle ground between the upper and lower MLs (in the range of MLs considered by CCCF) but rather represented the higher value. They also supported the views of those delegations in favour of a lower ML (see paragraph 59).

Conclusion

65. The Commission adopted the ML of 0.35 mg/kg for inorganic arsenic in husked rice on the understanding that the ML would be reviewed three years after the implementation of the Code of Practice, as agreed by CCCF, and would take into account all available data from all regions.
66. Reservations to this decision were expressed by Egypt, European Union and Norway (para. 59), India (para. 61), Philippines and Sri Lanka (para. 62). Consumers International and the National Health Federation expressed their strong concern on this decision for the reasons given in paragraphs 59 and 64.

Maximum levels for lead in fruit juices and nectars ready-to-drink (inclusion of passion fruit); canned fruits (inclusion of canned berries and other small fruits); canned vegetables (inclusion of canned leafy vegetables and canned legume vegetables); jams, jellies and marmalades (lower ML and inclusion of marmalades); pickled cucumbers (lower ML); preserved tomatoes (lower ML and deletion of the note on the application of a concentration factor); and table olives (lower ML) ²⁷

67. The Commission noted the concern of several delegations in relation to the adoption of MLs for preserved tomatoes and jams, jellies and marmalades. These delegations pointed out that in paragraph 74 of REP16/CF it was clearly stated that there were not sufficient data available to be able to examine the proposed level for these products. These delegations requested more time to gather data to review the existing MLs in order to ensure both consumer health protection and fair trade practices and proposed to adopt these MLs at Step 5 only.
68. The Chairperson of the Commission recalled that work on MLs for fruits and vegetables had been discussed since 2013 in CCCF; finalization of the MLs had been delayed until 2015 to give countries concerned the opportunity to submit relevant data to GEMS/Food on the understanding that the MLs would be finalized by CCCF for adoption by CAC38 (2015); no countries had indicated that new/additional data were available at the time CCCF10 (2016) finalized the MLs (except for a few fruits and vegetables that would be further considered at CCCF11 (2017)); no reservations had been recorded in REP16/CF as the decision taken in regard to all the MLs for fruits and vegetables submitted for final adoption by CAC39.
69. The Chairperson therefore proposed to adopt the MLs as proposed by CCCF; to note the concerns of those Members in relation to the MLs for preserved tomatoes and jams, jellies and marmalades; to request CCCF to consider their revision in future should new/additional data become available; and to encourage Members to urgently work on the generation and submission of data so that the MLs could be revisited based on all the data and information available.
70. The Secretariat noted that without a clear commitment and deadline for submission of new/additional data there was little value in sending these MLs back to CCCF for further consideration.
71. Delegations in favour of adopting the MLs for preserved tomatoes and jams, jellies and marmalades at Step 5 only were of the view that the reduction of the ML from 1 mg/kg to 0.1 mg/kg (jams, jellies and marmalades) and from 1 mg/kg to 0.05 mg/kg (preserved tomatoes):
- (i) Was not practicable to implement with immediate effect/in the short-term and would therefore impact negatively on trade with no scientific evidence of further gains in public health protection including vulnerable groups such as children;

²⁷ [REP16/CF](#), Appendix III

- (ii) The number of samples available was not sufficient to carry out a statistical analysis of the worldwide production. Moreover in the case of jams, jellies and marmalades, the analysis was based on data provided by one country where samples came from products that were not domestically produced but imported from different regions and not from raw occurrence data. Therefore, such samples could not be acceptable as the levels could have been adjusted to comply with the technical requirements of the importing country;
 - (iii) The risk assessment could not be concluded as there was not enough geographical spread data to carry out the statistical analysis hence there was not a solid scientific basis to reduce the MLs if the MLs were adopted as proposed by CCCF, it would be difficult to justify an increase the ML in light of new data.
72. The JECFA Secretariat clarified that the risk analysis process had been followed. Following the JECFA73 risk assessment an electronic work group was established by CCCF to analyse, following a public call for data, all available data to propose revised MLs for lead in various commodities in the *General Standard for Contaminants and Toxins in Food and Feed* (GSCTFF).
73. Delegations in favour of the adoption of these MLs indicated that:
- (i) The revised MLs were based on data currently available;
 - (ii) They had been extensively discussed in CCCF over several sessions;
 - (iii) Lead is a highly toxic chemical with great impact on public health especially in young children, therefore measures to reduce the risk of exposure to lead in all targeted products (i.e. reduce the MLs) should be taken as soon as possible and the level should be set as low as possible;
 - (iv) If more data become available, the MLs could be revised at a later time following the Codex procedures in place for the revision of standards, however at this point there was no benefit in sending the MLs back to CCCF for further consideration as no commitment to submit new/additional data had been identified by CCCF at the time the MLs were finalized for adoption by the present session of CAC.

Conclusion

74. The Commission agreed with the proposal of the Chairperson to adopt the MLs at Step 5/8 as proposed by CCCF with the exception of the MLs for preserved tomatoes and jams, jellies and marmalades which would be adopted at Step 5 only, on the understanding that countries concerned would submit relevant data in reply to a call for data to be issued shortly in order to finalize these MLs at CCCF11 (2017).

Committee on Pesticide Residues (CCPR)

*MRLs for Pesticides*²⁸

75. The Delegations of the European Union and Norway making reference to [CRD2](#) reiterated reservations they had put forward at CCPR48 on different combinations of pesticides/commodities.

Conclusion

76. The Commission adopted the MRLs for different combinations of commodities/pesticides at Step 5/8 noting the reservations of the European Union and Norway.

Standards and related texts held at Step 8 by the Commission

*Draft MRLs for Bovine Somatotropins (bSTs)*²⁹

77. The Commission noted the comments of Ecuador, in [CRD21](#), which reiterated the importance for Codex to base its decision on science as well as to respect and recognize the work of JECFA. Therefore, in their view it was not necessary to continue holding the MRLs for bSTs at Step 8.

Conclusion

78. The Commission noted that no request had been received to change the status of the draft MRLs for bSTs.

²⁸ [REP16/PR](#), Appendix II

²⁹ [ALINORM 95/31](#) Appendix II

ADOPTION OF CODEX TEXT AT STEP 5 (Agenda Item 4)³⁰

79. The Commission adopted the proposed draft standards and related texts submitted by its subsidiary bodies at Step 5 and advanced them to Step 6 noting that technical comments should be resubmitted at Step 6 for consideration by the relevant committees, taking into account the critical review of CCEXEC71 (Appendix IV).

Additional comments**Committee on Spices and Culinary Herbs (CCSCH)***Standard for cumin³¹*

80. The Commission considered the standard and noted the following technical comments:
- The physical and chemical requirements for cracked and ground cumin (i.e. the aroma; classification; extraneous matter, etc.) should be part of the standard;
 - The reference to test method ISO 939 should be changed to ISO 938;
81. With regards to the proposal to return the standard to Step 2, the Secretariat clarified that the issues raised could be addressed by CCSCH and might not warrant returning the standard to Step 2.

Conclusion

82. The Commission adopted the standard for cumin at Step 5.

Standard for Thyme³²

83. One delegation noted that the name of the product should not be “dried thyme” and should be in accordance with the customary nomenclature system for fruit and vegetable standards.
84. The Commission noted the comments of Ecuador regarding the methods of analysis in the standards for cumin and thyme, as presented in [CRD21](#)

Conclusion

85. The Commission adopted the standard for thyme at Step 5.

Committee on Fresh Fruits and Vegetables (CCFFV)*Standard for Garlic³³*

86. The Commission noted the concerns regarding the inclusion of “smoked” garlic based on the view that “smoked” garlic was a processed product rather than a fresh product because the “smoking” process altered the organoleptic characteristics of the product. The product should therefore be under the mandate of CCFFV.
87. The Secretariat informed the Commission that this issue had been discussed at length in the Committee and was one of the outstanding issues to be resolved when finalizing the standard at the next session of CCFFV. The Secretariat further noted that CCFFV had the technical competence to determine whether this product could be considered as “fresh” garlic and therefore be covered by the scope of the standard.
88. The Commission further noted comments on the need to clarify provisions for commercial types, presentation, sizing and their tolerances.

Conclusion

89. The Commission agreed to adopt the standard at Step 5.

³⁰ [CX/CAC 16/39/4](#); [CX/CAC 16/39/4 Add.1](#); [CX/CAC 16/39/4 Add.2](#); [CX/CAC 16/39/5](#) (Comments of Argentina, Colombia, Costa Rica, El Salvador, European Union; New Zealand, Uruguay); [CX/CAC 16/39/5 Add.1](#) (Comments of the Islamic Republic of Iran); [CRD3](#) (Comments of India, Indonesia, Philippines, Senegal); [CRD14](#) (Comments of African Union); [CRD16](#) (Comments of Mali); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD18](#) (Comments of Gambia); [CRD19](#) (Comments of Benin); [CRD21](#) (Comments of Ecuador); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone); [CRD29](#) (Comments of Guinea-Bissau)

³¹ [REP16/SCH](#), Appendix III

³² [REP16/SCH](#), Appendix IV

³³ [REP16/FFV](#) para 70, Appendix IV

*Standard for Kiwifruit*³⁴

90. The Commission noted views that:
- (i) Some technical issues related to maturity requirements (°Brix / percentage of dry matter), sizing and tolerances, should be further examined by CCFFV;
 - (ii) The tolerance for decay in the “Extra” class could be considered in the work on the layout for Codex standards for fresh fruits and vegetables instead of in individual standards (see also aubergines);
 - (iii) The inclusion of hybrids was not a common practice in Codex standards for fresh fruits and vegetables.

Conclusion

91. The Commission agreed to adopt the standard at Step 5.

Committee on Food Import and Export Inspection and Certification Systems (CCFICS)*Guidance for Monitoring the Performance of National Food Control Systems*³⁵

92. The Commission noted that the text would be useful for monitoring the performance of national food control systems and suggested that further consideration should be given to developing guidance on establishing indicators and methods to measure them.

Conclusion

93. The Commission adopted the text at Step 5.

REVOCATION OF CODEX TEXTS (Agenda Item 5)³⁶

94. The Commission revoked the texts in [CX/CAC 16/39/6](#) and [CX/CAC 16/39/6 Add.1](#), with the exception of:
- The specifications for glycerol ester of gum rosin (INS445(i)), which had never been adopted by Codex;
 - The MLs for lead in preserved tomatoes and in jams (fruit preserves) and jellies, for which revisions were only adopted at Step 5 (see Agenda Item 3).

PROPOSALS FOR NEW WORK (Agenda Item 6)³⁷

95. The Commission approved the elaboration of new standards and related texts taking into account the critical review of CCEXEC71 (Appendix V).

Additional comments and decisions**Committee on Fresh Fruits and Vegetables (CCFFV)***Standard for Fresh Dates*³⁸

96. The Commission noted the request of delegations to further define the scope and other technical issues and encouraged countries concerned to actively participate in the development of the standard.

Conclusion

97. The Commission approved the new work.

³⁴ [REP16/FFV](#) para 76, Appendix V

³⁵ [REP16/FICS](#), Appendix III

³⁶ [CX/CAC 16/39/6](#); [CX/CAC 16/39/6 Add.1](#); [CRD4](#) (Comments of El Salvador, Indonesia, Senegal); [CRD14](#) (Comments of African Union); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD19](#) (Comments of Benin); [CRD21](#) (Comments of Ecuador); [CRD22](#) (Comments of Guinea); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone); [CRD29](#) (Comments of Guinea-Bissau)

³⁷ [CX/CAC 16/39/7](#); [CX/CAC 16/39/7 Add.1](#); [CX/CAC 16/39/7 Add.2](#); [CRD5](#) (Comments of El Salvador, Indonesia, Nigeria, Philippines, Senegal, Singapore); [CRD12](#) (Comments of Norway); [CRD14](#) (Comments of African Union); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD18](#) (Comments of Gambia); [CRD21](#) (Comments of Ecuador); [CRD23](#) (Comments of India); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone); [CRD29](#) (Comments of Guinea-Bissau)

³⁸ [REP16/FFV](#) para. 95; [CX/CAC 16/39/7](#) Annex I

Committee on Fish and Fishery Products (CCFFP)

*Guidance for histamine control in the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003) and sampling plans for histamine in standards for fish and fishery products*³⁹

98. The Commission noted the wide support for the new work, and that it should be assigned to CCFH. Delegations in particular pointed out that assigning the work to CCFH was the appropriate option as opposed to working by correspondence (as proposed by CCFFP), especially since there was a lack of procedural guidance for working by correspondence. The Commission also noted confirmation by the Chairperson of CCFH that the Committee would be able to undertake the work.

Conclusion

99. The Commission approved the new work and agreed, as recommended by CCEXEC, that the work should be assigned to CCFH. The Commission further agreed to recommend that CCFH start work immediately, i.e. that the work be included on the agenda of CCFH48, and that CCFH consider the timeline for completion of work in light of its forward workplan.

Committee on Food Hygiene (CCFH)

*Revision of the General Principles of Food Hygiene (CAC/RCP1-1969) and its HACCP Annex*⁴⁰

100. One delegation, while supporting the work, emphasized the need for the revised text to consider all stakeholders, in particular small and medium enterprises.

Conclusion

101. The Commission approved the new work.

Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU)

*Guideline for Ready-to-Use Therapeutic Foods (RUTF)*⁴¹

102. The Commission noted the wide support for this new work especially in view of the fact that there was a need for guidance for governments and producers on RUTF used in the management of severe acute malnutrition (SAM). Delegations indicated that these products were already produced in some of their countries and/or used in the management of SAM not only in refugee populations, but also for malnourished infants and geriatrics and thus the guidance would be helpful.
103. The Delegation of India did not support the proposal due to the lack of sufficient scientific data in favour of using RUTF in the management of SAM in community settings and noted that the review from WHO on the safety and efficacy of using this product was not yet available.
104. The Representative of WHO explained that the ongoing systematic reviews, which WHO was undertaking, would not develop guidance on the nutrient composition of RUTF. WHO was more comfortable with the proposal now as it no longer included ready-to-use supplementary foods (RUSF) for which there was little evidence of their effectiveness in the treatment and prevention of moderate acute malnutrition.
105. She also noted that FAO and WHO had worked closely with UNICEF to provide this proposal for consideration to CCNFSDU and supported this new work to go ahead.
106. Noting the clarification from WHO, India expressed support for the new work.

Conclusion

107. The Commission approved the new work.

Committee on Food Labelling (CCFL)

*Guidance for the Labelling of Non-retail Containers of Food*⁴²

108. One delegation felt that it was not necessary to develop guidance for the labelling of non-retail containers as such information was dealt with on a customer supply basis and could lead to trade barriers and if work were to proceed, it should be very general guidance. The delegation proposed that the electronic working group (EWG) established by CCFL should also work in Spanish and offered to co-chair the EWG.

³⁹ [REP16/FFP](#) paras 72 and 80, Annex II of [CX/CAC 16/39/7](#)

⁴⁰ [REP16/FH](#), Appendix V

⁴¹ [REP16/NFSDU](#), Appendix IV

⁴² [REP16/FL](#), Appendix III

109. The Chairperson of CCFL clarified that there had been strong support for this work in CCFL. More work was necessary to identify what would be reasonable to include in the guidance.
110. Regarding the EWG, the Secretariat clarified that the WG established by CCFL would be led by India and work in English only, but that if Costa Rica wished the work to also be conducted in Spanish, it could arrange to co-host with India and arrange to have Spanish as a second working language.

Conclusion

111. The Commission approved the new work.

FAO/WHO Regional Coordinating Committee for Africa (CAFRICA)

*Regional Standard for Dried Meat*⁴³

112. The Commission adopted the recommendations of CCEXEC71⁴⁴ that the regional standard would cover only:
- Dried meat produced and traded in the Africa region only, while products like biltong that are currently traded in the international markets would be excluded from the standard;
 - Quality aspects, while safety aspects (i.e. hygiene, contaminants and pesticide and veterinary drugs residues) would be addressed by reference to existing Codex texts).

Conclusion

113. The Commission approved the new work.

DISCONTINUATION OF WORK (Agenda Item 7)⁴⁵

114. The Commission approved discontinuation of the work (Appendix VI) on the items presented in [CX/CAC 16/39/8](#) and [CX/CAC 16/39/8 Add.1](#) and noted the following points.

Committee on Fish and Fishery Products (CCFFP)

*Appendices 1 – 11 to the Code of Practice for Fish and Fishery Products (CAC/RCP 52-2003)*⁴⁶

115. One delegation expressed their opposition to the discontinuation of work on the appendices to the *Code of Practice for Fish and Fishery Products* as the information they contained was useful for trade.
116. The Commission noted the clarification given earlier on the discontinuation of work on the appendices (para. 29) and further noted that at CCFFP34, FAO had offered to house any necessary technical specifications on the FAO website.

Conclusion

117. The Commission approved the discontinuation of the work.

Other

118. The Commission noted the views expressed by Colombia, supported by other countries from the Latin American and Caribbean region, for discussion on a standard for pirarucú to continue in CCFFP. These delegations expressed the view that such a standard was needed due to difficulties faced in the production and marketing of these fish products; that further consideration should be given to developing a standard; and that a proposal was ready for consideration.
119. The Secretariat and the Chairperson of CCFFP clarified that this work was not for discussion under this Agenda Item as the work had never been approved by the Commission. The Commission noted that this matter had been on the agenda of CCFFP and that the Committee had requested a paper and project proposal to be submitted for further consideration by CCFFP34. However, since no document had been submitted, CCFFP34 had agreed not to continue consideration of the matter.

⁴³ Annex 1, CX/CAC 16/39/7 Add.1

⁴⁴ REP16/EXEC para. 48

⁴⁵ [CX/CAC 16/39/8](#); [CX/CAC 16/39/8 Add.1](#); [CRD6](#) (Comments of Kenya and Indonesia); [CRD14](#) (Comments of African Union); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD21](#) (Comments of Ecuador); [CRD28](#) (Comments of Sierra Leone)

⁴⁶ [REP16/FFP](#), para. 66b

Conclusion

120. The Commission noted that CCFFP had agreed not to continue discussion of a possible standard for pirarucú, and that if any country were interested in pursuing this work, a proposal could be made to the Commission, through CCEXEC, for consideration as new work.

AMENDMENTS TO CODEX STANDARDS AND RELATED TEXTS (Agenda Item 8)⁴⁷

121. This Agenda Item was discussed under Agenda Item 3 (para. 26).

CODEX WORK MANAGEMENT AND FUNCTIONING OF THE EXECUTIVE COMMITTEE (Agenda Item 9)⁴⁸

122. The Secretariat introduced the item recalling that CAC38 had noted that the Strategic Plan 2014-2019 was to serve as the basis for designing the internal Secretariat-led review of the work management and functioning of the Executive Committee⁴⁹.
123. The Commission noted that the matter had been considered by CCEXEC71⁵⁰ which had recommended to:
- (i) Discontinue discussion on the Terms of Reference (ToR) of the internal Secretariat-led review, and instead;
 - (ii) Request the Secretariat to regularly review Codex work management as part of the monitoring of the Codex strategic plan and regularly inform both the CCEXEC and CAC on the findings and recommended actions.
124. The Commission further noted that it was the prerogative of FAO and WHO to conduct an evaluation of the Codex programme whenever they consider it necessary and appropriate.

Discussion

125. Delegations supported the recommendations of CCEXEC71 and noted that the internal Secretariat-led review was not necessary because the Commission had already adopted an approach for continuous monitoring of Codex work management as part of the Strategic Plan, i.e. Strategic Goal 4 (SG4) and the internal Secretariat -led review could lead to inconclusive discussions.
126. Delegations also considered a regular review as a tool for addressing basic work management issues and implementing incremental improvements.
127. While supporting the recommendations, some delegations questioned the capacity of the Secretariat in terms of expertise, time and financial resources to take on this task without impacting on their ongoing work. They also underlined the need for members to have the opportunity to make proposals on work management issues to be reviewed (e.g. timely distribution of documents; dealing with emerging issues; working by correspondence).
128. Other delegations also noted that it was important to start reviewing work management issues and prepare concrete proposals with an opportunity for inputs from members. It should also be clarified what methods would be used to implement this process and how the CAC and CCEXEC would be informed for reasons of transparency.
129. The Representative of FAO expressed her full agreement with the conclusion of CCEXEC that the monitoring of implementation of the Strategic Plan was the responsibility of the Codex Secretariat which should, therefore, regularly review Codex work management. She noted the doubts expressed by some members about the capacity of the Secretariat to carry out this function given their existing work load, however, she pointed out that the Secretariat had already shown their ability to take on additional tasks, such as the development and implementation of the new communication platform and the communication strategy, alongside their routine functions. The Representative further noted that FAO and WHO have a role in overseeing and facilitating the work of the Codex Secretariat to ensure that they accomplish their programme of work.

⁴⁷ [CX/CAC 16/39/9](#); [CRD7](#) (Comments of Indonesia); [CRD14](#) (Comments of African Union); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD28](#) (Comments of Sierra Leone)

⁴⁸ [REP16/GP](#) Appendix II; [CX/CAC 16/39/10](#) (Comments of Brazil, Canada, Chile, Costa Rica, Cuba, Ghana, Kenya, Member States of European Union; Mexico; Norway; Thailand); [CRD8](#) (Comments of India, Japan, Nicaragua, Senegal, Uruguay); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD18](#) (Comments of Gambia); [CRD21](#) (Comments of Ecuador); [CRD24](#) (Comment of Egypt); [CRD25](#) (Comments of Cameroon)

⁴⁹ [REP15/CAC](#) para. 106

⁵⁰ [REP16/EXEC](#), paras 74-76

130. The Representative of WHO, fully concurring with the points made by the Representative of FAO, stated that the ongoing review and monitoring should in principle be borne by the regular Codex budget and that WHO and FAO would in addition be willing to provide guidance and other forms of support to the Codex Secretariat on the planning and implementation of review and monitoring activities through the technical as well as evaluation units of WHO and FAO. It was more likely that these activities would cover a specific area(s) in a given year to match the level of resources available. In so far as these activities took place in the framework of the monitoring of the implementation of the Strategic Plan, the subject matter would regularly be on the agenda of CCEXEC, ensuring an iterative dialogue between the Secretariat and Codex members.
131. The Secretary expressed appreciation for the trust given to the Secretariat. He noted the importance of the support and expertise of FAO and WHO and the need to have work management as a standing item on CCEXEC agenda opening an opportunity for members to provide suggestions for areas for improvements. Concerning the capacity of the Secretariat, he underlined that currently the Secretariat was fully staffed and could manage regular reviews. He also noted that the current scheduling of Codex meetings (12, 18 or 24 month intervals) led to periods in which the workload for Secretariat was extremely high. This and other factors caused delays in the distribution of working documents and could therefore be considered in the regular review. Improved management could lead to better use of Secretariat resources. However, it was important that Members prioritise issues to be addressed by the regular review.
132. Cameroon while supporting discontinuation of the discussion on the ToR, expressed reservations about entrusting the Secretariat with the task of the regular review as in their view this would give the Secretariat too much power in managing Codex.
133. The Secretary underlined that the regular review would deal with practical problems of work management in the framework of the Strategic Plan, and not with matters of Codex governance.

Conclusion

134. The Commission:
- (i) Agreed to discontinue the discussion on the ToR of the internal Secretariat-led review;
 - (ii) Requested the Secretariat to regularly review Codex work management as part of the monitoring of the Codex Strategic Plan and regularly inform both CCEXEC and CAC on the findings and recommended actions;
 - (iii) Further noted that Members could identify specific topics for improvement, which could be brought to the attention of CCEXEC and CAC. This approach would also allow the Commission to explore alternative options for improving Codex work management and practices;
 - (iv) Also agreed to continue monitoring in this context the Strategic Plan activity 4.1.4 "*Enhance timely distribution of all Codex working documents in the working languages of the Committee/ Commission*".
135. The Commission noted that FAO and WHO had a prerogative to conduct an evaluation of the Codex programme whenever they consider it necessary and appropriate.
136. Argentina and Cameroon expressed their reservations on part (ii) of the conclusion for the reasons expressed above.

RELATIONS BETWEEN FAO AND WHO POLICIES, STRATEGIES AND GUIDELINES AND CODEX WORK (Agenda Item 10)⁵¹

137. The Chairperson presented the conclusions of CCEXEC71⁵² and noted that CCEXEC had not been in a position to discuss the item in detail due to the late availability of the document.
138. Several delegations thanked the parent organisations for initiating this discussion, acknowledging that there was a need to ensure awareness of FAO and WHO policies and guidelines at the national level when coordinating positions for Codex. It was also stressed that the mandate of Codex differed from that of FAO and WHO, meaning that issues raised by FAO and WHO would be taken into consideration when relevant to Codex work. They noted that existing mechanisms for communication generally worked well.

⁵¹ [CX/CAC 16/39/11](#)

⁵² [REP16/EXEC](#), paras 121-122

139. The Representative of WHO referred to the discussion at CCEXEC71⁵³ and recalled that over the past ten years the WHA had made several requests to Codex to strengthen its work in supporting public health efforts. Simultaneously WHA had encouraged Member States to use Codex standards and guidelines to protect and promote human health, the latter being the common mandate of WHO and Codex.
140. The Representative noted that there were challenges in discussions at WHA concerning the use of Codex standards and guidelines at the national level and their reputation at the international level. These challenges were linked to the fact that Codex standards and guidelines were not always developed taking into account WHO policies, strategies and guidelines aimed at addressing the high-priority public health concerns of Member States such as obesity and diet-related noncommunicable diseases (NCDs).
141. The Representative noted further that the need for Codex to fully take into account the WHO policies, strategies and guidelines had been raised at CAC38 by Papua New Guinea as the Chair of CCNASWP⁵⁴. The document recommended that Codex take action to reduce salt/sodium intake to control NCDs (as recommended by the NCD Action Plan 2013–2020 adopted by WHA in 2013), through developing maximum levels of sodium contents in selected food products. The matter could not be discussed at CAC38 due to lack of time.
142. The Representative further recalled the status of Codex as an intergovernmental body operating under the auspices of FAO and WHO. This status permitted adopted Codex standards to be published with the FAO and WHO emblems. This privileged status of Codex underscored the need for coherence between the work of Codex and WHO policies, strategies and guidelines which Codex members, as WHO Member States, had signed up to. Codex could only benefit from demonstrating to the governing bodies of WHO greater coherence of its standards with WHO policies, strategies and guidelines, which in turn would help secure ongoing financial and technical support from WHO to the work of Codex. The Representative recommended that the Commission take practical steps forward as described in paragraph 15 of [CX/CAC 16/39/11](#).
143. The Representative of FAO thanked the members for their reflective and considered feedback and apologised for the late availability of the working document. She noted that the interventions had demonstrated a high level of awareness of the relevance of FAO and WHO policies to the work of Codex and a recognition of the importance of these policies being fully considered in carrying out the standard-setting work of Codex. She agreed with the observations made by countries that, in many cases, there was a need for better communication at national level to engage all relevant stakeholders in discussions of Codex issues. She considered, however, that the examples and analysis contained in the working document had demonstrated some scope for improving systematic and effective communication at global level as well. She underlined that while Codex existed under the umbrella of FAO and WHO, the substantive standard-setting work of Codex was member driven: it was the Commission's decision which standards to set. She concluded by noting that administrative matters related to the Codex Secretariat were governed by the relevant FAO rules and procedures in accordance with the Codex Statutes.

Conclusion

144. In spite of the very late availability of the document, the Commission noted that:
- (i) The main aim of the document was to raise awareness so that Codex fully consider FAO and WHO policies, strategies and guidelines when it undertakes its work;
 - (ii) Codex is a unique member-driven organization with a specific mandate to develop internationally harmonized food standards to protect consumer health and ensure fair practices in food trade;
 - (iii) FAO and WHO adopt and implement policies, strategies and guidelines, which might be relevant to the work of Codex;
 - (iv) There is a need to increase the dialogue and communication between FAO, WHO and Codex experts at the national, regional and global levels;
 - (v) Codex has always given due consideration to relevant policies, strategies and guidelines in undertaking its work being thereby enabled to make informed decisions.
145. The Commission proposed to CCEXEC to further discuss the working document at its 73rd session; noted the need to increase the visibility of Codex in WHO governing bodies, and noted the proposal by IFPRI for Codex to organize side events at WHA.

⁵³ [REP16/EXEC](#), paras 115-116

⁵⁴ [CRD4](#)

CODEX WORK ON ANTIMICROBIAL RESISTANCE (Agenda Item 11)⁵⁵

146. The Secretariat introduced the item recalling that FAO and WHO had brought relevant decisions of FAO and WHO on Antimicrobial (AMR) issues to the attention of CCEXEC70. Subsequently, the Secretariat, in collaboration with FAO and WHO, prepared a Circular Letter (CL 2015/21-CAC) requesting information on the use of and gaps in Codex texts on AMR and the need for FAO and WHO scientific advice and capacity development. The Secretariat prepared proposals as appropriate for consideration by CCEXEC71 and CAC39.
147. The Commission noted that the document on Codex work on AMR, prepared by the Secretariat in collaboration with FAO and WHO, had been considered by CCEXEC71⁵⁶.

Discussion

148. Delegations acknowledged that AMR is a serious public health threat, which required urgent attention by Codex, and a multisectoral and coordinated approach was needed at the international and national level to combat AMR. Delegations highlighted the WHO Global Action Plan on AMR, the specific resolutions of FAO and OIE and the linkage with the Sustainable Development Goals. Furthermore, delegations underscored the importance of applying the One Health approach to tackle AMR.
149. Delegations generally supported the CCEXEC71 recommendations regarding:
- (i) The establishment of an *Ad-Hoc* Intergovernmental Task Force on AMR (TFAMR) and noted the offer of the Republic of Korea to host the TFAMR if established;
 - (ii) The proposed work i.e. revision of the *Code of Practice to Contain and Minimise Antimicrobial Resistance* (CAC/RCP 61-2005) and the development of guidelines on integrated surveillance system;
 - (iii) The request to FAO and WHO for scientific advice and for a capacity development programme.
150. Regarding the establishment of a TFAMR, delegations noted that:
- (i) A dedicated Task Force was the most appropriate mechanism to address this urgent issue in a timely manner;
 - (ii) The new work should be conducted within the mandate of Codex;
 - (iii) The TFAMR should work in close collaboration with FAO, WHO and OIE and should have a strong and ambitious mandate;
 - (iv) For a better use of resources it would be advisable before establishing the TFAMR to clearly define the scope of its work, which should be relevant and useful (a PWG/EWG could assist in defining the scope of work);
 - (v) The establishment of an EWG would be more inclusive allowing the participation of more developing countries;
 - (vi) A PWG/EWG would allow the participation and contribution of experts, ensuring clear and defined ToR and that the work had a solid scientific basis;
 - (vii) The TFAMR work should take into consideration the ongoing work in FAO, WHO and OIE in order to identify the gaps to be addressed and avoid conflicts and duplication;
 - (viii) It was premature for Codex to undertake this work as many countries were still developing national action plans on AMR.
151. Regarding the offer of the Republic of Korea to host the TFAMR, the Commission noted:
- The interest of the Netherlands to co-host the TFAMR;
 - The desire of Cameroon that a developing country co-host the TFAMR.

⁵⁵ [CX/CAC 16/39/12](#); [CX/CAC 16/39/12 Add.1](#) (Comments of Argentina, Brazil, Costa Rica, Canada, Cuba, Dominican Republic, El Salvador, European Union, Ghana, Japan, Kenya, Malaysia, New Zealand, Norway, Republic of Korea, United States of America, Consumers International, International Poultry Council, Health for Animals); [CRD9](#) (Comments of El Salvador, India, Papua New Guinea, Senegal, Thailand, Health for Animals); [CRD13](#) (Comments of the United States of America); [CRD16](#) (Comments of Mali); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD18](#) (Comments of Gambia); [CRD19](#) (Comments of Benin); [CRD21](#) (Comments of Ecuador); [CRD22](#) (Comments of Guinea); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD27](#) (Comments of European Union); [CRD30](#) and [CRD31](#) (Comments of Australia)

⁵⁶ [REP16/EXEC](#), paras 65-66 and Appendices II and III

152. The Secretariat clarified that co-hosting arrangements should be determined bilaterally between the host country and any interested country. The Secretariat also noted that when proposing the establishment of the Task Force, attention was given to the impact that an additional body would have on the participation of countries and that with the adjournment of the CCFFP (see Agenda Item 19) the number of active subsidiary bodies would remain the same.
153. Regarding the proposed work, delegations noted that:
- (i) The revision of CAC/RCP 61-2005 would ensure that the document remain relevant in view of the many developments since its completion;
 - (ii) Guidance on integrated surveillance was an important tool for countries to underpin their efforts to address AMR;
 - (iii) Guidance on the development of national action plans would also be useful for many countries, in particular developing countries;
 - (iv) Little was known about the use of antimicrobials in crops and their impact on AMR;
 - (v) The proposed work should also address aspects of communication to facilitate countries' efforts to access adequate financial and human resources to support work on AMR;
 - (vi) The proposed work should address the entire food chain and also consider AMR aspects related to contaminants and food additives;
 - (vii) It was essential that FAO, WHO and OIE provide guidance and advice to support the proposed work of the TFAMR;
 - (viii) The proposed work should provide countries with mitigation strategies to be used at national level as well as consider the potential trade implications of AMR.
154. The Representative of WHO recalled the work completed since the 1990s by WHO on AMR. WHO work addressing AMR arising from and spreading through the food chain had been implemented in close coordination with FAO and OIE and covered such areas as AMR arising from use of antimicrobials in food producing animals including aquaculture, the strengthening of integrated surveillance of AMR along the food chain and the development of a list of critically important antimicrobials for human medicine, while the OIE had developed a list of antimicrobials of veterinary importance. In 2015, the WHA, again in collaboration with FAO and OIE, adopted a Global Action Plan (GAP) for AMR, which called upon Codex to review existing Codex guidance documents. The Representative wished to see concrete and immediate action being taken by the Commission at its current session in reply to this call and reassured the Commission that WHO would continue to provide support to countries, as needed, in developing national action plans to combat AMR and national surveillance plans for effective integrated surveillance of AMR.
155. The Representative of FAO confirmed the longstanding relationship between FAO, WHO and OIE, the mechanisms in place to facilitate interaction and collaboration among the three organizations and their efforts to promote and demonstrate the One Health approach. Referring to the unprecedented events in 2015, when all three organizations adopted Resolutions on AMR, he noted the importance of coherence at national level in preparing for meetings of the three organizations to facilitate progress on AMR at a global level. Describing FAO's strategy to support the implementation of the GAP, with its focus on the four areas of awareness raising, evidence and surveillance, governance and best practices, he assured countries that FAO itself was working on AMR in a multidisciplinary manner, and being a development organization was committed to and already providing support to countries to address AMR in a coherent and structured manner.
156. Referring to the forthcoming high level discussions on AMR at the UN General Assembly in September 2016, and reflecting on the clear support of delegations to address AMR, the Representative of FAO reminded the Commission, that Codex now had an opportunity to demonstrate its leadership in the area of foodborne AMR and take concrete action on those aspects within its mandate to show its commitment to address this global emergency. A prompt response from Codex would contribute to raising its visibility globally and to increasing policy makers' attention on the work of Codex.

157. The Representative of OIE reiterated that AMR was a high priority topic for the OIE and that they were very active in this area both through the Tripartite mechanism and in the development of OIE standards and recommendations. She highlighted relevant OIE work on AMR including ten relevant chapters in the Terrestrial and Aquatic Codes; the OIE List of antimicrobial agents of veterinary importance; two Resolutions adopted by the OIE World Assembly in 2015 and 2016 that specifically addressed AMR through the prudent use of antimicrobial agents in animals and an OIE strategy to fight AMR. She urged the Commission to consider all relevant OIE work in any future work to ensure the development of complementary standards and guidelines that respect the mandates of the respective organizations. She also urged the Commission to respect the Tripartite mechanism, in particular the proposal for the provision of scientific advice by WHO/FAO in collaboration with OIE to ensure a coordinated One Health approach.
158. The Commission recognised the need for Codex to make concrete steps to address the urgency of AMR, proceed in an expeditious way and show the leadership that was expected from Codex as the preeminent international food standard setting body.
159. The Commission acknowledged the need to establish at its current session the TFAMR, which would start working after CAC40, and further acknowledged the need to revise the proposed ToR of the TFAMR to highlight that:
- (i) The work of the TFAMR would focus on the management of foodborne antimicrobial resistance and would fully take into account the WHO Global Action Plan on AMR (in particular objectives 3 and 4);
 - (ii) The revision of CAC/RCP 61-2005 would address the entire food chain in line with the mandate of Codex;
 - (iii) The work would also take into account relevant texts of OIE.
160. The Commission noted that at its first session the TFAMR would have the possibility to propose revision to its own ToR if necessary.
161. In order to further refine the specific work to be carried out by the TFAMR, the Commission recognised the need to establish a PWG which would review and refine the project documents and the request for scientific advice for consideration and approval by CAC40. It was noted that an electronic process could facilitate the work of the PWG.
162. It was suggested by a number of delegations that an EWG as opposed to a PWG would facilitate the participation of developing countries.
163. Colombia, taking into account the possible imminent holding of several physical meetings, requested that CTF2 consider the possibility of enhancing the participation of developing countries.

Conclusion

164. The Commission agreed to:
- i) Establish an *Ad Hoc* Intergovernmental Task Force on Antimicrobial Resistance (TFAMR), with the ToR as presented in Appendix VIII, to be hosted by the Republic of Korea;
 - ii) Establish a PWG, chaired by United Kingdom and co-chaired by Australia and the United States of America, to work in English, French and Spanish and open to all Members and Observers, with the following tasks:
 - Revise the project documents for new work ([CX/CAC 16/39/12](#), Appendix 1, part 1 and 2)
 - Revise the terms of reference for the request for scientific advice to FAO and WHO in collaboration with OIE ([CX/CAC 16/39/12](#), Appendix 3)
 - iii) Request FAO and WHO to develop a capacity development programme to respond to the needs identified.

MATTERS REFERRED TO THE COMMISSION BY CODEX COMMITTEES AND TASK FORCES (Agenda Item 12)⁵⁷

Food integrity/authenticity

165. The Delegation from the Islamic Republic of Iran recalled that at CAC38 a proposal on Food Integrity/Food Authenticity had not been discussed due to time constraints.
166. The proposal was subsequently submitted to CCFICS22 which had agreed that the Islamic Republic of Iran, with assistance of the Netherlands and Canada, would develop a discussion paper on this issue.
167. The Islamic Republic of Iran believed that food integrity and authenticity was not limited to the mandate of CCFICS, and therefore it was necessary to continue the follow up on this issue at the Commission and other general subject committees notably CCFL, CCMAS and even CCGP. In the future it might be appropriate to establish either an EWG of the Commission or an *Ad Hoc* Intergovernmental Task Force on Food Integrity/Authenticity.

Conclusion

168. The Commission noted the intervention.

Committee on General Principles (CCGP)

Consistency of the Risk Analysis Texts across the Relevant Committees

169. Delegations who spoke supported the recommendation of CCGP that CCNFSDU should revise the text on nutritional risk analysis and consider how to include JEMNU as a primary source of scientific advice noting that the model of jointly convened expert bodies would be in line with the practice followed by other committees.
170. Delegations from Latin America expressed their concern that the task given to the CCGP by CAC30 (2007) to review all relevant texts on risk analysis principles applied by Codex committees as a whole in order to ensure consistency throughout Codex had not been completed, especially with regard to the periodic review of pesticides applied by CCPR. They referred in particular to the decision of CAC37 (2014) whereby at its next session "*CCGP would address the concerns raised when considering the consistencies of risk analysis principles of different committees*"⁵⁸. In their view, therefore the item should be maintained on the agenda of CCGP.
171. These delegations highlighted the inconsistencies between the risk analysis principles applied by the Committees on Residues of Veterinary Drugs in Foods, Food Additives and Pesticide Residues, noting that these committees were all responsible for assessing risks related to chemicals. They also stated that, in some instances, CCPR and CCRVDF applied different risk analysis principles to the same substance. In particular they noted that the only risk analysis document that established the obligation for a periodic review of maximum residue limits, and their withdrawal due to the mere passing of time, was the *Risk Analysis Principles Applied by CCPR*. They highlighted the inconsistency of the risk analysis principles of CCPR with the *Working Principles for Risk Analysis of Codex Alimentarius*.
172. The Secretariat stated that in the revised *Risk Analysis Principles*, the periodic review included two lists for pesticides for periodic review by JMPR:
- A list of pesticides that have not been reviewed toxicologically for more than 15 years. These pesticides should be considered for scheduling for period review when concerns, including public health concerns, are identified, and then be nominated for inclusion in (ii);
 - A list of pesticides for periodic review for which health concerns or other concerns have been identified by a country and ratified by JMPR.
173. The periodic review of pesticides did not therefore apply automatically and the number of years since a review only called for attention to be paid to the pesticide in question. If no public health concern was identified, the pesticide could remain on the waiting list for periodic review.

⁵⁷ [CX/CAC 16/39/13](#); [CX/CAC 16/39/13 Add.1](#); [CX/CAC 16/39/13 Add.2](#); [CRD10](#) (Comments of Costa Rica, Ecuador, Egypt, Kenya, Sudan, Uruguay, United States of America; AOCS; EUVEPRO); [CRD21](#) (Comments of Ecuador); [CRD24](#) (Comments of Egypt); [CRD20](#) (Proposal from New Zealand); [CRD26](#) (Information from the Islamic Republic of Iran); [CRD35](#) (Comments from U.S. Pharmacopia); [CRD36](#) (Comments from Ecuador)

⁵⁸ [REP14/CAC](#), para. 45

174. The delegations acknowledged the efforts made by CCPR on the revision of the *Risk Analysis Principles* and the improvements made in this regard to the periodic review procedure. However as the inconsistency remained, they requested clarification on the scientific and legal basis for this procedure. They proposed that the legal departments of FAO and WHO provide a legal analysis of the consistency between the risk analysis principles applied by CCFA, CCPR and CCRVDF.
175. The Representative of WHO clarified that the review of food chemicals was common practice in Codex committees e.g. CCFA had decided to review food colours that had been assessed by JECFA many years previously, in a systematic way. There was no inconsistency in the treatment of different food chemicals, and as had been explained at CCGP, due to different hazard profiles of different chemicals, different approaches were justified, and it was up to the technical committees to define the level of detail in which such practice is mentioned in the risk analysis document.
176. The Representative of FAO supported the view of WHO adding that the need of the different review processes was also connected to the unique mode of action of plant protection products (pesticides). These products were designed to control pests and were intrinsically vulnerable to an increase in tolerance in these pests to the plant protection products. Good Agricultural Practices were subsequently modified to continue to guarantee the efficacy. This would support the need for a regular review for plant protection products by CCPR and JMPR. Such an effect was not typically relevant for food additives.
177. The Representative noted that FAO had initiated discussions with countries of the Latin America and Caribbean region to assist in analysing the situation and better understanding the practical implications.
178. The Secretariat noted that the review carried out in the paper prepared by the Secretariat did not enter into the technical issues specific to each committee. The Secretariat noted that CCPR was the competent subsidiary body of CAC to develop their risk analysis principles and policies and that to give further advice on the appropriateness of the application of specific procedures for the risk assessment of pesticides was beyond the competency of the Secretariat.

Conclusion

179. The Commission endorsed the recommendations of the CCGP that:
- CCNFSU should revise the text on nutritional risk analysis and consider how to include JEMNU as a primary source of scientific advice;
 - The Secretariat should address minor numbering issues in the texts for CCCF, CCRVDF and CCPR with the relevant Committees.⁵⁹
180. The Commission further noted that CCGP had completed work on the consistency of the risk analysis principles within Codex.
181. The Commission noted the reservations of Argentina, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Honduras, Paraguay, Peru, and Uruguay in relation to the risk analysis principles applied by CCPR for the reasons given above (paras 170) and to the discontinuation of the discussion on the consistency of the risk analysis principles across Codex committees in CCGP because they considered that the mandate given by CAC to CCGP had not been completed and therefore requested that the matter continue to remain on the agenda of CCGP.

Committee on Fish and Fishery Products (CCFFP)

182. The Commission noted that with the adoption of the texts from CCFFP and the decision to assign the work on histamine to CCFH, the Committee had completed its work and could be adjourned *sine die*. The Commission noted the willingness of Norway to continue hosting the Committee in the future should the need arise (see also Agenda Item 19).

Conclusion

183. The Commission adjourned the Committee on Fish and Fishery Products *sine die*.

Committee on Methods of Analysis and Sampling (CCMAS)

Protein Conversion Factors

184. The Commission noted the reply from CCMAS that it was not in a position to reply to the question posed by CAC38 on the appropriate protein conversion factors for soy products as this was in the remit of other Codex committees; and noted that it might be timely for FAO and WHO to convene an expert panel to review available literature to assess the scientific basis for protein conversion factors.

⁵⁹ [REP16/GP](#), para. 55

185. Some members, while not opposed to the idea to request FAO/WHO to convene a panel to review the scientific literature, cautioned that such a request would have to take into account the overall scientific advice needs, budgetary constraints being faced and a need to prioritize work.
186. The Representative of FAO noted the request for FAO and WHO to convene an expert panel to review available literature in order to assess the scientific basis for protein conversion factors. However, she noted that given the current workload of FAO and WHO and the resource constraints, the proposed work could not be considered at this stage. She underlined that work could be considered at a later stage if the scope and the expected impact could be better defined.
187. One delegation not in support of the need for scientific review in particular pointed out that the FAO/WHO/UNU expert consultation, Protein and Amino Acid Requirements in Human Nutrition was a fairly recent report and therefore a review was not warranted at this stage.
188. An observer further noted that the standard conversion factor 6.25 was currently in use without any negative impact on human health and nutrition and that the use of this factor should be more appropriately re-evaluated in the appropriate technical committee.
189. One delegation noted that CCNFSDU would be considering the conversion factor within the context of its work, and that this matter could be addressed there.

Conclusion

190. The Commission noted the interest for a scientific review. Consideration could be given to convening an expert panel at a later stage with a more defined scope in light of the need for prioritisation of work on scientific advice and financial constraints.

Committee on Food Labelling (CCFL)

Guidelines for the Production, Processing, Labelling and Marketing of Organically Produced Foods: Organic Aquaculture

191. The Commission considered the recommendation of the CCEXEC to discontinue the work⁶⁰.
192. Those delegations opposed to discontinuation, were of the opinion that the work was of great importance, especially to developing countries, and that an alternative forum should be identified to proceed with the work. CCFL had recommended that a different subsidiary body continue the work if it was not discontinued. It was noted that several countries were considering proposals for an alternative forum, such as an *ad hoc* Intergovernmental Task Force, but that they were not ready to make a proposal at this time.
193. Delegations in support of discontinuation of work acknowledged the efforts made to reach consensus in CCFL and that many technical issues and general principles remain, but emphasised that the main reason for not being able to make progress was a lack of a common view of the concept of organic aquaculture. These delegations also expressed the view that there was a need to better understand the need for the work, noting that other international guidance was already available.
194. The Representative of FAO noted that after several discussions on how to support this work, the Fisheries and Aquaculture Specialists of FAO had concluded that preliminary work would be needed to reach international consensus on what could be considered organic aquaculture. Furthermore, the Representative pointed out that this issue had never been raised as a priority by the Subcommittee on Aquaculture, the Subcommittee on Fish Trade, or the Committee on Fisheries (COFI). She noted that if this changed in future, work could be considered, but at this stage, FAO's recommendation would be to discontinue work.
195. The Chairperson noted the interest to continue work, but that there were also those in favour of discontinuation, and the intervention of FAO, and proposed that the Commission postpone the decision on discontinuation awaiting a proposal by interested members on how and where to take this work forward. This would be considered by the CAC41 in 2018.

Conclusion

196. The Commission agreed to consider this matter at CAC41 (2018) and that this item would not be on the agenda of CCFL.

⁶⁰ [REP16/EXEC](#) para. 35

Committee on Milk and Milk Products (CCMMP)*Standard for Mozzarella***Conclusion**

197. The Commission agreed to discuss this item at CAC40 (2017).

*General Standard for Processed Cheese***Discussion**

198. Some delegations expressed the intention to open a debate on the issue given the importance of the matter to developing countries and considered that the lack of time during the current session should not be the reason for not doing so. The Chairperson noting the recommendation of CCEXEC71⁶¹ suggested continuing the debate next year so as to have more time for discussion and analysis

Conclusion

199. The Commission agreed to discuss this item at CAC40 (2017), noting the offer of New Zealand as host country of CCMMP to collate any substantial new ideas provided by members in the interim.

Committee on Sugars (CCS)*Standard for Non-Centrifuged Dehydrated Sugar Cane Juice*⁶²

200. The Commission noted the recommendation of the CCEXEC71 i.e. to request CCS, working by correspondence, to clarify the scope of the standard only and to provide evidence of the international support for the defined scope.⁶³ CCS would subsequently report on the findings to the next session of the Commission in order to determine how to proceed further with this work e.g. discontinuation, finalisation as a worldwide or regional standard.
201. Colombia, as host country of CCS, agreed with the recommendation of CCEXEC71 and encouraged interested countries to actively participate in clarifying the scope of the standard in order to facilitate work on this issue.
202. Some delegations supported the recommendation of CCEXEC71 while one delegation supported discontinuing the work referring to the recommendation of CAC38⁶⁴ which had also recommended discontinuation if no consensus could be reached on final adoption of the standard.

Conclusion

203. The Commission endorsed the recommendation of the CCEXEC71.

Emerging Issues: A proposed risk management approach to address detection in food of chemicals of very low public health concern⁶⁵

204. The Commission noted the recommendation of CCEXEC71⁶⁶ on the importance of the issue; the need for Codex to address it; and that the issue should be further examined by CCCF based on [CRD20](#) prepared by New Zealand.
205. New Zealand offered to continue to work closely with interested members and support the further consideration and advancement of the discussion paper and project document through the Codex system.
206. Japan noted the following:
- (i) Chemicals discussed in the paper present very low exposure and were of very low toxicity;
 - (ii) Such chemicals were present inadvertently in food and were consumed without any public health implications;
 - (iii) A problem might arise from different regulatory systems between exporting and importing countries rather from a strict safety concern;

⁶¹ [REP16/EXEC](#), para. 43

⁶² [CX/CAC 16/39/13 Add.2](#)

⁶³ [REP 16/EXEC](#), para. 47

⁶⁴ [REP15/CAC](#), para 48.

⁶⁵ [CRD20](#) (Proposal from New Zealand)

⁶⁶ [REP 16/EXEC](#), para. 54

- (iv) The matter raised in [CRD20](#) was more of a trade than a safety issue and could be better handled by CCFICS whose mandate included the development of principles and guidelines for food import and export inspection and certification systems with a view to harmonizing methods and procedures to protect consumer health, ensure fair trade practices, and facilitate international food trade;
- (v) CCFICS had also developed *Guidelines for the exchange of information between countries on rejection of imported food* (CAC/GL 25-1997) which might be relevant to the issue raised in [CRD20](#);
- (vi) A FAO/WHO expert meeting should be convened to better hone the question, which will provide more information for Codex to decide on the scope of this work and on the best forum to handle this issue due to its broader and complex nature rather than putting the question to CCCF.

Conclusion

207. The Commission agreed with the recommendation of CCEXEC to forward the document ([CRD20](#)) to CCCF for further examination.⁶⁷

CODEX BUDGET PLANNING (2016-17 and 2018-19) AND REPORT ON EXPENDITURE (2014-15) (Agenda Item 13)⁶⁸

208. The Secretariat presented the budget report for 2014-15 and noted that in contrast to the biennium 2012-13 in which around eight percent of the budget remained unspent, in 2014-15 around 96 percent of the total budget had been spent. Recalling that CAC38 encouraged the Secretariat to adopt a more effective and realistic process when developing the budget,⁶⁹ the Secretariat also presented the budget planning for the biennium 2016-17 and 2018-19 respectively and explained that efforts had been made by the Secretariat to develop a more detailed work plan, which links the estimated expenditure to activities foreseen in the Codex Strategic Plan 2014-2019.

Conclusion

209. The Commission noted that the Secretariat had made a more detailed presentation of resource management and implemented a clearer, more transparent system of budget planning.
210. The Commission thanked FAO and WHO for the continued financial support, the Committee host governments for their voluntary resource investments, and members that made extra-budgetary contributions through staff secondments to the Secretariat in 2014-15 and 2016-17 (Japan, Republic of Korea and Germany).
211. The Commission:
- (i) Took note of the report on expenditure for the biennium 2014-15;
 - (ii) Adopted the new work plan and budget developed by the Secretariat for the biennium 2016-17;
 - (iii) Took note of the budget proposal for the biennium 2018-19.

FAO/WHO SCIENTIFIC SUPPORT TO CODEX (REPORT ON ACTIVITIES) (Agenda Item 14.1)⁷⁰

212. The Representative of WHO presented the document describing (i) Recent FAO/WHO expert meetings and consideration by Codex; and (ii) Status of requests for FAO/WHO scientific advice. She further highlighted continuing efforts by FAO and WHO to improve risk assessment methodology, which is seen as important for the international harmonisation of risk assessments. In concluding, she noted that the scientific advice provided by FAO and WHO through expert meetings remains a high priority for both organizations, and serves as a crucial basis for developing Codex food safety standards.

Conclusion

213. The Commission endorsed the conclusion of CCEXEC71⁷¹ and:
- Noted the significant amount of work undertaken as well as the number of pending requests requiring further funding, a matter that needed to be addressed in order not to delay the work of Codex;

⁶⁷ [REP 16/EXEC](#), para. 54

⁶⁸ [CX/CAC 16/39/14](#), [CX/CAC 16/39/14 Add.1](#)

⁶⁹ [REP15/CAC](#) para.133 b)

⁷⁰ [CX/CAC 16/39/15](#)

⁷¹ [REP16/EXEC](#), para 97

- Expressed appreciation to FAO and WHO for the scientific advice provided and reaffirmed its trust in the scientific rigor and independence of the FAO/WHO scientific advice as the preeminent scientific support to the work of Codex.

FAO/WHO SCIENTIFIC SUPPORT TO CODEX (BUDGET AND EXPENDITURE) (Agenda Item 14.2)⁷²

214. The Representative of WHO introduced the item and noted that expenditures of WHO for the biennium 2014-15 had amounted to approximately USD 4 million and USD 2 million for the provision of scientific advice for food safety and nutrition, respectively. Referring to the estimated budgets for 2016-17 she noted that the budget gap for nutrition would increase when JEMNU work would be initiated since the cost of JEMNU was not currently included in the estimates. She gratefully acknowledged the extra-budgetary contributions that had been received from Japan, China, Canada, Republic of Korea and the United States of America. She further noted that at the FAO side the expenditure for the biennium 2014-15 totalled USD 3.1 million for food safety and approximately USD 300.000 for nutrition. FAO gratefully acknowledged the extra-budgetary contributions from Sweden and the United States of America, as well as the secondment from Canada for the 2016-17 biennium.
215. The Representative concluded that overall the contribution of FAO and WHO to the provision of scientific advice amounted to approximately USD 10 million per biennium. She further noted that to ensure the ability of the joint scientific advice program to deliver even at the current rate, it would be of paramount importance ensure this level of stable and predictable funding from both organizations.

Conclusion

216. The Commission endorsed the conclusion of CCEXEC71⁷³ and requested:
- FAO to further protect the budget for scientific advice to maintain the neutrality and the sustainability of the scientific advice in support of Codex;
 - WHO to find suitable mechanisms to secure a higher level of funding for its scientific advice programme within the regular budget, to guarantee the neutrality and increase the sustainability of the scientific advice in support of Codex.

FAO/WHO SCIENTIFIC SUPPORT TO CODEX (INCREASING SUSTAINABILITY) (Agenda Item 14.3)⁷⁴

217. The Representative of FAO introduced the item, noting that timely scientific advice is crucial to the work of the Commission and that requests for ever more complex scientific advice were predicted to increase. He further noted that the long-term solution for ensuring adequate funding and staffing levels for the provision of scientific advice to Codex was to increase the appropriate budgets of FAO and WHO, but that in the meantime the provision of additional resources should be sought through alternative channels. He reminded delegates that the ownership for the successful funding for the scientific advice programme lies with the members of the Commission.
218. The United States of America endorsed the need for both long and short term solutions to secure the provision of scientific advice from the joint expert committees, calling for an expansion of the donor base.
219. The Representative of FAO, in response, reiterated the plan to make available a project document for long-term planning of the joint FAO/WHO scientific advice programme in food safety, for stronger engagement of donors.
220. Japan also expressed concern over the narrow donor base, and further noted that less than a fourth of the WHO total programme budget was funded through the regular budget⁷⁵. Japan called for food safety to be recognized as a key scientific area of work by WHO in order to reduce the funding gap. A way to achieve this could be to arrange for a side event on Codex at WHA.

Conclusions

221. The Commission endorsed the conclusion of CCEXEC71⁷⁶ and:
- Encouraged FAO to continue their efforts to protect the current funding levels for the scientific advice programme (including the Secretariat);
 - Encouraged WHO to provide support to the scientific advice programme through the regular budget;

⁷² [CX/CAC 16/39/16](#)

⁷³ [REP16/EXEC](#), para 103

⁷⁴ [CX/CAC 16/39/17](#)

⁷⁵ http://apps.who.int/gb/ebwha/pdf_files/WHA69/A69_45-en.pdf

⁷⁶ [REP16/EXEC](#), para 107

- (iii) Called on Members to provide additional resources in such a way that would increase the funding of the scientific advice programme in a predictable manner until a long-term solution is found;
- (iv) Strongly encouraged Codex Members to increase in-country communication between the health and agriculture sectors with a view to heightening awareness within the governing bodies of FAO and WHO on the urgent need for critical core funding.

FAO AND WHO CAPACITY DEVELOPMENT ACTIVITIES (REPORT ON ACTIVITIES) (Agenda Item 15)⁷⁷

222. The Representative of FAO welcomed the opportunity to briefly present some elements of the FAO/WHO food safety capacity development programmes. She noted that global advances in food safety would only be achieved if increasing numbers of countries were able to implement Codex standards. In introducing the working document, she highlighted that food safety was very much a shared responsibility and stated that the approaches taken by FAO and WHO in their food safety capacity development programmes reflected this. In implementing these programmes FAO/WHO work across sectors, engage with public and private sectors and work very much in partnership with national and regional institutions. There was also an emphasis on collaboration with global partners.
223. The Representative of FAO went on to highlight ongoing work to finalise the FAO/WHO food control assessment tool. She informed the Commission that a technical review meeting held in December 2015 confirmed a high level of satisfaction with the tool and that it would be placed in the public domain by the end of this year to be used by countries for self-assessment of their food control systems. She also drew attention to ongoing work on whole genome sequencing which was having an increasing impact on food safety management and noted that the report of a technical meeting, held in May 2016, was available on the FAO website. FAO was also finalising a guidance document to support countries in the development of evidence-based food safety policy. This would be available by the end of 2016. She informed the meeting that upcoming areas of FAO focus included analyses of the impact of food safety on trade and enhanced efforts at improving the *Foresight* approach on predicting plant health, animal health and food safety issues affecting food chains and trade. She encouraged members to consult the FAO food safety web pages, use the tools that are provided there and provide feedback so as to ensure continuous improvement in the delivery of capacity development tools.
224. The Representative of WHO noted the importance of the year 2015 for food safety with the World Health Day in April and the publication of the WHO first estimates of the burden of foodborne diseases later. She encouraged members to use the information and tools available online which could help countries estimate the foodborne disease burden and prioritise action at the national level. The Representative also provided information on International Health Regulations (“all hazards” approach) and Emergency Preparedness and explained the involvement of INFOSAN in providing input and support for the evaluation tool that countries could use at the national level to transparently, clearly and consistently evaluate the status of their country’s capacity in this area. Both FAO and WHO will continue to strengthen the INFOSAN network across emergency activities, enhancing national capacities for preparedness and emergency response and improving communication within the network – also to strengthen interaction at the regional level. She stated that these initiatives emphasised the importance FAO/WHO place on both building emergency response capacity and also the preventive aspect of the work. In closing she encouraged countries to use the tools available, distribute the information to all relevant interested parties and provide FAO/WHO with feedback on the tools.

Conclusion

225. The Commission thanked FAO and WHO for their continued support to develop national capacities to plan for, assess, and manage food safety and consumer protection issues. Appreciation was expressed for the high quality, peer reviewed publications and tools produced by FAO and WHO, available at their respective websites, and the Commission encouraged their use by members. Furthermore, the Commission expressed thanks for the recently concluded work on the Burden of Foodborne disease (FERG), innovative work and leadership related to foresight and identification of emerging food safety, animal and plant health issues, and the development of the food control system assessment tool.

⁷⁷ [CX/CAC 16/39/18](#)

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (FINAL REPORT OF THE PRECEDING PROJECT ENDED IN 2015) (Agenda Item 16.1)⁷⁸

226. The Representative of WHO highlighted that this would be the last chance for Codex members to comment on the first Codex Trust Fund (CTF1) which had ceased operation on 31 December 2015. The Codex Trust Fund Administrator called attention to document [CX/CAC 16/39/19](#) which included figures for 2015 as well as cumulative figures showing total participations supported in Codex meetings and FAO/WHO training courses and workshops for the entire lifespan of CTF1. CTF will continue to assess selected indicators to evaluate long-term effect.
227. Document [CX/CAC 16/39/19 Add.1](#) contained the 2015 and Final Monitoring Report of CTF1. In addition to updated information on indicators included in the Monitoring and Evaluation framework, the report included a final assessment of all indicators from the framework. Five indicators were assessed as very satisfactory, eight were assessed as satisfactory and two were assessed as unsatisfactory. These indicators dealt with the submission of written comments and the submission of fully completed applications on time.
228. Delegations commenting registered their appreciation for the CTF1, to the work of the CTF Secretariat, and called attention to some of the changes that had been effected in their countries as a result of support from the Trust Fund.

Conclusion

229. The Commission:
- (i) Reiterated its appreciation to FAO/WHO and the CTF Secretariat for the effective management of CTF1 during 2004-2015, and acknowledged the important financial and in-kind contributions made by the CTF1 donors;
 - (ii) Acknowledged that CTF1 had led to an increase in developing country participation in Codex work and that it had also resulted in more visibility of Codex in many countries;
 - (iii) Recognised that due to CTF1, developing countries had succeeded in raising awareness about Codex and food safety work at national and regional levels and that beneficiaries of CTF1 had developed their national food safety legislation and food safety management;
 - (iv) Noted that the final monitoring report gave an opportunity to reflect on the monitoring and evaluation (M&E) framework that was used for CTF1 and see what lessons could be learned for the M&E framework for CTF2. In this context the comments expressed in the six bullet points of document [CX/CAC 16/39/19-Add.1](#) Item 2 – Introduction should be also take into account.

FAO/WHO PROJECT AND TRUST FUND FOR ENHANCED PARTICIPATION IN CODEX (STATUS REPORT OF THE SUCCESSOR INITIATIVE STARTED IN JANUARY 2016) (Agenda Item 16.2)⁷⁹

230. The Representative of WHO informed delegates that the CTF2 bore the same name as the previous one to facilitate donor contributions. But it was a new initiative with a completely different focus, scope and governance. The CTF Administrator called attention to the first Progress Report of CTF2 contained in [CX/CAC 16/39/20](#). The activities of CTF2 that had taken place in the first six months of 2016 would be covered in a dedicated side event on Thursday 30 June. The funding gap of USD 4.7 million over the period 2016-2018 was highlighted based on the updated liquidity forecast tabled at the CTF donor meeting on 28 June.
231. The Representative of FAO briefed delegates on the beneficial and important exchanges that had taken place over the past two weeks on CTF2 related to funding, operational and implementation aspects. These exchanges would continue to inform the thinking as CTF2 moves forward. Of particular note was the first meeting of the CTF Advisory Group; an important part of the new governance structure which will allow for exchange with stakeholder groups and play a key role in providing feedback on CTF and contribute to strategic thinking. The summary report of the Advisory Group meeting is available in [CRD34](#).
232. The European Union highlighted the pledges made by EU members to CTF2 totalling EUR 2.8 million. Within this, the Netherlands announced a contribution in principle of EUR 2 million over 5 years. The funding conditions include: i) alignment with the Sustainable Development Goals (SDGs); ii) development of indicators to measure the results of CTF2 to contribute to the SDGs; iii) matched funding from other donors to close the funding gap.

⁷⁸ [CX/CAC 16/39/19](#); [CX/CAC 16/39/19 Add.1](#); [CRD14](#) (Comments of African Union); [CRD25](#) (Comments of Cameroon)

⁷⁹ [CX/CAC 16/39/20](#); [CRD14](#) (Comments of African Union); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone)

233. Delegations expressed their appreciation for donor funding. One delegation expressed their continuing support for the Trust Fund, the need for the Trust Fund to continue to evolve, the need to continue to support physical participation in Codex meetings and the welcome addition of the Advisory Group to the governance structure.

Conclusion

234. The Commission:

- Noted the report received regarding CTF2 initial activities and acknowledged the work being undertaken;
- Welcomed the information from donors regarding the contributions made to CTF2.

RELATIONS BETWEEN THE CODEX ALIMENTARIUS COMMISSION AND OTHER INTERNATIONAL ORGANIZATIONS (Agenda Item 17)⁸⁰

235. The Commission noted the information provided by international intergovernmental and non-governmental organisations as presented in their respective information documents and in addition noted presentations made at the session as follows.

World Organisation for Animal Health (OIE)⁸¹

236. The Director General, Dr Monique Eloit, informed the Commission that she had commenced her first term of office as Director-General of the OIE on 1 January 2016 and that the Sixth Strategic Plan (2016-2020) would form the framework of the OIE's programme of activities during her term of office. The development of science-based standards for animal production food safety continues to be an important objective addressed in this strategic plan, as is the continued engagement with international organizations such as WHO, FAO and the Codex Alimentarius, in areas of common interest.
237. She highlighted the many cooperation mechanisms that had helped to improve the coverage by official standards of the whole food production continuum, including the establishment of the OIE Animal Production Food Safety Working Group (APFSWG); and the fact that the secretariats of OIE and Codex and experts nominated by OIE regularly participated in each other's standards development work. She further emphasized that the OIE continued to collaborate with WHO and FAO through the Tripartite approach to minimize the development and spread of antimicrobial resistance. She noted the new Global Action Plan, developed by WHO with strong support from FAO and OIE, which encouraged countries to develop national action plans and recognized the standards of the OIE and Codex.
238. She also noted the importance for OIE and Codex delegations of collaborating on and coordinating their positions at the national level. She concluded by informing the Commission that she would ensure that OIE continues to collaborate closely with Codex in order to ensure the safety of foods of animal origin worldwide.

Organisation internationale de la vigne et du vin (OIV)⁸²

239. The President of OIV, Prof Monika Christmann, highlighted the Organisation's participation in several ongoing projects in Codex including active involvement in the review of food additives provisions in the GSFA. She stressed the need for ensuring consistency between food additives provisions in the GSFA for use in grape wine with OIV recommendations.
240. Further, she stated that OIV was looking for a close collaboration with Codex and JECFA to avoid duplication of work and establishing different international standards since a number of references to the Codex standards were already included in OIV documents. The President concluded by stressing the need for continued collaboration and coordination of the activities of common interest to both OIV and Codex.

International Atomic Energy Agency (IAEA)⁸³

241. The Representative of IAEA highlighted activities of the Joint FAO/IAEA Division (CAC/37 INF/7) relevant to Codex work, including collaboration with the Codex Secretariat and Codex Committees, such as CCCF, CCPR and CCRVDF.

⁸⁰ [CX/CAC 15/38/21](#)

⁸¹ [CAC/39 INF/2](#)

⁸² [CAC/39 INF/5](#)

⁸³ [CAC/39 INF/7](#)

242. The Representative noted that IAEA in collaboration with FAO and WHO had finalized and published a Technical Document (TECDOC) i.e. "Criteria for Radionuclide Activity Concentrations for Food and Drinking Water", for use by Member Countries to develop national radionuclide reference levels for existing exposure situations. The document was disseminated to delegates at CCCF10.
243. The Representative also reported that the Joint Division had set up Coordinated Research Projects (CRP) on development of a complete end-to-end system for food traceability and authenticity, using dairy milk as an example commodity. It is anticipated that these activities will contribute to the future revision of CODEX STAN 234-1999; as well as assisting in the general development of methods and procedures to establish the authenticity of products or identify adulteration.
244. The Representative further reported that the Joint Division will continue to support the activities of the Member Countries in their efforts to ensure food safety, quality and authenticity and, also continue to collaborate with Codex and relevant committees in their efforts to address these issues.

World Trade Organisation (WTO)⁸⁴

245. The Representative of WTO provided information on food safety related concerns that had been raised at recent Sanitary and Phytosanitary (SPS) Committee meetings and highlighted information that governments had reported on food safety. She noted the number of notifications by governments of planned new or revised food safety requirements and informed the Commission about upcoming SPS-related technical assistance activities, including a Workshop on Maximum Residue Levels to be held on 24-25 October 2016. The Representative briefly described activities of relevance to Codex that had been brought to the Technical Barriers to Trade (TBT) Committee over the past year, and also introduced the report from the Standards, Trade and Development Facility (STDF).

International Organisation for Standardisation (ISO)⁸⁵

246. The Representative of ISO informed the Commission that the new ISO Strategy 2016-2020 had been approved and that it included the engagement of stakeholders and partners including Codex. The Representative highlighted some of ISO's ongoing work of interest to Codex including the revision of ISO 22000 (the ISO standard on food safety management system) to continue the integration of the HACCP Principles developed by Codex. She further mentioned that ISO develops fully validated methods of analysis that are adopted by different Codex Committees such as CCFH. Finally, the Representative called for reinforcing the link between those in charge of ISO standardisation nationally and the Codex Contact Points.

Conclusion

247. The Commission thanked the international organizations for the information provided on their activities and for their collaboration with Codex.
248. The Commission noted the support for strengthened cooperation between Codex and IPPC (especially the online commenting system), which was a good way to maximise use of resources; thanked the Secretariat for its continued participation in the meetings of other international governmental and non-governmental organizations; and, in line with the Strategic Plan, encouraged members, especially those that chair committees, to strengthen cooperation.

ELECTION OF THE CHAIRPERSON AND VICE-CHAIRPERSONS (Agenda Item 18)⁸⁶

249. The Commission elected the following persons to hold office from the end of its present Session to the end of the next regular (40th) Session of the Commission:

Chairperson:	Ms Awilo Ochieng Pernet (Switzerland)
Vice-Chairpersons:	Mr Guilherme Antonio da Costa Jr. (Brazil)
	Ms Yayoi Tsujiyama (Japan)
	Mr Mahamadou Sako (Mali)

⁸⁴ [CAC/39 INF/3](#) and [CAC/39 INF/4](#)

⁸⁵ [CAC/39 INF/6](#)

⁸⁶ [CX/CAC 16/39/22](#)

DESIGNATION OF COUNTRIES RESPONSIBLE FOR APPOINTING THE CHAIRPERSONS OF CODEX COMMITTEES (Agenda Item 19)⁸⁷

250. The Commission confirmed the designation of the Host Governments, as listed in the Appendix IX to this report and recalled its earlier decision to activate an *ad Hoc* Intergovernmental Task Force on Antimicrobial Resistance, hosted by the Republic of Korea. The Commission further agreed to adjourn the Committee on Fish and Fishery products *sine die* expressing its gratitude to Norway as host country of the committee and to Mr Bjørn Røthe Knudtsen for serving as a Chairperson for sixteen years.
251. Norway, as host country of CCFFP, in light of the decision to adjourn the Committee expressed their willingness to continue hosting CCFFP if new work would be needed and the committee were to be reactivated.
252. The Delegation of the United States of America, as host country of CCPFV, informed the Commission of the possibility of adjourning *sine die* the Committee after its 28th Session in September 2016 if current priority work will have been completed and no new work submitted.
253. The Commission expressed its appreciation to all Committees and Host Governments. It also acknowledged the contributions of Mr Paul Mayers, former Chairperson of CCFL, Dr Steven Vaughn, former Chairperson of CCRVDF and Dr Árpád Ambrus, former Chairperson of CCMAS and welcomed Ms Lyzette Lamondin and Dr Kevin Greenlees as Chairpersons of CCFL and CCRVDF respectively.

FOOD INTEGRITY/AUTHENTICITY (Agenda Item 20.1)

254. See Agenda Item 12

VISA ISSUE FOR ATTENDANCE AT CODEX MEETINGS (Agenda Item 20.2)⁸⁸

255. In April 2016, the Secretariat requested information on visa issuance problems that Members might have encountered in attending Codex Meetings over the last five years. Issues faced by the delegates included the lack of an embassy of the country hosting the Codex meeting on their national territory and delays in the issuance of visas from some host countries.
256. Several delegates expressed appreciation for the commitment of the Secretariat in solving the issue. They noted that receiving a visa to attend Codex committees could be facilitated by host countries and by exploring granting delegates visas “on arrival” at local airports.
257. Several delegates supported the recommendation proposed in the working document and requested the assistance of FAO and WHO with visa facilitation letters (or *note verbale*) to assist them in the visa application process.

Conclusion

258. The Commission took note of this matter and encouraged host countries, the Secretariat and FAO/WHO to explore ways to facilitate requests for visas for delegates especially “visas on arrival”.

OTHER BUSINESS (Agenda Item 21)⁸⁹

Actions to promote the visibility of Codex (Proposal from Costa Rica)⁹⁰

259. The Commission discussed two proposals from Costa Rica aimed at promoting the work of Codex:
- The establishment of a recurrent "World Food Safety Day";
 - The invitation of relevant ministers of the countries of different regions to participate in the opening session of the Commission on a rotating basis.

⁸⁷ [CX/CAC 16/39/23](#)

⁸⁸ [CX/CAC 16/39/25](#); [CRD14](#) (Comments of African Union); [CRD16](#) (Comments of Mali); [CRD17](#) (Comments of the United Republic of Tanzania); [CRD21](#) (Comments of Ecuador); [CRD24](#) (Comments of Egypt); [CRD25](#) (Comments of Cameroon); [CRD28](#) (Comments of Sierra Leone); [CRD32](#) (Comments of Sudan); [CRD33](#) (Comments of Senegal)

⁸⁹ [CRD15](#) (Comments of Senegal)

⁹⁰ [CRD37](#) (Proposal from Costa Rica)

260. The Representative of WHO welcomed member states' desire to raise the political profile of food safety worldwide. The Representative expressed the view that the cost-effectiveness of different options, including the celebration of a National Day, should be carefully considered. Recalling the World Health Day celebrated in 2015 by WHO on the theme of food safety, he questioned whether establishment of an annual World Food Safety Day would fall under the purview of the Commission or of the parent organizations. If the latter was the case, specific conditions should be met and procedures followed.
261. The Representative of FAO stated that a decision would be needed by the FAO Conference and the WHA for such a day. She noted further that these events were coordinated at UN level. An optimistic timeframe for the process would be two to three years.
262. While supporting the proposals of Costa Rica delegations noted that:
- (i) The expected timeframe for the establishment of a World Food Safety Day was acceptable;
 - (ii) Other opportunities to raise the visibility of Codex such as the International Food Safety Conference proposed by the African Union and the already existing World Food Day should also be considered;
 - (iii) The invitation of ministers from the six Codex regions to address the Commission could help to identify emerging issues of concern in line with the Codex Strategic Plan 2014-2019.

Conclusion

263. The Commission welcomed and supported the proposal for the establishment of a *World Food Safety Day* on a permanent basis as suggested by the Chairperson of the Commission, Mrs Awilo Ochieng Pernet, in December 2015 and re-proposed by Costa Rica at the current Session. The Commission noted that the establishment of such a day would require the proposal by Codex Members for the decision of the FAO Conference and WHA as well as a decision at UN headquarter level with an estimated timeframe of three years.
264. The Commission further noted the proposal of Costa Rica to invite political representatives from the six regions to the opening ceremony of the sessions of the Commission with a view to raising awareness of food safety amongst all relevant stakeholders worldwide. The Commission also noted the need to raise awareness of food safety and Codex both at the national and international level and in this regard highlighted the need for a standing item on food safety and Codex in the respective regional and international fora of FAO and WHO.

Late availability of documents (Proposal from Uruguay)

265. The Commission took note of Uruguay's proposal to ensure that when relevant documents become available they should be promptly shared with the membership, in particular when the documents contain technical matters to be used as a reference by a specific Committee.

Migration of the Codex webpage to the FAO domain (Proposal from Chile)

266. Due to time constraints this item was not discussed and deferred to the next session of the Commission.

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LISTE DES PARTICIPANTS
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Appendix II

AMENDMENTS TO THE PROCEDURAL MANUAL

Codex body	Text	Reference	Status
CCMAS/CCGP	Amendments to the Procedural Manual	REP 16/MAS Appendix III	Adopted

Appendix III**LISTS OF ADOPTED STANDARDS AND RELATED TEXTS**

Standard and Related Texts	Reference	Job No.	Status
Code of Practice for Processing of Fish Sauce	REP16/FFP Appendix III	N03-2013	Adopted
Code of Practice on the Processing of Fresh and Quick Frozen Raw Scallop Products	REP16/FFP Appendix IV	-	Adopted
Code of Practice for Fish and Fishery Products (Section on Sturgeon Caviar)	REP16/FFP Appendix V	N16-2011	Adopted
Sampling plans in the <i>Standard for Live Abalone and for Raw, Fresh Chilled or Frozen Abalone for Direct Consumption or for Further Processing</i> (CODEX STAN 312-2013); <i>Standard for Smoked Fish, Smoke-Flavoured Fish and Smoke-Dried Fish</i> (CODEX STAN 311-2013); and <i>Standard for Fresh and Quick Frozen Raw Scallop Products</i> (CODEX STAN 315-2014)	REP16/FFP para. 8	-	Adopted
Amendments to Food Additive Provisions in Standards for Fish and Fishery Products	REP16/FFP Appendix VI	-	Adopted with amendment (see para. 26)
Amendments to Section 7.4 <i>Estimation of fish content of the Standard for Quick Frozen Fish Sticks (Fish Fingers), Fish Portions and Fish Fillets – Breaded or in Batter</i> (CODEX STAN 166-1989)	REP16/FFP Appendix VII	-	Adopted
Amendment to Section 11 – <i>Processing of salted and dried salted fish of the Code of Practice for Fish and Fishery Products</i> (CAC/RCP 52-2003)	REP16/FFP Appendix VIII	-	Adopted
Guidelines for the Control of Non-typhoidal <i>Salmonella</i> spp. in Beef and Pork Meat	REP16/FH Appendix II	N02-2014	Adopted
Guidelines on the Application of General Principles of Food Hygiene to the Control of Foodborne Parasites	REP16/FH Appendix III	N03-2014	Adopted
Annex I “Examples of Microbiological Criteria for Low-Moisture Foods when Deemed Appropriate in Accordance with the <i>Principles and Guidelines for the Establishment and Application of Microbiological Criteria Related to Foods</i> (CAC/GL 21-1997)” and Annex II “Guidance for the Establishment of Environmental Monitoring Programmes for <i>Salmonella</i> spp. and other Enterobacteriaceae in Low-Moisture Food Processing Areas” to the <i>Code of Hygienic Practice for Low-Moisture Foods</i> (CAC/RCP 75-2015)	REP16/FH Appendix IV	N06-2013	Adopted
Annex III “Spices and Dried Aromatic Herbs” to the <i>Code of Hygienic Practice for Low-Moisture Foods</i> (CAC/RCP 75-2015)	REP16/FH Appendix IV		Adopted

Standard and Related Texts	Reference	Job No.	Status
Additional or Revised Nutrient Reference Values for Labelling Purposes in the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985)	REP16/NFSDU Appendix II part I	N06-2008	Adopted with exception of Vitamin E (see para. 44)
Amendment to the Annex of the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985) to add a definition for RASBs	REP16/NFSDU Appendix II part II	-	Adopted
Amendment to Section 10, Methods of analysis in <i>Standard for Infant Formula and Formulas for Special Medical Purposes Intended for Infants</i> (CODEX STAN 72-1981)	REP16/NFSDU Appendix V Part II	-	Adopted
Principles and Guidelines for the Exchange of Information between Importing and Exporting Countries to support the Trade in Food	REP16/FICS Appendix II	N01- 2015	Adopted
Revision of the <i>Principles and Guidelines for the Exchange of Information in Food Safety Emergency Situations</i> (CAC/GL 19-1995)	REP16/FICS Appendix IV	N03-2015	Adopted
Revision of the <i>Guidelines for the Exchange of Information Between Countries on Rejections of Imported Food</i> (CAC/GL 25-1997)	REP16/FICS Appendix V	N04-2015	Adopted
Methods of Analysis and Sampling (CODEX STAN 234-1999)	REP16/MAS Appendix II	Ongoing	Adopted (see para. 47)
Specifications for the Identity and Purity of Food Additives	REP16/FA, Appendix III, Part A	Ongoing	Adopted
Revision of the GSFA food category 01.1 “Milk and Dairy Based Drinks” (renamed “Fluid milk and milk products”) and consequential changes	REP16/FA, Appendix XII	N14-2015	Adopted
Food additive provisions of the <i>General Standard for Food Additives</i> (GSFA)	REP16/FA, Appendix VII, Parts A-F	Ongoing	Adopted
Amendments to the <i>International Numbering System for Food Additives</i> (CAC/GL 36-1989)	REP16/FA, Appendix XIII	Ongoing	Adopted
Revision of Sections 4.1.c and 5.1.c of the <i>General Standard for the Labelling of Food Additives When Sold as Such</i> (CODEX STAN 107-1981)	REP16/FA, Appendix XV	N15-2015	Adopted
Revised food additives section of the <i>Standards for Cocoa Butter</i> (CODEX STAN 86-1981), <i>Chocolate and Chocolate Products</i> (CODEX STAN 87-1981), <i>Cocoa (Cacao) Mass (Cocoa/Chocolate Liquor) and Cocoa Cake</i> (CODEX STAN 141-1983) and <i>Cocoa Powders (Cocoas) and Dry Mixtures of Cocoa and Sugars</i> (CODEX STAN 105-1981)	REP16/FA, Appendix V	Ongoing	Adopted

Standard and Related Texts	Reference	Job No.	Status
Revised food additives provisions of the GSFA related to the alignment of the four commodity standards for chocolate and chocolate products and the commodity standards identified by the Committee on Fish and Fishery Products (CCFFP)	REP16/FA, Appendix VII, Parts G and H	Ongoing	Adopted
Amendments to the <i>Standard for Dairy Fat Spreads</i> (CODEX STAN 253-2006)	REP16/FA, Para. 153	-	Adopted
Maximum level for inorganic arsenic in husked rice (GSCTFF)	REP16/CF Appendix II	N12-2011	Adopted
Maximum levels for lead in fruit juices and nectars ready-to-drink (inclusion of passion fruit); canned fruits (inclusion of canned berries and other small fruits); canned vegetables (inclusion of canned leafy vegetables and canned legume vegetables); pickled cucumbers (lower ML); and table olives (lower ML)	REP16/CF Appendix III	N04-2012	Adopted (see para. 74)
Revised <i>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</i> (CAC/RCP 51-2003)	REP16/CF Appendix IV	N13-2014	Adopted
Annexes on zearalenone, fumonisins, ochratoxin A, trichothecenes and aflatoxins to the <i>Code of Practice for the Prevention and Reduction of Mycotoxin Contamination in Cereals</i> (CAC/RCP 51-2003)	REP16/CF Appendix IV	N13-2014	Adopted
MRLs for pesticides	REP16/PR Appendix II	Ongoing	Adopted

Appendix IV**LIST OF DRAFT STANDARDS AND RELATED TEXTS ADOPTED AT STEP 5**

Standard and Related Texts	Job No.	Reference	Status
Standard for Cumin	REP16/SCH Appendix III	N05-2014	Adopted
Standard for Thyme	REP16/SCH Appendix IV	N07-2014	Adopted
Standard for Aubergines	REP16/FFV Appendix III	N10-2014	Adopted (see para. 21)
Standard for Garlic	REP16/FFV Appendix IV	N09-2014	Adopted
Standard for Kiwifruit	REP16/FFV; Appendix V	N11-2014	Adopted
Nutrient Reference Values on Vitamin E for Labelling Purposes in the <i>Guidelines on Nutrition Labelling</i> (CAC/GL 2-1985)	REP16/NFSDU Appendix II part I	N06-2008	Adopted (see para. 44)
Guidance For Monitoring the Performance of National Food Control Systems	REP16/FICS Appendix III	N03-2015	Adopted
Maximum levels for lead in jams, jellies and marmalades and for 6preserved tomatoes (GSCTFF)	REP16/CF Appendix III	N04-2012	Adopted (see para. 74)
Revision to the <i>Classification of Food and Feed</i> (selected commodity groups: Group 020 – Grasses of cereal grains)	REP16/PR Appendix X	N11-2004 N09-2006	Adopted
Guidelines on performance criteria for methods of analysis for the determination of pesticide residues	REP16/PR Appendix XI	N09-2013	Adopted
Revision of the <i>General Standard for the Labelling of Prepackaged Foods</i> : Date marking	REP16/FL Appendix II	N10-2013	Adopted
Standard for dairy permeate powders	CX/CAC 16/39/4 Add.2 Annex 1	N16-2015	Adopted

Appendix V**LIST OF REVOKED STANDARDS AND RELATED TEXTS**

Standards and Related Texts	Reference
<i>Code of Hygienic Practice for Spices and Dried Aromatic Herbs (CAC/RCP 42–1995)</i>	REP16/FH paras 40a.
Specifications for aluminium silicate (INS 559) and calcium aluminium silicate (INS 556)	REP16/FA Appendix III Part B
Food additive provisions of the commodity standards or GSFA	REP16/FA Appendices VI and VIII
Maximum levels for lead in the GSCTFF (canned raspberries, canned strawberries, canned green beans and canned wax beans, canned green peas, pickled cucumbers and table olives)	REP16/CF, Appendix III
Maximum residue limits for pesticides	REP16/PR, Appendix III

Appendix VI**LIST OF APPROVED NEW WORK**

Codex Body	Text	Reference and project document	Job Number
CCFFV	Standard for Fresh Dates	REP16/FFV Annex I CX/CAC 16/39/7	N01-2016
CCFH	Guidance for histamine control in the <i>Code of Practice for Fish and Fishery Products</i> (CAC/RCP 52-2003) and sampling plans for histamine in standards for fish and fishery products	REP16/FFP Annex II CX/CAC 16/39/7	N02-2016
CCFH	Revision of the <i>General Principles of Food Hygiene</i> (CAC/RCP 1-1969) and its HACCP Annex	REP16/FH Appendix V	N03-2016
CCFH	Revision of the <i>Code of Hygienic Practice for Fresh Fruits and Vegetables</i> (CAC/RCP 53-2003)	REP16/FH Appendix VI	N04-2016
CCNFSDU	Guideline for ready to use therapeutic foods (RUTF)	REP16/NFSDU Appendix IV	N05-2016
CCFL	Guidance for the labelling of non-retail containers of food	REP16/FL, Appendix III	N06-2016
CCAFRICA	Regional Standard for dried meat	REP15/CCEXEC Annex 1 CX/CAC 16/39/7 Add.1	N07-2016

Appendix VII**LIST OF DISCONTINUED WORK**

Codex Body	Text	Reference
CCFFP	Appendices 1 – 11 to the <i>Code of Practice for Fish and Fishery Products</i> (CAC/RCP 52-2003)	REP16/FFP para. 66b
CCFA	Food additive provisions of the GSFA	REP16/FA Appendix X
CCPR	MRLs for pesticides	REP16/PR Appendix VI

Appendix VIII**TERMS OF REFERENCE OF THE AD HOC CODEX INTERGOVERNMENTAL TASK FORCE ON
ANTIMICROBIAL RESISTANCE****Objectives**

To develop science-based guidance on the management of foodborne antimicrobial resistance, taking full account of the WHO Global Action Plan on Antimicrobial Resistance, in particular objectives 3 and 4, the work and standards of relevant international organizations, such as FAO, WHO and OIE, and the One-Health approach, to ensure that Members have the necessary guidance to enable coherent management of antimicrobial resistance along the food chain.

Terms of reference

- (i) To review and revise as appropriate the *Code of Practice to Minimise and Contain Antimicrobial Resistance* (CAC/RCP 61-2005) to address the entire food chain, in line with the mandate of Codex.
- (ii) To consider the development of Guidance on Integrated Surveillance of Antimicrobial Resistance, taking into account the guidance developed by the WHO Advisory Group on Integrated Surveillance of Antimicrobial Resistance (AGISAR) and relevant OIE documents.

Time frame

The Task Force shall complete its work within three (max four sessions), starting in 2017.

Appendix IX**CHAIRMANSHIP OF CODEX SUBSIDIARY BODIES**

established under Rule XI.1(b)(i)

Code	Subsidiary Body	Member Responsible	Status
CX 703	Committee on Milk and Milk Products	New Zealand	Active ¹
CX 708	Committee on Cocoa Products and Chocolate	Switzerland	<i>Sine die</i>
CX 709	Committee on Fats and Oils	Malaysia	Active
CX 710	Committee on Sugars	Colombia	Active ¹
CX 711	Committee on Food Additives	China	Active
CX 712	Committee on Food Hygiene	United States of America	Active
CX 713	Committee on Processed Fruits and Vegetables	United States of America	Active
CX 714	Committee on Food Labelling	Canada	Active
CX 715	Committee on Methods of Analysis and Sampling	Hungary	Active
CX 716	Committee on General Principles	France	Active
CX 718	Committee on Pesticide Residues	China	Active
CX 719	Committee on Natural Mineral Waters	Switzerland	<i>Sine die</i>
CX 720	Committee on Nutrition and Foods for Special Dietary Uses	Germany	Active
CX 722	Committee on Fish and Fishery Products	Norway	<i>Sine die</i>
CX 723	Committee on Meat Hygiene	New Zealand	<i>Sine die</i>
CX 728	Committee on Vegetable Proteins	Canada	<i>Sine die</i>
CX 729	Committee on Cereals, Pulses and Legumes	United States of America	Active ¹
CX 730	Committee on Residues of Veterinary Drugs in Foods	United States of America	Active
CX 731	Committee on Fresh Fruits and Vegetables	Mexico	Active
CX 733	Committee on Food Import and Export Certification and Inspection Systems	Australia	Active
CX 735	Committee on Contaminants in Foods	The Netherlands	Active
CX 736	Committee on Spices and Culinary Herbs	India	Active
CX 804	<i>Ad hoc</i> Intergovernmental Task Force on Antimicrobial Resistance	Republic of Korea	Active

¹ Working by correspondence